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**Notes ID:** E25C8A0D1C0A5CB686257A380067EABB

**From:** Ellen Weitzler/R1/USEPA/US

**To:** "Sneeringer, Paul J NAE" <Paul.J.Sneeringer@usace.army.mil>

**Copy To:** Ann Williams/R1/USEPA/US@EPA; Mike Marsh/R1/USEPA/US@EPA

**Delivered Date:** 06/06/2012 04:50 PM EDT

**Subject:** Re: FW: South Terminal Water Quality Impacts (UNCLASSIFIED)

Hi Paul,

Thank you so much for the feedback. As it turns out, I won't be able to make it to the meeting tomorrow until 1 pm. So, I'll check in then to see if it is still going on.

Thanks

Ellen

Ellen Weitzler, P.E.  
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▼ "Sneeringer, Paul J NAE" ---06/06/2012 01:39:20 PM---Classification: UNCLASSIFIED Caveats: NONE

From: "Sneeringer, Paul J NAE" <Paul.J.Sneeringer@usace.army.mil>  
To: Ellen Weitzler/R1/USEPA/US@EPA  
Cc: Ann Williams/R1/USEPA/US@EPA, Mike Marsh/R1/USEPA/US@EPA  
Date: 06/06/2012 01:39 PM  
Subject: FW: South Terminal Water Quality Impacts (UNCLASSIFIED)

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Classification: UNCLASSIFIED  
Caveats: NONE

Ellen:

This e-mail concerns your write-up on potential water quality impacts associated with the South Terminal Project in New Bedford. Enclosed is your write-up with my comments/recommendations.

Your water quality impact write-up will be incorporated into specific sections of the overall Section 10 and 404 ARARs decision document. Enclosed for your review is a copy of my current working DRAFT for this decision document. As you can see the document is divided into larger discussion areas. These include a discussion of the proposed project and existing conditions (Sections #1 to #3), the Section 404(b)(1) analysis (Sections #4 to #8), the Section 10 public interest review (Section #9), Compliance with Related Laws (Sections #10 to #17) and Required Special Conditions (Section #18). I expect that water quality issues will need to be address in the following sections:

Section 3.2 - Existing Water Quality Conditions;

Section 5.1 and 5.2 - Section 5.0 is a fatal flaw discussion. We will need to verify that there are no water quality impacts or failures of toxic effluent standards that will result in a significant impact on aquatic resources, which would cause the project to automatically fail the 404(b)(1) analysis;

Section 6.1 - Some of your water quality write-up could be incorporated into a discussion of substrate impacts (6.1.1), suspended particulate/ turbidity impacts (6.1.2), water column impacts (6.1.3) and/or alternation of salinity gradients (6.1.6);

Section 6.5 - Water Quality impacts may need to be addressed as part of the secondary impacts analysis for this project;

Section 6.6 - Water quality impacts may need to be addressed as part of the cumulative impacts analysis for this project;

Section 7.2 - We will need to identify required best management practice special conditions that are necessary to minimize adverse impacts (Also see Section #18);

Section 9.1.15 - We will need to summarize the potential for short-term and long-term, negative and positive water quality impacts associated with the South Terminal Project;

Section 18 - We will be developing a list of special conditions (e.g. construction best management practices) necessary to ensure that the South Terminal Project is compliant with the substantive requirements for the Section 10 and 404 ARARs.

I am definitely interested in seeing your response to these issues. Feel free to contact me if you have any questions concerning the information presented in this e-mail. NOTE: I will be attending the APEX meeting tomorrow at the EPA office. Thanks.

Paul Sneeringer  
(978) 505-9216

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

From: Ann Williams [mailto:Williams.Ann@epamail.epa.gov]  
Sent: Tuesday, June 05, 2012 2:49 PM  
To: Sneeringer, Paul J NAE  
Subject: Fw: South Terminal Water Quality Impacts

FYI

----- Forwarded by Ann Williams/R1/USEPA/US on 06/05/2012 02:49 PM -----

From: Ellen Weitzler/R1/USEPA/US  
To: Ann Williams/R1/USEPA/US@EPA, Thelma Murphy/R1/USEPA/US@EPA  
Date: 05/31/2012 03:31 PM  
Subject: South Terminal Water Quality Impacts

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Hi Ann and Thelma,

This is what I have on South Terminal so far. Thelma may want to add something based on her review of the activities planned versus what would have been required under a Construction General Permit.

I'll be out tomorrow (Friday 6/1) but back on Monday.

Thanks

Ellen

(See attached file: Memo to Ann Williams about Water Quality Impacts.docx)

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Classification: UNCLASSIFIED  
Caveats: NONE

[attachment "Memo to Ann Williams about Water Quality Impacts (Paul Sneeringer comments).doc" deleted by Ellen Weitzler/R1/USEPA/US] [attachment "New Bedford Harbor-SER 404 and 10 working DRAFT 6.5.2012.doc" deleted by Ellen Weitzler/R1/USEPA/US]