

## EPA Official Record

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**Notes ID:** 5B8FF9CBCD30E1E085257A40006D13A8

**From:** Cynthia Catri/R1/USEPA/US

**To:** "Davis, Gary (DCR)" <gary.davis@state.ma.us>

**Copy To:** "Chet Myers" <cmyers@apexcos.com>; "Weinberg, Philip (DEP)" <philip.weinberg@state.ma.us>; "Sneeringer Paul J NAE" <Paul.J.Sneeringer@usace.army.mil>; Ann Williams/R1/USEPA/US@EPA; Phil Colarusso/R1/USEPA/US@EPA; Mike Marsh/R1/USEPA/US@EPA; Kimberly Tisa/R1/USEPA/US@EPA; Elaine T Stanley/R1/USEPA/US@EPA

**Delivered Date:** 06/06/2012 12:06 PM EDT

**Subject:** Re: FW: South Terminal meeting

Here is what has been raised so far:

1. Could you more specifically address how the South Terminal Project is substantively compliant with the Wetland, Waterway, and Water Quality regulations. The letter appears to state that the South Terminal Project is exempt from many of the required performance standards, since the project will "improve the natural capacity of wetlands or any other water of the Commonwealth". The justification for this exemption is confusing.

2. In addition, specific conditions (e.g. construction sampling methodology, time-of-year restrictions, the establishment of mixing zones, the use of silt curtains and environmental dredge buckets, real time dredge and dewatering turbidity monitoring and response plan and environmental monitors' oversight) appear to be imposed to make sure that construction is compliant with State regulatory authorities. Is MassDEP planning on issuing a water quality certification for the South Terminal project? Alternatively would the Commonwealth issues these conditions in a separate state ARARs document?

3. Is this the complete universe of State ARARs that you plan to identify?

There may be other questions, but that's what we have so far.

-----"Davis, Gary (DCR)" <gary.davis@state.ma.us> wrote: -----

To: Cynthia Catri/R1/USEPA/US@EPA  
From: "Davis, Gary (DCR)" <gary.davis@state.ma.us>  
Date: 06/06/2012 09:09AM  
Cc: "Weinberg, Philip (DEP)" <philip.weinberg@state.ma.us>, "Chet Myers" <cmyers@apexc.com>  
Subject: FW: South Terminal meeting

Hi Cynthia. Phil Weinberg is available after 12pm tomorrow to provide you with additional information of the ARAR letter. It would be most helpful if you could provide us with which state regulations/subject matters that are of concern to EPA. Thanks. /gd

**From:** Cynthia Catri [mailto:Catri.Cynthia@epamail.epa.gov]  
**Sent:** Tuesday, June 05, 2012 11:05 PM  
**To:** Davis, Gary (ENV); Ericson, Benjamin (DEP); Chet Myers; jborkland@apexc.com; Weinberg, Philip (DEP)  
**Cc:** Sneeringer Paul J NAE; Ann Williams; Phil Colarusso; Mike Marsh; Carl Dierker; Carl Deloi; Jackie Leclair  
**Subject:** South Terminal meeting

Gary,

If possible, we would like to carve out some time during Thursday's meeting to discuss the February 2012 State ARAR letter. We would be interested in hearing more specifics about how the project meets the requirements of the state regulations identified in the letter.

Thanks.