

**From:** [Christopher Boelke - NOAA Federal](#)  
**To:** [Sue Tuxbury](#); [Colarusso, Phil](#)  
**Subject:** Fwd: Environmental Protection Plan Revision 2  
**Date:** Friday, June 28, 2013 12:46:57 PM  
**Attachments:** [ATT00001.txt](#)  
[image002.png](#)  
[image003.png](#)  
[Submittal 01355-001B Revision 2 Environmental Protection Plan.pdf](#)

---

----- Forwarded message -----

**From:** **Craffey, Paul (DEP)** <[paul.craffey@state.ma.us](mailto:paul.craffey@state.ma.us)>  
**Date:** Fri, Jun 28, 2013 at 12:42 PM  
**Subject:** Environmental Protection Plan Revision 2  
**To:** "Ford, Kathryn (FWE)" <[kathryn.ford@state.ma.us](mailto:kathryn.ford@state.ma.us)>, "Keegan, Michael F NAE" <[Michael.F.Keegan@nae02.usace.army.mil](mailto:Michael.F.Keegan@nae02.usace.army.mil)>, "[stanley.elainet@epamail.epa.gov](mailto:stanley.elainet@epamail.epa.gov)" <[stanley.elainet@epamail.epa.gov](mailto:stanley.elainet@epamail.epa.gov)>, Christopher Boelke <[Christopher.Boelke@noaa.gov](mailto:Christopher.Boelke@noaa.gov)>, "Jeffrey D. Stieb" <[Jeffrey.Stieb@newbedford-ma.gov](mailto:Jeffrey.Stieb@newbedford-ma.gov)>, "[Catri.Cynthia@epamail.epa.gov](mailto:Catri.Cynthia@epamail.epa.gov)" <[Catri.Cynthia@epamail.epa.gov](mailto:Catri.Cynthia@epamail.epa.gov)>, "Janik, David (DEP)" <[david.janik@state.ma.us](mailto:david.janik@state.ma.us)>, Bill Roth <[broth@fairhaven-ma.gov](mailto:broth@fairhaven-ma.gov)>, Edward Anthes-Washburn <[Edward.Anthes-Washburn@newbedford-ma.gov](mailto:Edward.Anthes-Washburn@newbedford-ma.gov)>, Christopher Morris <[cmorris@masscec.com](mailto:cmorris@masscec.com)>  
**Cc:** Chet Myers <[cmyers@apexcos.com](mailto:cmyers@apexcos.com)>, Jay Borkland <[jborkland@apexcos.com](mailto:jborkland@apexcos.com)>

Attached is the revised Environmental Protection Plan. All comments sent have been addressed.

I consider these Plans to be final.

Let me know if you have any questions.

---

**From:** Chet Myers [mailto:[cmyers@apexcos.com](mailto:cmyers@apexcos.com)]  
**Sent:** Friday, June 28, 2013 10:29 AM  
**To:** Craffey, Paul (DEP)  
**Subject:** FW: Submittal 01355-001B: Revision 2 - Environmental Protection Plan

Hi Paul,

Attached is the second revision to the Environmental Protection Plan.

Your comments were as follows:

*Environmental Protection Plan, Contaminant Prevention Plan, and Spill Prevention Control and Countermeasures Plan.*

*Revised Environmental Protection Plan*

1. *Environmental Protection Plan, Attachment 1, "Policy For Further Regulating Sound Emissions", last page, Attachment: Guidelines for Sound Measurement Protocols DAQC Policy 90-001" This policy is not attached. I have attached to this email*

This policy is now attached.

2. *Spill Prevention Control and Countermeasures Plan, Page 8, 2nd bullet, Notification – Please refer to 310 CMR 40.0300 Notification of Releases and Threats of Release of Oil and Hazardous Material regarding notification requirements for on-land spills. I suggest since the contactors will be using specific oils and hazardous materials that they put a table together with the material being used and the notification specific, oil and gasoline seem to be the same but there may be other materials that are being used that may have different requirements. Reportable Quantities are in 310 CMR 40.1600*

310 CMR 40.1600 was listed and a table was included that indicates the contaminants of concern and their reportable quantities for reference to determine whether notification of MassDEP is required or not.

*Contaminant Prevention Plan*

1. *Page 3, 2nd bullet, Waste Oil – Waste oil is considered a Hazardous Waste (MA01) and*

*should be stored and disposal of per the requirements in 310 CMR 30.000.*

Waste oil is now cited to be stored and disposed of in accordance with 310 CMR 30.0000.

2. *Page 5, 1st Paragraph, 2nd sentence, "Toxic or hazardous chemicals will*

*only be applied*

*to soil or vegetation unless otherwise approved.” – What toxic or hazardous chemicals*

*would be approved to be applied to soil or vegetation?*

This sentence was removed.

### *Spill Prevention Control and Countermeasures Plan*

1. *Page 8, 2nd bullet, Notification – Please refer to 310 CMR 40.0300 Notification of*

*Releases and Threats of Release of Oil and Hazardous Material regarding notification requirements for on-land spills.*

This sentence was similarly updated in as with comment 2 of the overall plan above.

2. *Page 8, 2nd bullet, Notification – For on-water spills, contact the U.S. Coast Guard.*

So noted. Appendix C of this document is referenced, and includes contact information for the U.S. Coast guard.

3. *Appendix C, 3. Environmental Agencies – Included Paul Craffey ([617 292-5591](tel:6172925591) work or 617*

*325-3566 home) and/or Joseph Coyne ([617 348-4066](tel:6173484066)).*

So added.

|                                                                                     |                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p><b>Chet Myers</b><br/><b>Apex Companies, LLC</b><br/>125 Broad Street, 5th Floor<br/>Boston, MA 02110<br/>O) <a href="tel:617-728-0070">617-728-0070</a> x113 M) <a href="tel:617-908-5778">617-908-5778</a></p> |
|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Follow Apex on    and Like us on**

**Privacy Notice:** This message and any attachment(s) hereto are intended solely for the individual(s) listed in the masthead. This message may contain information that is privileged or otherwise protected from disclosure. Any review, dissemination or use of this message or its contents by persons other than the addressee(s) is strictly prohibited and may be unlawful. If you have received this message in error, please notify the sender by return e-mail and delete the message from your system. Thank you.

---

**From:** Caroline Peddle [<mailto:CPeddle@weeksmarine.com>]  
**Sent:** Thursday, June 27, 2013 2:55 PM  
**To:** Chet Myers  
**Cc:** [swyatt@jaycashman.com](mailto:swyatt@jaycashman.com); Steve Tobin; John McAllister  
**Subject:** Submittal 01355-001B: Revision 2 - Environmental Protection Plan

Chet,

Please see the attached revised Environmental Protection Plan.

Thank you,

Caroline

--

Christopher Boelke  
Field Offices Supervisor  
Habitat Conservation Division  
NOAA Fisheries, Northeast Regional Office  
Gloucester, MA  
978-281-9131

<http://www.nmfs.noaa.gov/>



\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*

This Email message contained an attachment named  
image001.jpg  
which may be a computer program. This attached computer program could  
contain a computer virus which could cause harm to EPA's computers,  
network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced  
into the EPA network. EPA is deleting all computer program attachments

sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*