

**From:** [Dierker, Carl](#)  
**To:** [Bill White](#)  
**Cc:** [Gregory Dolan \(gdolan@apexc.com\)](#); [John McAllister](#); [Christopher Morris](#); [Christen Anton](#); [Alicia Barton](#); [cmyers@apexc.com](#); [jborkland@apexc.com](#); [Eric Hines \(ehines@lemessurier.com\)](#); [Catri, Cindy](#); [Williams, Ann](#); [Marsh, Michael](#); [LeClair, Jacqueline](#); [Stanley, Elaine](#); [Tisa, Kimberly](#); [Colarusso, Phil](#); [Lombardo, Ginny](#)  
**Subject:** RE: Ammended EPA Blasting Request  
**Date:** Friday, September 06, 2013 5:36:38 PM

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Bill – We appreciate your organizing this afternoon’s call with the authors of the Jasco report. I thought it was very helpful in answering our initial questions about the report and we look forward to reviewing the explanations we requested to help document the rationale behind the report’s conclusions.

On that call, I also mentioned that we had some preliminary questions/comments concerning your Amended Request for Additional Blasting dated August 28, 2013. While we haven’t completed our review of that document, I thought it would be good to get these preliminary comments to you as early as possible so your team could begin working on responses while we complete our review of the amended blasting plan. (Please ignore formatting, as I’ve had to cut and paste from several emails.)

Items in Mass CEC’s August 28, 2013 letter to us that warrant clarification or confirmation:

1. CEC’s response to our question related to timing (see pages 4-5 of the CEC letter) states that all the blasting work will end on Nov. 15. It is important that CEC understand and acknowledge condition 2 in our June 13, 2013 letter (which we have also included as condition 3 in the letter we sent today to NMFS reinitiating consultation). Specifically, we have stated that EPA will need to evaluate the effects of any blasting that takes place in one area in September before we can agree to allow further blasting before November 15.

2. It would be helpful if Mass CEC would confirm that, in addition to installing silt and bubble curtains at the blast sites, it intends to install an additional silt curtain north of the blast sites to deflect migrating juvenile anadromous fish for any blasting before Nov. 15, as we stated in our June 13 letter (condition 3).

3. It would be helpful if Mass CEC would identify where the additional blasted rock will be disposed.

4. Please explain why the substantive requirements of State explosive regulations 527 CMR Section 13, which regulate the transportation, storage and handling of explosives on land and vessels, have not been identified as an ARAR and not included in the State’s ARARs letters. Alternatively, please revise your ARARs analysis and provide an addendum including these regulations. (There appears to be an intent to comply with these regulations since Section 12 of the Blasting Plan references these regulations and the blasting specs (1.1.1) also require compliance with these regulations.)

5. Attachment F: Operational Blasting Plan

DOT licenses/permits (section 2.2.1):

- a. Explosives Supply Inc.
  - i. Certificate of Registration expired 6/30/13
  - ii. Hazardous Material Safety Permit expired 4/30/13
- b. John Joseph Inc.
  - i. Certification of Registration expired 6/30/13

- ii. Hazardous Material Safety Permit expired either June 30, 2012 or 2013.
- iii. Truck Annual inspections expired; last performed for all trucks on 11/25/11.  
(Section 4.1.3)

- 6. Section 4.1.2 is missing the transportation route from explosives supplier to Fish Island.
- 7. Section 5.4 and 5.6 will need updating; reflects EPA conditions in June and July letters with 50lb charge per delay limit.
- 8. Section 12.2.1 cites 527 CMR Section 13 but the actual text of the regulations is missing.

If you have questions or concerns about any of these comments, please be sure to include Ann Williams and Cindy Catri on any follow up emails so we can respond as quickly as possible.

Thanks,

Carl

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**From:** Bill White [mailto:bwhite@MassCEC.com]

**Sent:** Wednesday, August 28, 2013 7:03 PM

**To:** Dierker, Carl; Catri, Cindy; Williams, Ann; Marsh, Michael; LeClair, Jacqueline; Stanley, Elaine; Tisa, Kimberly; Colarusso, Phil

**Cc:** Gregory Dolan (gdolan@apexcos.com); John McAllister; Christopher Morris; Christen Anton; Alicia Barton; cmyers@apexcos.com; jborgland@apexcos.com; Eric Hines (ehines@lemessurier.com)

**Subject:** Ammended EPA Blasting Request

Carl & Team EPA,

Please find attached amended blasting request from Team MassCEC. We expect to forward the GZA report tomorrow on the Hurricane Barrier Assessment and the revised JASCO report next week. Additionally, we have reached out to DEP on the ARARs request, and hope to hear back shortly.

Many thanks for all your attention and effort on this vital project.

Bill

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