

**From:** [Dierker, Carl](#)  
**To:** [Catri, Cindy](#); [Jensen, LeAnn](#)  
**Cc:** [Williams, Ann](#)  
**Subject:** FW: [EXTERNAL] RE: Follow-Up on NBMCT (UNCLASSIFIED)  
**Date:** Wednesday, September 11, 2013 2:16:11 PM  
**Importance:** High

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I thought we found that the Corps was responsible for this lighthouse from the official registry of historic sites. Could someone find the entry for this site so we can send it in to the Corps. If it's the city's lighthouse, then maybe we just need to get a letter from the city expressing their opinion on whether the blasting will affect the lighthouse.

-----Original Message-----

From: Bachand, Michael L NAE [<mailto:Michael.L.Bachand@usace.army.mil>]  
Sent: Wednesday, September 11, 2013 1:38 PM  
To: 'bwhite@MassCEC.com'; Michalak, Scott C NAE  
Cc: 'jborkland@apexc.com'; 'ehines@lemessurier.com'; Dierker, Carl; 'gdolan@apexc.com'; 'Diane.Baxter@gza.com'; Fedele, Francis J NAE; Macpherson, John C NAE; Garneau, Alex R NAE  
Subject: Re: [EXTERNAL] RE: Follow-Up on NBMCT (UNCLASSIFIED)

Bill

Also if you haven't done so already, you might call Ron Labelle from the city of new Bedford. The official website for the lighthouse says the city operates it and was transferred over to the City in 1978.

Mike

----- Original Message -----

From: Bachand, Michael L NAE  
Sent: Wednesday, September 11, 2013 01:24 PM  
To: 'bwhite@MassCEC.com' <bwhite@MassCEC.com>; Michalak, Scott C NAE  
Cc: 'jborkland@apexc.com' <jborkland@apexc.com>; 'ehines@lemessurier.com' <ehines@lemessurier.com>; 'Dierker.Carl@epa.gov' <Dierker.Carl@epa.gov>; 'gdolan@apexc.com' <gdolan@apexc.com>; 'Diane.Baxter@gza.com' <Diane.Baxter@gza.com>; Fedele, Francis J NAE; Macpherson, John C NAE; Garneau, Alex R NAE  
Subject: Re: [EXTERNAL] RE: Follow-Up on NBMCT (UNCLASSIFIED)

Bill

I checked with our Operations and Navigation division. No one believes that USACE has responsibility over the Palmer's Island Lighthouse. If you have information to contrary, please let me know. I am happy to assist further if needed.

Thanks Mike

----- Original Message -----

From: Bill White [<mailto:bwhite@MassCEC.com>]  
Sent: Wednesday, September 11, 2013 06:53 AM  
To: Michalak, Scott C NAE  
Cc: Jay Borkland (jborkland@apexc.com) <jborkland@apexc.com>; Eric Hines (ehines@lemessurier.com) <ehines@lemessurier.com>; Bachand, Michael L NAE; Dierker, Carl (Dierker.Carl@epa.gov) <Dierker.Carl@epa.gov>; Gregory Dolan (gdolan@apexc.com) <gdolan@apexc.com>; Diane Baxter (Diane.Baxter@gza.com) <Diane.Baxter@gza.com>  
Subject: [EXTERNAL] RE: Follow-Up on NBMCT (UNCLASSIFIED)

Scott,

I left Mike a message yesterday but given his due date, I wanted to reach out to you.

EPA General Counsel Carl Dierker recently received a letter from Mass Historic (attached) regarding

emails they have received from New Bedford residents concerned about the impact of blasting on the Palmer's Island Lighthouse. MassCEC has completed an analysis, summarized in the attached letter we sent to EPA yesterday, that indicates the level of vibration from blasting at the Lighthouse will be 15 times below the USACE standard. Do you have time this morning for a discussion how we can address this final issue?

Many thanks and hope all is well with Mike and his family!

Bill

Bill White  
Director, Offshore Wind Sector Development Massachusetts Clean Energy Center  
55 Summer Street, 9th Floor, Boston, MA 02110  
(617) 315-9330

[www.masscec.com](http://www.masscec.com)

-----Original Message-----

From: Michalak, Scott C NAE [<mailto:Scott.C.Michalak@usace.army.mil>]  
Sent: Thursday, January 31, 2013 8:20 AM  
To: Bill White  
Subject: RE: Follow-Up on NBMCT (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Yes. Can do it now if you want.

Regards,  
Scott C. Michalak, P.E.  
Chief, Geotechnical/Water Resources Branch Dam & Levee Safety Officer

United States Army Corps of Engineers  
New England District  
696 Virginia Road  
Concord, Massachusetts 01742  
Phone: 978.318.8350

-----Original Message-----

From: Bill White [<mailto:bwhite@MassCEC.com>]  
Sent: Thursday, January 31, 2013 8:14 AM  
To: Michalak, Scott C NAE  
Cc: 'cmyers@apexcos.com'; Adams, Karen K NAE; 'gary.davis@state.ma.us'  
Subject: Re: Follow-Up on NBMCT

Scott,

Thanks for the return call yesterday. Would you have time for a brief call this morning anytime btwn 830 and 930?

Thanks,

Bill

----- Original Message -----

From: Bill White

Sent: Wednesday, January 30, 2013 01:04 PM

To: Michalak, Scott C NAE <Scott.C.Michalak@usace.army.mil>

Cc: Chet Myers (cmyers@apexc.com) <cmyers@apexc.com>;

karen.k.adams@nae02.usace.army.mil <karen.k.adams@nae02.usace.army.mil>; Davis, Gary (DCR) (gary.davis@state.ma.us) <gary.davis@state.ma.us>

Subject: Follow-Up on NBMCT

Scott,

I'm Bill White, and I'm overseeing the New Bedford Marine Commerce Terminal project for the MA Clean Energy Center. At the suggestion of Karen Adams, I left you a voicemail earlier today regarding the note below. I would be grateful if you could call me back on cell today if possible. My cell is 617 610-4413.

Many thanks,

Bill

Bill White

Director, Offshore Wind Sector Development Massachusetts Clean Energy Center

55 Summer Street, 9th Floor, Boston, MA 02110

(617) 315-9330

[www.masscec.com](http://www.masscec.com)

-----Original Message-----

From: Chet Myers [<mailto:cmyers@apexc.com>]

Sent: Tuesday, January 29, 2013 10:01 AM

To: Bachand, Michael L NAE

Cc: Ann Williams; Carl Dierker; Cynthia Catri; Elaine T Stanley; Kimberly Tisa; Jackie Leclair; Mike Marsh;

Phil Colarusso; Ralph Abele; Sneeringer, Paul J NAE; Davis, Gary (DCR); Jay Borkland; Michalak, Scott C

NAE; Keegan, Michael F NAE; Bill White; Gregory Dolan

Subject: RE: New Bedford HPS - 408 Requirements for Acceptance (UNCLASSIFIED)

Hi Mr. Bachand,

Just wanted to check to see if you had had a chance to take a look at the Commonwealth's updated submittal regarding the assessment of the potential impacts to the NB Hurricane Barrier due to blasting associated with the New Bedford Marine Commerce Terminal.

Please see below for information on how to download the report, but hopefully you have had a chance to download and are reviewing.

Thanks so much for your time and effort on this!

Please let us know where we are with regard to review, and what sort of timing you expect for potential approval.

We are currently out to bid on the job, and would very much appreciate additional certainty on whether blasting will be allowable or not.

Chet Myers

Apex Companies, LLC

O) 617-728-0070 x113 M) 617-908-5778

-----Original Message-----

From: Chet Myers

Sent: Friday, January 11, 2013 6:37 PM

To: 'Bachand, Michael L NAE'

Cc: 'Ann Williams'; 'Carl Dierker'; 'Cynthia Catri'; 'ElaineT Stanley'; 'Kimberly Tisa'; 'Jackie Leclair'; 'Mike Marsh'; 'Phil Colarusso'; 'Ralph Abele'; 'Sneeringer, Paul J NAE'; 'Davis, Gary (DCR)'; Jay Borkland; 'Michalak, Scott C NAE'; 'Keegan, Michael F NAE'; 'Bill White'; Gregory Dolan

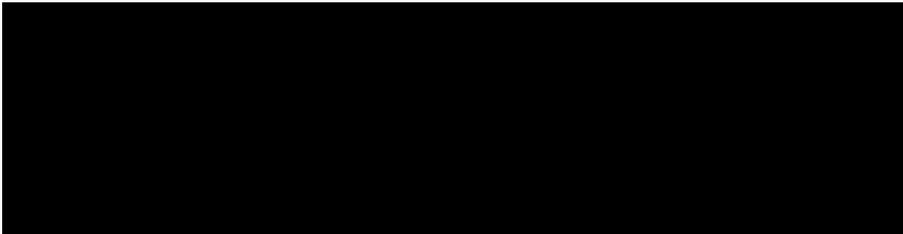
Subject: RE: New Bedford HPS - 408 Requirements for Acceptance (UNCLASSIFIED)

Mr. Bachand,

The Commonwealth has prepared a revised submission for the potential impacts to the NB Hurricane Barrier due to blasting associated with the New Bedford Marine Commerce Terminal. The revised submission addresses USACE's comments issued within a November 21, 2012 e-mail (see below).

Please note that GZA Geoenvironmental has issued a revised report (included as Attachment 1 to the revised submission).

Also please note that, due to the size of the final document, and a desire on the part of the Commonwealth to retain resolution of the final document, the document is not attached to this e-mail, and has instead been uploaded to Apex Companies' document management site, which can be accessed in the following manner:



Please let us know if there is any additional information you require, or if you would like to meet to discuss the results of the report.

Additionally, if you have any problems accessing the site, please contact the undersigned.

Thank you,

Chet Myers

Apex Companies, LLC

O) 617-728-0070 x113 M) 617-908-5778

-----Original Message-----

From: Bachand, Michael L NAE [<mailto:Michael.L.Bachand@usace.army.mil>]

Sent: Wednesday, November 21, 2012 2:55 PM

To: Chet Myers

Cc: Ann Williams; Carl Dierker; Cynthia Catri; ElaineT Stanley; Kimberly Tisa; Jackie Leclair; Mike Marsh; Phil Colarusso; Ralph Abele; Sneeringer, Paul J NAE; Davis, Gary (DCR); Jay Borkland; Michalak, Scott C NAE; Keegan, Michael F NAE

Subject: RE: New Bedford HPS - 408 Requirements for Acceptance (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Mr. Myers,

USACE has reviewed Apex's submittal pursuant to 33 USC 408 dated October 17, 2012 and offers the following comments:

1. In the cover letter please provide a statement addressing residual risk. The New Bedford HPS has

been accredited by FEMA and therefore a statement should be made stating that based on the evaluations performed, no risk and/or damages to the New Bedford HPS will occur, assuming this is your conclusion.

2. The letter presented a slope stability analysis of potential impacts due to blasting. However, no liquefaction analysis was performed. As previously requested, please perform a liquefaction analysis using the test borings collected for the dredging project and test boring data (to the extent possible) from the original design of the New Bedford HSP.

3. The appendices of the PDF file were not readable. Therefore, USACE was not able to review the input parameters used in the analysis.

4. In attachment 1, page 3, last paragraph, it states the dredge elevation in the vicinity of the barrier is -20 feet MLLW. However, during the 8/21/12 meeting, the figures showed the maximum dredge depth to be -32 feet MLLW. Which is correct?

5. In addition to the calculated Charge Weight per Delay, please report the corresponding Peak Particle Velocity (PPV). USACE would like to review the PPV numbers and use the results as guidance when establishing the monitoring program in the blasting specification.

If you would like to discuss or have any questions please don't hesitate to contact me.

Regards,

Michael L. Bachand, P.E.  
Levee Safety Program Manager

United States Army Corps of Engineers  
New England District  
696 Virginia Road  
Concord, Massachusetts 01742  
Office: 978.318.8075  
Cell: 978.551.1656

-----Original Message-----

From: Chet Myers [<mailto:cmyers@apexcos.com>]

Sent: Thursday, November 08, 2012 5:28 PM

To: Bachand, Michael L NAE; Michalak, Scott C NAE; Keegan, Michael F NAE

Cc: Ann Williams; Carl Dierker; Cynthia Catri; Elaine T Stanley; Kimberly Tisa; Jackie Leclair; Mike Marsh;

Phil Colarusso; Ralph Abele; Sneeringer, Paul J NAE; Davis, Gary (DCR); Jay Borkland

Subject: RE: New Bedford HPS - 408 Requirements for Acceptance (UNCLASSIFIED)

Hi Mr. Bachand, Mr. Michalak, and Mr. Keegan,

Just wanted to check to see if you had had a chance to take a look at the Commonwealth's submittal regarding the assessment of the potential impacts to the NB Hurricane Barrier due to blasting associated with the New Bedford Marine Commerce Terminal.

Is there any additional information requested by USACE? Has USACE already reviewed this information?

Do you have an idea what the timetable for USACE review is?

Thanks so much for your time and effort on this!

Chet Myers  
Apex Companies, LLC  
O) 617-728-0070 x113 M) 617-908-5778

-----Original Message-----

From: Chet Myers

Sent: Wednesday, October 17, 2012 3:02 PM

To: Bachand, Michael L NAE; Michalak, Scott C NAE; Keegan, Michael F NAE

Cc: Ann Williams; Carl Dierker; Cynthia Catri; ElaineT Stanley; Kimberly Tisa; Jackie Leclair; Mike Marsh;

Phil Colarusso; Ralph Abele; 'Sneeringer, Paul J NAE'; Davis, Gary (DCR); Jay Borkland

Subject: New Bedford HPS - 408 Requirements for Acceptance (UNCLASSIFIED)

Mr. Bachand, Mr. Michalak, and Mr. Keegan,

Attached please find the Commonwealth's formal submittal of the assessment of the potential impacts to the NB Hurricane Barrier due to blasting associated with the New Bedford Marine Commerce Terminal.

The Commonwealth utilized GZA Geoenvironmental to conduct its geotechnical assessment of the potential impacts. GZA calculated weights of charges at specific distances that could be acceptably utilized while not impacting the factors of safety associated with the Hurricane Protection System in New Bedford Harbor.

The Commonwealth is proposing to set a limit within its specifications, restricting any use of blasting agents to 1/2 of the levels recommended by GZA.

Please let us know if there is any additional information you require, or if you would like to meet to discuss the results of the report.

Thank you,

Chet Myers

Apex Companies, LLC

O) 617-728-0070 x113 M) 617-908-5778

-----Original Message-----

From: Sneeringer, Paul J NAE [<mailto:Paul.J.Sneeringer@usace.army.mil>]

Sent: Thursday, August 30, 2012 1:45 PM

To: Davis, Gary (DCR); Chet Myers; Jay Borkland

Cc: Ann Williams; Carl Dierker; Cynthia Catri; ElaineT Stanley; Kimberly Tisa; Jackie Leclair; Mike Marsh;

Phil Colarusso; Ralph Abele; Bachand, Michael L NAE; Michalak, Scott C NAE

Subject: FW: New Bedford HPS - 408 Requirements for Acceptance (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Gary, Chet, and Jay:

Enclosed for your records is the list of information that the Corps Levee Safety Team will need in order to evaluate potential impacts to the New Bedford Hurricane Protection System ("HPS") (under Section 408) associated with blasting work for the South Terminal Project.

I previously included this list as an attachment to the August 21, 2012 Meeting Note Package, but I wanted to make absolutely sure that you have this information.

Feel free to contact Mike Bachand at (978) 318-8075 if you have additional questions about the required documentation. Thanks.

Paul Sneeringer  
(978) 505-9216

-----Original Message-----

From: Bachand, Michael L NAE

Sent: Thursday, August 23, 2012 2:20 PM

To: Keegan, Michael F NAE; Sneeringer, Paul J NAE

Cc: Michalak, Scott C NAE

Subject: FW: New Bedford HPS - 408 Requirements for Acceptance (UNCLASSIFIED)

As discussed during the August 21, 2012 meeting, performing blasting near or adjacent to the New Bedford Hurricane Protection System (HPS) will require USACE acceptance in accordance with guidance and Title 33 United States Code Section 408 (33 USC 408) requirements. It is likely the acceptance will require local (District level) and headquarters approval. To facilitate the approvals under the 408 process, the following information will be needed for review:

1. Test boring logs, detailed engineering drawings, and construction specifications showing the proposed locations, site conditions, and blasting techniques being proposed. The drawings should show all existing structures, utilities, easements/R-O-W, dimensions, and pertinent HPS components located in the vicinity of the proposed work area and/or impacted by the blasting.
2. A technical analysis (liquefaction, post-liquefaction settlement, and seismic/residual slope stability) and summary memorandum on the potential impacts to the existing New Bedford HPS.
3. Discussion of residual risk
4. Discussion of Executive Order 11988 considerations
5. Compliance with Environmental Protection policies.

See the attached the attached 408 Clarification Guidance memo dated November 17, 2008 and attached Submittal Package Guide at the end of Memo for detailed information required for USC 408 review & acceptance. I have also included a copy of 33 USC 408 and a policy memorandum dated October 23, 2006 for your reference.

Finally, USACE will review the draft Proposed Construction Specification for Blasting and provide suggested edits.

Regards,

Michael L. Bachand, P.E.  
Levee Safety Program Manager

United States Army Corps of Engineers  
New England District  
696 Virginia Road  
Concord, Massachusetts 01742  
Office: 978.318.8075  
Cell: 978.551.1656

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Caveats: NONE

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Caveats: NONE