



July 27, 2012

Environmental Protection Agency – New England  
1 Congress St, Suite 1100  
Boston, MA 02114-2023

Re: Mill Pond Dam Reconstruction – Rockport MA

To Whom it May Concern:

T Ford Company, Inc. (TFCI) is under contract with the Town of Rockport to reconstruct the Mill Pond Dam. The dam was damaged by the Mother's Day storm in 2006 and is being rebuilt with a new cast in place concrete core. The dam retains water in Mill Pond which is located in a Town Park near Beach St. The construction will involve excavating to construct footings for the new structure below the groundwater level. Temporary dewatering will be necessary to maintain dry conditions for construction. Work is planned to start in August and be completed by approximately December 31, 2012. The Town has engaged GEI Consultants, Inc. of Woburn MA to design the repairs and oversee construction. GEI is reviewing submittals from TFCI including the dewatering and water treatment submittals.

T Ford Company Inc. is seeking coverage under the National Pollutant Discharge Elimination System (NPDES) Permit for discharges related to construction dewatering activities via the Massachusetts Dewatering general permit (Permit No. MAG07000). All proposed discharges are identified in the attached NOI and meet the applicable requirements of the NPDES permit. We are submitting the NOI for review and approval by USEPA and MassDEP for written authorization to discharge.

Please feel free to contact me at 508-726-1231 if you have any questions.

Sincerely,

T FORD COMPANY, INC.

John L. Enos, P.E.  
Chief Operating Officer

## II. Suggested Notice of Intent (NOI) Form

### 1. General facility information. Please provide the following information about the facility.

|  |  |   |
|--|--|---|
| <b>a) Name of facility:</b><br>MILL POND DAM   | <b>Mailing Address for the Facility:</b><br>REAR OF 18 BEACH ST., ROCKPORT MA                          |   |
| <b>b) Location Address of the Facility (if different from mailing address):</b>  | <b>Facility Location</b><br><br>longitude: <u>70deg-37'24.13"W</u><br>latitude: <u>42deg39'30.58"N</u> | <b>Type of Business:</b><br>WATER CONTROL STRUCTURE<br><br><b>Facility SIC codes:</b> |
| <b>c) Name of facility owner:</b> <u>TOWN OF ROCKPORT</u> <b>Owner's email:</b> <u>jparisi@town.rockport.ma.us</u><br><b>Owner's Tel #:</b> <u>978-546-3525</u> <b>Owner's Fax #:</b> <u>978-546-3562</u><br><b>Address of owner (if different from facility address)</b><br><br><b>Owner is (check one):</b> 1. Federal <input type="checkbox"/> 2. State <input type="checkbox"/> 3. Tribal <input type="checkbox"/> 4. Private <input type="checkbox"/> 4. Other <input checked="" type="checkbox"/> (Describe) MUNICIPAL   |  |   |
| <b>Legal name of Operator, if not owner:</b> <u>T FORD CO. INC.</u><br><b>Operator Contact Name:</b> <u>JACK ENOS</u><br><b>Operator Tel Number:</b> <u>978-352-5606</u> <b>Fax Number:</b> <u>978-352-7943</u><br><b>Operator's email:</b> <u>JACK@TFORD.COM</u><br><b>Operator Address (if different from owner)</b><br>118 TENNEY ST.<br>GEORGETOWN, MA 01833   |  |   |
| <b>d) Attach a topographic map indicating the location of the facility and the outfall(s) to the receiving water. Map attached?</b> <input checked="" type="checkbox"/> see attached   |  |   |
| <b>e) Check Yes or No for the following:</b><br>1. Has a prior NPDES permit been granted for the discharge? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, Permit Number: _____<br>2. Is the discharge a "new discharge" as defined by 40 CFR Section 122.22? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/><br>3. Is the facility covered by an individual NPDES permit? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, Permit Number _____<br>4. Is there a pending application on file with EPA for this discharge? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, date of submittal: _____ |  |   |

**2. Discharge information. Please provide information about the discharge, (attaching additional sheets as needed)**

a) Name of receiving water into which discharge will occur: ATLANTIC OCEAN  
State Water Quality Classification: \_\_\_\_\_ Freshwater: \_\_\_\_\_ Marine Water: SA

b) Describe the discharge activities for which the owner/applicant is seeking coverage:  
1. Construction dewatering of groundwater intrusion and/or storm water accumulation. CONSTRUCTION DEWATERING DURING RECONSTRUCTION OF THE DAM  
2. Short-term or long-term dewatering of foundation sumps.  
3. Other.

c) Number of outfalls 1

For each outfall:

d) Estimate the maximum daily and average monthly flow of the discharge (in gallons per day – GPD). Max Daily Flow 250,000 GPD  
Average Monthly Flow 100,000 GPD

e) What is the maximum and minimum monthly pH of the discharge (in s.u.)? Max pH 7.5 Min pH 6.5

f) Identify the source of the discharge (i.e. potable water, surface water, or groundwater). If groundwater, the facility shall submit effluent test results, as required in Section 4.4.5 of the General Permit. GROUNDWATER

g) What treatment does the wastewater receive prior to discharge? SEDIMENT REMOVAL USING SETTLING TANK, FLOCCULATION AND FILTRATION

h) Is the discharge continuous? Yes \_\_\_\_\_ No X If no, is the discharge periodic (P) (occurs regularly, i.e., monthly or seasonally, but is not continuous all year) or intermittent (I) (occurs sometimes but not regularly) or both (B) B  
If (P), number of days or months per year of the discharge \_\_\_\_\_ and the specific months of discharge AUGUST - DECEMBER ;  
If (I), number of days/year there is a discharge 100  
Is the discharge temporary? Yes X No \_\_\_\_\_  
If yes, approximate start date of dewatering 8/14/12 approximate end date of dewatering 12/1/12

i) Latitude and longitude of each discharge within 100 feet (See [http://www.epa.gov/tri/report/siting\\_tool](http://www.epa.gov/tri/report/siting_tool)): Outfall 1: long. \_\_\_\_\_ lat. \_\_\_\_\_ ;  
Outfall 2: long. \_\_\_\_\_ lat. \_\_\_\_\_ ; Outfall 3: long. \_\_\_\_\_ lat. \_\_\_\_\_ . SAME AS FACILITY LOCATION

j) If the source of the discharge is potable water, please provide the reported or calculated seven day-ten year low flow (7Q10) of the receiving water and attach any calculation sheets used to support stream flow and dilution calculations \_\_\_\_\_ - \_\_\_\_\_ cfs  
(See Appendix VII for equations and additional information)

**MASSACHUSETTS FACILITIES:** See Section 3.4 and Appendix 1 of the General Permit for more information on Areas of Critical Environmental Concern (ACEC):

- k) Does the discharge occur in an ACEC? Yes \_\_\_\_\_ No X  
If yes, provide the name of the ACEC:

**3. Contaminant Information**

- a) Are any pH neutralization and/or dechlorination chemicals used in the discharge? If so, include the chemical name and manufacturer; maximum and average daily quantity used as well as the maximum and average daily expected concentrations (mg/l) in the discharge, and the vendor's reported aquatic toxicity (NOAEL and/or LC<sub>50</sub> in percent for aquatic organism(s)). NONE
- b) Please report any known remediation activities or water-quality issues in the vicinity of the discharge.

**4. Determination of Endangered Species Act Eligibility:** Provide documentation of ESA eligibility as required at Part 3.4 and Appendices III and IV. In addition, respond to the following questions.

- a) Are any listed threatened or endangered species, or designated critical habitat, in proximity to the discharge? Yes \_\_\_ No X
- b) Has any consultation with the federal services been completed? Yes \_\_\_ No X
- c) Is consultation underway? Yes \_\_\_ No X
- d) What were the results of the consultation with the U.S. Fish and Wildlife Service and/or NOAA Fisheries Service (check one): a “no jeopardy” opinion \_\_\_\_\_ or written concurrence \_\_\_\_\_ on a finding that the discharges are not likely to adversely affect any endangered species or critical habitat.
- e) Which of the five eligibility criteria listed in Appendix 2, Section B (A,B,C,D,or E) have you met? A
- f) Please attach a copy of the most current federal listing of endangered and threatened species, found at USF&W website.

**5. Documentation of National Historic Preservation Act requirements:** Please respond to the following questions:

- a) Are any historic properties listed or eligible for listing on the National Register of Historic Places located on the facility site or in proximity to the discharge? Yes X No \_\_\_\_\_ Project is in Historic area but discharge does not impact any historic structures or resources.
- b) Have any State or Tribal historic preservation officers been consulted in this determination? Yes \_\_\_\_\_ or No X If yes, attach the results of the consultation(s).
- c) Which of the three National Historic Preservation Act requirements listed in Appendix 3, Section C (1,2 o3) have you met? 2

**6. Supplemental Information:** Please provide any supplemental information. Attach any analytical data used to support the application. Attach any certification(s) required by the general permit


**7. Signature Requirements:** The Notice of Intent must be signed by the operator in accordance with the signatory requirements of 40 CFR Section 122.22 (see below) including the following certification:

I certify under penalty of law that (1) no biocides or other chemical additives except for those used for pH adjustment and/or dechlorination are used in the dewatering system; (2) the discharge consists solely of dewatering and authorized pH adjustment and/or

dechlorination chemicals; (3) the discharge does not come in contact with any raw materials, intermediate product, water product or finished product; (4) if the discharge of dewatering subsequently mixes with other permitted wastewater (i.e. stormwater) prior to discharging to the receiving water, any monitoring provided under this permit will be only for dewatering discharge; (5) where applicable, the facility has complied with the requirements of this permit specific to the Endangered Species Act and National Historic Preservation Act; and (6) this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.

Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Facility Name: MILL POND DAM

Operator signature: 

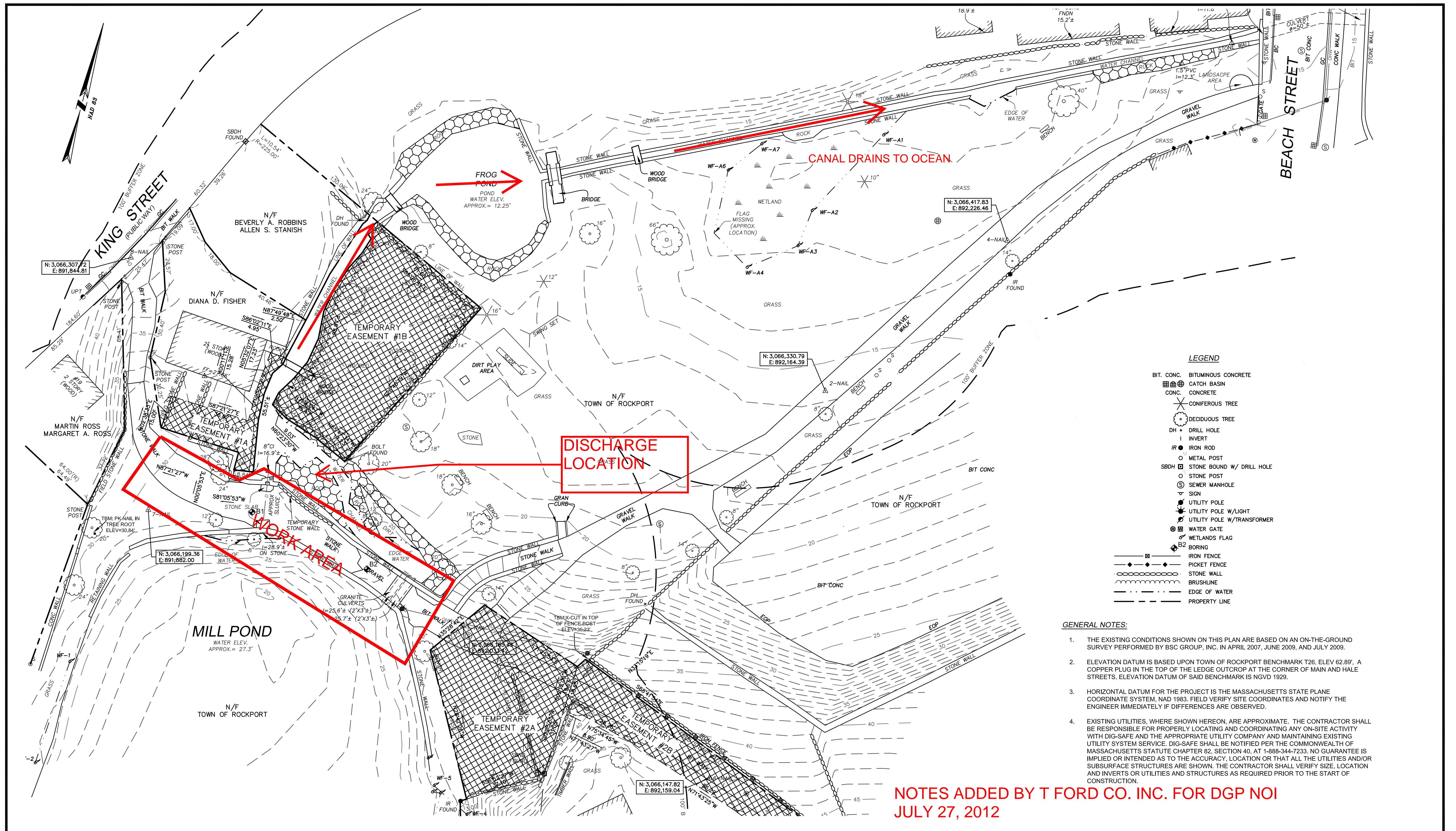
Title: CHIEF OPERATING OFFICER

Date: JULY 27, 2012

Federal regulations require this application to be signed as follows:

1. For a corporation, by a principal executive officer of at least the level of vice president;
2. For partnership or sole proprietorship, by a general partner or the proprietor, respectively, or,
3. For a municipality, State, Federal or other public facility, by either a principal executive officer or ranking elected official.



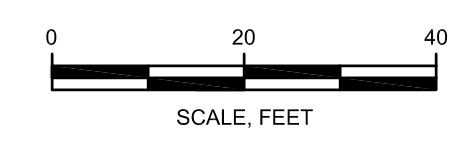


**LEGEND**

- BIT. CONC. BITUMINOUS CONCRETE
- CATCH BASIN
- CONC. CONCRETE
- CONIFEROUS TREE
- DECIDUOUS TREE
- DH DRILL HOLE
- I INVERT
- IR IRON ROD
- M METAL POST
- SBDH STONE BOUND W/ DRILL HOLE
- STONE POST
- S SEWER MANHOLE
- UTILITY POLE
- UTILITY POLE W/LIGHT
- UTILITY POLE W/TRANSFORMER
- WATER GATE
- WETLANDS FLAG
- B2 BORING
- IRON FENCE
- PICKET FENCE
- STONE WALL
- BRUSHLINE
- EDGE OF WATER
- PROPERTY LINE

- GENERAL NOTES:**
1. THE EXISTING CONDITIONS SHOWN ON THIS PLAN ARE BASED ON AN ON-THE-GROUND SURVEY PERFORMED BY BSC GROUP, INC. IN APRIL 2007, JUNE 2009, AND JULY 2009.
  2. ELEVATION DATUM IS BASED UPON TOWN OF ROCKPORT BENCHMARK T26, ELEV 62.89', A COPPER PLUG IN THE TOP OF THE LEDGE OUTCROP AT THE CORNER OF MAIN AND HALE STREETS. ELEVATION DATUM OF SAID BENCHMARK IS NGVD 1929.
  3. HORIZONTAL DATUM FOR THE PROJECT IS THE MASSACHUSETTS STATE PLANE COORDINATE SYSTEM, NAD 1983. FIELD VERIFY SITE COORDINATES AND NOTIFY THE ENGINEER IMMEDIATELY IF DIFFERENCES ARE OBSERVED.
  4. EXISTING UTILITIES, WHERE SHOWN HEREON, ARE APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROPERLY LOCATING AND COORDINATING ANY ON-SITE ACTIVITY WITH DIG-SAFE AND THE APPROPRIATE UTILITY COMPANY AND MAINTAINING EXISTING UTILITY SYSTEM SERVICE. DIG-SAFE SHALL BE NOTIFIED PER THE COMMONWEALTH OF MASSACHUSETTS STATUTE CHAPTER 82, SECTION 40, AT 1-888-344-7233. NO GUARANTEE IS IMPLIED OR INTENDED AS TO THE ACCURACY, LOCATION OR THAT ALL THE UTILITIES AND/OR SUBSURFACE STRUCTURES ARE SHOWN. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION AND INVERTS OR UTILITIES AND STRUCTURES AS REQUIRED PRIOR TO THE START OF CONSTRUCTION.

**NOTES ADDED BY T FORD CO. INC. FOR DGP NOI  
JULY 27, 2012**



| NO. | DATE   | ISSUE/REVISION   | DES | DRN | CH  | APP |
|-----|--------|------------------|-----|-----|-----|-----|
| 0   | 7/2011 | FOR CONSTRUCTION | ARS | MCH | PJS | RLW |

**GEI** Consultants  
400 Unicorn Park Drive  
Woburn, Massachusetts  
(781) 721-4000

**Rockport**  
MASSACHUSETTS  
Department of Public Works  
Rockport, Massachusetts  
GEI Project 07104-1

Mill Pond Dam Reconstruction  
Rockport, Massachusetts

**EXISTING  
CONDITIONS PLAN**

DWG. NO.  
**C-03**

ISSUE  
**0**



| Group            | Name                           | Population                   | Status     | Lead Office                     | Recovery Plan Name              | Recovery Plan Stage |
|------------------|--------------------------------|------------------------------|------------|---------------------------------|---------------------------------|---------------------|
| Birds            | Piping Plover (Charadrius      | except Great Lakes watershed | Threatened | Office Of The Regional Director | Great Lakes & Northern Great    | Final               |
| Birds            | Piping Plover (Charadrius      | except Great Lakes watershed | Threatened | Office Of The Regional Director | Piping Plover Atlantic Coast    | Final Revision 1    |
| Birds            | Roseate tern (Sterna dougallii | northeast U.S. nesting pop.  | Endangered | New England Ecological          | Roseate Tern (NE U.S./Canada)   | Final Revision 1    |
| Flowering Plants | Small whorled pogonia (Isotria |                              | Threatened | New England Ecological          | Small Whorled Pogonia           | Final Revision 1    |
| Reptiles         | Hawksbill sea turtle           |                              | Endangered | North Florida Ecological        | Recovery Plan for U.S. Pacific  | Final Revision 1    |
| Reptiles         | Hawksbill sea turtle           |                              | Endangered | North Florida Ecological        | Recovery Plan for the Hawksbill | Final Revision 1    |
| Reptiles         | Leatherback sea turtle         |                              | Endangered | North Florida Ecological        | Recovery Plan for U.S. Pacific  | Final Revision 1    |
| Reptiles         | Leatherback sea turtle         |                              | Endangered | North Florida Ecological        | Recovery Plan for Leatherback   | Final Revision 1    |
| Reptiles         | Green sea turtle (Chelonia     | except where endangered      | Threatened | North Florida Ecological        | Recovery Plan for U.S. Pacific  | Final Revision 1    |
| Reptiles         | Green sea turtle (Chelonia     | except where endangered      | Threatened | North Florida Ecological        | Recovery Plan for U.S.          | Final Revision 1    |

Information on Endangered Species obtained from USFW website. No endangered species are located at the discharge location.

# Massachusetts Cultural Resource Information System

## MACRIS

### MACRIS Search Results

Search Criteria: Town(s): Rockport; Place: Rockport; Resource Type(s): Area, Burial Ground, Object, Structure;

| Inv. No. | Property Name                                   | Street       | Town     | Year |
|----------|---|--------------|----------|------|
| RCP.A    | Downtown Historic District                      |              | Rockport |      |
| RCP.B    | Mount Pleasant - South Street Historic District |              | Rockport |      |
| RCP.C    | Rockport Downtown Main Street Historic District |              | Rockport |      |
| RCP.F    | Broadway Historic District                      |              | Rockport |      |
| RCP.I    | Main Street Historic District                   |              | Rockport |      |
| RCP.L    | King Street Area                                |              | Rockport |      |
| RCP.801  | Old Parish Burying Ground                       | Beach St     | Rockport | 1727 |
| RCP.900  | American Legion Bandstand                       | Beach St     | Rockport |      |
| RCP.911  | 'Favorite' Fountain                             | Beach St     | Rockport | 1890 |
| RCP.921  | Baby On Frog                                    | 12 Main St   | Rockport | 1983 |
| RCP.901  | Millbrook Meadow Park                           | Mill Ln      | Rockport | 1936 |
| RCP.923  | Boston and Maine Railroad Freight Crane         | Railroad Ave | Rockport | 1897 |
| RCP.802  | Union Cemetery                                  | Union Ln     | Rockport |      |

Project is in the King St Historic Area however the discharge will not impact historic structures