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Subject: FW: Meeting Notes for the August 21, 2012 Interagency Meeting on Potential Impacts to the New Bedford Hurricane Protection System from Blasting Associated with the South Terminal Project (UNCLASSIFIED)

ATTACHMENT: 0442 001.pdf

ATTACHMENT: 2008-11-17 Section 408 Clarification Guidance.pdf

ATTACHMENT: 33 USC 408.pdf

ATTACHMENT: 2006-10-23 Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineers Projects-Memo for MSCs.pdf

Classification: UNCLASSIFIED

Caveats: NONE

Carl, Ann, and Cindy:

Enclosed for your records are the Meeting Notes from last Tuesday's interagency meeting where we discussed potential impacts to the New Bedford Hurricane Protection System ("HPS") associated with potential blasting work from the South Terminal Project. The notes were coordinated with the meeting participants and revised as per their comments. I wanted to make sure that you had these meeting notes in case the issue of blasting comes up in tomorrow's coordination meeting.

Feel free to contact me if you have any additional questions regarding the documentation provided in this e-mail. Thanks.

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DRAFT MEETING NOTES:

On Tuesday August 21, 2012 representatives from the Commonwealth of Massachusetts, Apex Companies, the U.S. Army Corps of Engineers, and the Environmental Protection Agency ("EPA") met to discuss the scope of potential impacts that blasting associated with the South Terminal Project may have on the adjacent New Bedford Hurricane Protection System ("HPS"). Attendees to this meeting included Gary Davis (Massachusetts EEA), Jay Borkland (Apex), Chet Myers (Apex), Michael Marsh (EPA), Mike Keegan (Corps), Scott Michalak (Corps), Michael Bachand (Corps), Rose Schmidt (Corps), and Paul Sneeringer (Corps). This document summarizes the major discussion points from this meeting.

- 1.) The Commonwealth of Massachusetts made it clear that their preference is not to blast. They understand the spectrum of regulatory, engineering, and political concerns associated with blasting.
- 2.) The limited boring surveys that have been completed for the South Terminal Project have identified the presence of shallow bedrock formations in and adjacent to the proposed marine terminal bulkhead and the proposed navigational channels. The boring logs from previous surveys document a bedrock layer starting at depths between -25 and -35 feet mean lower low water ("MLLW"). Therefore, the presence of this bedrock would not likely be a concern for the proposed dredging of -14 foot MLLW tug channel. However, it will likely be a concern for the dredging of the proposed main shipping channel (-32 foot MLLW) and the construction of the South Terminal Bulkhead, where up to 5-8 feet of bedrock may need to be removed.
- 3.) Apex indicates that the bedrock appears to be fractured. This material may be able to be removed without blasting, but there is a good detail of uncertainty about this issue due to the current level of survey. Although the Commonwealth could specify that blasting is not allowed to remove the bedrock, they are concerned that the timing of this work could greatly delay the construction schedule for South Terminal and it is uncertain how the "no blasting" requirement would affect potential bidders for this project. Based upon these reasons, the Commonwealth is interested in continuing to pursue the blasting option.
- 4.) Scott Michalak of the Corps indicated that he has significant concerns about the potential impacts that blasting could have on the adjacent New Bedford HPS. The New Bedford HPS foundation was not built into the underlying bedrock, but instead into the overburden of sands and silts. Seismic waves from the proposed blasting could directly lead to settlement issues for the hurricane barrier.
- 5.) Due to the potential impacts to the New Bedford HPS, the Corps will need to accept a FINAL blasting plan (33 CFR 408) prior to the Commonwealth starting

blasting operations. Scott Michalak indicated that Corps Headquarter would need to review and accept the FINAL Blasting plan. Nationwide problems with the undermining of Corps Dams and Levees has been a major issue for Corps Headquarters recently. So there is no guarantee that the Corps Headquarter will approve a blasting plan for this South Terminal Project. Therefore, the Commonwealth should seriously consider alternative non-blasting techniques to break up the bedrock (e.g., expansion grout).

6.) The Corps indicated that they will need to review the information on the attached additional information list before a blasting review package can be circulated to Headquarters. The Commonwealth will need to model seismic impacts associated with the proposed blasting plan, conduct a liquefaction analysis, and provide more detailed information on the slope stability of existing overburden. Last week the Corps provided the Commonwealth and Apex with the original site geology and embankment and foundation design memorandums for the New Bedford HPS. This information will be helpful to put together the blasting analysis. The Commonwealth may choose to reduce the size of explosive charges in order to limit potential collateral blasting impacts. It will be important to identify conservatively sized charges when doing the seismic modeling, in order to allow for potential over loading of charges by the blaster and to maintain a level of safety. The Corps also indicated that they will review and make recommendations on the DRAFT Construction Specifications for Blasting, which were included with the June 18, 2012 submittal. Once the New England District team has adequate documentation for a FINAL Blasting Plan, this information will need to be submitted for review by the Corps Headquarters. The Commonwealth should expect that the Corps Headquarters review will likely take at least 4-6 months before a Section 408 acceptance letter can be finalized.

Additional Successional Marsh Discussion:

In general, the Corps Levee Safety Team is supportive of proposed changes to the design for Successional Marsh Mitigation work within the New Bedford HPS drainage way. By limiting the work to expanding the channel, impacts to the hydraulic capacity of the drainage way have been avoided. The Corps Levee Safety Team has a few additional design recommendations for the Successional Marsh Mitigation work. The Commonwealth may want to conduct a bank stability analysis to see if the banks adjacent to the salt marsh creation/restoration areas need to be armored. If armoring is need, the Commonwealth should consider reusing the existing riprap. Finally, abandoned pipelines (through the hurricane barrier) should be appropriately grouted and sealed to minimize potential erosive pathways through of the hurricane barrier.

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To: "Sneeringer, Paul J NAE" <Paul.J.Sneeringer@usace.army.mil>
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Paul J NAE" <Paul.J.Sneeringer@usace.army.mil>, "Keegan, Michael F NAE"
<Michael.F.Keegan@usace.army.mil>
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Here is the proposed email to Apex regarding the 408 process and as a result of
our meeting on Tuesday.

As discussed during the August 21, 2012 meeting, performing blasting near or
adjacent to the New Bedford Hurricane Barrier 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 Hurricane Barrier.
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,

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