AECOM
2 Technology Park Drive
Westford, MA 01886-3140

978.589.3000 tel
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December 6, 2010

US Environmental Protection Agency
Dewatering GP Processing
Municipal Assistance Unit (CMU)
1 Congress Street, Suite 1100
Boston, MA 02114-2023

**Subject: Notice of Intent for Coverage Under the Dewatering General Permit**
**BMR-350 E Kendall F LLC - Kendall Square Garage Site, Cambridge, MA**

Dear Sir or Madam,

On behalf of BMR-350 E Kendall F LLC ("BMR"), AECOM herein submits this Notice of Intent (NOI) for coverage under the General Permit for Dewatering Activity Discharges (MAG070000) (Dewatering General Permit) for long-term dewatering discharge at the BMR-350 E Kendall F LLC - Kendall Square Garage site located at 350 East Kendall Street in Cambridge, Massachusetts.

This site is currently authorized to discharge treated groundwater under the Remediation General Permit (RGP) (Authorization #MAG910117, issued May 22, 2006, modified October 21, 2008). We are seeking to transfer coverage for this discharge from the RGP to the Dewatering General Permit, because we believe this discharge should no longer be characterized as a "remediation-related" discharge. Concurrent with the submittal of this NOI, we are submitting a Notice of Termination (NOT) for coverage of this discharge under the RGP under separate cover.

Based on a review of the influent groundwater analytical data from the past several years of operation under the RGP, we believe that this discharge no longer qualifies as a remediation activity, but rather functions as a long-term dewatering system to prevent inundation of the building basement by groundwater. Therefore, we are applying for coverage under the Dewatering General Permit.

The original treatment system, as covered by the RGP authorization, included particulate filtration and treatment for organic compounds by granular activated carbon. Analytical data from the influent (i.e. the extracted groundwater) have shown insignificant detections of organic constituents. Therefore, the granular activated carbon treatment will be removed once coverage is authorized under the Dewatering General Permit. In addition, the particulate filters will be disconnected, but left onsite, should any issues with total suspended solids (TSS) arise.

Given the historic influent (groundwater) data collected under the RGP, we believe that transfer of this discharge from the RGP to the Dewatering General Permit is appropriate and protective of the environment.

If you have any questions or need additional information, please do not hesitate to contact either of the undersigned at AECOM at 978.589.3000.

Yours sincerely,

Laura A. Kelmar, P.E.
Compliance Manager
laura.kelmar@aecom.com

Neeraj Ghai
Project Manager
neeraj.ghai@aecom.com

Enclosures

cc: MA DEP, Div. Watershed Management
K. Slein, BMR

J:\Rem_Eng\Project Files\BMR\350 Kendall\NOI_Dewatering_GenPermit_2010\NOI & NOT DEC 2010\NOI_Dewatering_GenPermit_2010.docx

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

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

| | | |
|---|---|---|
| **a) Name of facility:**<br>BMR-350 E Kendall F LLC - Kendall Square Garage | **Mailing Address for the Facility:**<br>BMR-350 E Kendall F LLC, Attn: Mr. Kevin Slein<br>17190 Bernardo Center Drive, San Diego, CA 92128 | |
| **b) Location Address of the Facility (if different from mailing address):**<br>350 Kendall Street<br>Cambridge, MA 02142 | **Facility Location**<br>**longitude:** -71.081599<br>**latitude:** 42.636229 | **Type of Business:**<br>Office Building<br>**Facility SIC codes:**<br>N/A |

**c) Name of facility owner:** BMR-350 E Kendall F LLC **Owner's email:** kevin.slein@biomedrealty.com

**Owner's Tel #:** 617-225-2440 **Owner's Fax #:** 617-225-0847

**Address of owner (if different from facility address)**

17190 Bernardo Center Drive, San Diego, CA 92128

**Owner is (check one): 1. Federal____ 2. State _____ 3.Tribal_____ 4. Private_✓___ 4. Other _____(Describe)**

**Legal name of Operator, if not owner:** AECOM Inc.

**Operator Contact Name:** Neeraj Ghai, Project Manager

**Operator Tel Number:** (978) 589-3000 **Fax Number:** (978) 589-3100

**Operator's email:** neeraj.ghai@aecom.com

**Operator Address (if different from owner)**

2 Technology Park Drive, Westford, MA 01886

**d) Attach a topographic map indicating the location of the facility and the outfall(s) to the receiving water. Map attached? _✓_**

**e) Check Yes or No for the following:**

1. **Has a prior NPDES permit been granted for the discharge? Yes _✓_ No____ If Yes, Permit Number:** RGP Auth. #MAG910117
2. **Is the discharge a "new discharge" as defined by 40 CFR Section 122.22? Yes_____ No_✓__**
3. **Is the facility covered by an individual NPDES permit? Yes_____ No_✓__ If Yes, Permit Number ____**
4. **Is there a pending application on file with EPA for this discharge? Yes _____ No _✓__ 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:** Charles River via the Broad Canal

**State Water Quality Classification:** Class B **Freshwater:** x **Marine Water:** _____

**b) Describe the discharge activities for which the owner/applicant is seeking coverage:**

1. **Construction dewatering of groundwater intrusion and/or storm water accumulation.**
X 2. **Short-term or long-term dewatering of foundation sumps.** See Attachment 1 and the Process Flow Diagram for description of discharge activities.
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** 60,200 **GPD**

**Average Monthly Flow** 34,500 **GPD**

**e) What is the maximum and minimum monthly pH of the discharge (in s.u.)? Max pH** 7.7 **Min pH** 6.6

**f) Identify the source of the discharge (i.e. potable water, surface water, or groundwater). If groundwater, the facility shal submit effluent test results, as required in Section 4.4.5 of the General Permit.** Groundwater - see Attachment 1 and Tables 1 and 2

**g) What treatment does the wastewater receive prior to discharge?** Grit chamber

**h) Is the discharge continuous? Yes** ✓ **No** _____ **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)** _____

**If (P), number of days or months per year of the discharge** _____ **and the specific months of discharge** _____;

**If (I), number of days/year there is a discharge** _____

**Is the discharge temporary? Yes** ~~**discharge**~~ **No** ✓

**If yes, approximate start date of dewatering** _____ **approximate end date of dewatering** _____

**i) Latitude and longitude of each discharge within 100 feet (See http://www.epa.gov/tri/report/siting_tool): Outfall 1: long.** -71.0813 **lat.** 42.3629 **;**
**Outfall 2: long.**_____ **lat.**_____**; Outfall 3: long.**_____ **lat.**_____**.**

**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**

N/A - not potable water

**(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 __✓__**
**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 $LC_{50}$ in percent for aquatic organism(s)).** No chemicals to be used.

**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✓__**
**b) Has any consultation with the federal services been completed ? Yes✓ No__** See Attachment 2
**c) Is consultation underway? Yes ____ No✓__**
**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.** See Attachment 2

**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 _✓_ * No ____** * No adverse effects determined. Permitted activities and BMPs do not involve construction.
**b) Have any State or Tribal historic preservation officers been consulted in this determination? Yes _____ or No _✓__ Ifyes, 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**

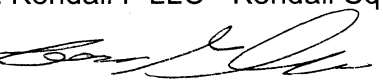
**7. Signature Requirements: The Notice of Intent must be signed by the operator in accordance with the signatory requirements of 40 CFR Section 122.22 (see below) including the following certification:**

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:** BMR-350 E Kendall F LLC - Kendall Square Garage

**Operator signature:** 

**Title:** AECOM Project Manager

**Date:** 12/8/2010

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.

# Tables

**Table 1 - Monthly Influent* Data - January 2007 through November 2010**

**BMR-350 E Kendall F LLC - Kendall Square Garage Site**

**Notice of Intent for Coverage under the Dewatering General Permit (MAG070000)**

| | Miscellaneus Parameters | | | | VOCs (µg/L) | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Month | Copper (ug/L) | Total Petroleum Hydrocarbons (mg/L) | Total Residual Chlorine (ug/L) | pH (s.u.) | Benzene | Ethylbenzene | m&p-xylene | Toluene | o-xylene | Total BTEX (calculated) | Chloro-dibromo-methane | Bromoform |
| Jan-07 | 14 | ND | ND | 7.4 | 2.7 | ND | ND | ND | ND | 2.7 | ND | ND |
| Feb-07 | 8 | ND | ND | 7.7 | 3.4 | ND | ND | ND | ND | 3.4 | ND | ND |
| Mar-07 | 5 | ND | ND | 7.4 | 4.9 | ND | ND | ND | ND | 4.9 | ND | ND |
| Apr-07 | ND | ND | 20 | 7.4 | 5.9 | ND | ND | 1.1 | ND | 7 | ND | ND |
| May-07 | ND | ND | 20 | 7.3 | 3.8 | ND | ND | ND | ND | 3.8 | ND | ND |
| Jun-07 | 8 | ND | 50 | 7.1 | 1.4 | ND | ND | ND | ND | 1.4 | ND | ND |
| Jul-07 | 57 | ND | 10 | 7.2 | ND | ND | ND | ND | ND | ND | ND | ND |
| Aug-07 | 16 | ND | 20 | 6.6 | 1.2 | ND | ND | ND | ND | 1.2 | ND | ND |
| Sep-07 | 6 | ND | 30 | 7.2 | ND | ND | ND | ND | ND | ND | ND | ND |
| Oct-07 | ND | ND | 20 | 7.2 | 1.2 | ND | ND | ND | ND | 1.2 | ND | ND |
| Nov-07 | ND | ND | 20 | 7.5 | 2 | ND | ND | ND | ND | 2 | ND | ND |
| Dec-07 | 19 | ND | 20 | 7.5 | 1.4 | ND | ND | ND | ND | 1.4 | ND | ND |
| Jan-08 | 13 | ND | 20 | 7.6 | 4.7 | ND | ND | ND | ND | 4.7 | ND | ND |
| Feb-08 | ND | ND | ND | 7.3 | 2 | ND | ND | ND | ND | 2 | ND | ND |
| Mar-08 | ND | ND | 10 | 7.4 | 3.3 | ND | ND | ND | ND | 3.3 | ND | ND |
| Apr-08 | ND | ND | 10 | 7.4 | 1.2 | ND | ND | ND | ND | 1.2 | ND | ND |
| May-08 | 43 | ND | 40 | 7.5 | ND | ND | ND | ND | ND | ND | ND | 5.7 |
| Jun-08 | 14 | ND | 20 | 7.4 | ND | ND | ND | ND | ND | ND | ND | ND |
| Jul-08 | ND | ND | 50 | 7.3 | 1.2 | ND | ND | ND | ND | 1.2 | ND | ND |
| Aug-08 | 10 | ND | 90 | 7.2 | 12 | ND | ND | ND | ND | 12 | ND | ND |
| Sep-08 | ND | ND | 70 | 7.2 | ND | ND | ND | ND | ND | ND | ND | ND |
| Oct-08 | - | - | - | - | - | - | - | - | - | - | - | - |
| Nov-08 | - | - | - | - | - | - | - | - | - | - | - | - |
| Dec-08 | - | - | - | - | - | - | - | - | - | - | - | - |
| Jan-09 | - | - | - | - | - | - | - | - | - | - | - | - |
| Feb-09 | - | - | - | - | - | - | - | - | - | - | - | - |
| Mar-09 | - | - | - | - | - | - | - | - | - | - | - | - |
| Apr-09 | - | - | - | - | - | - | - | - | - | - | - | - |
| May-09 | - | - | - | - | - | - | - | - | - | - | - | - |
| Jun-09 | - | - | - | - | - | - | - | - | - | - | - | - |
| Jul-09 | - | - | - | - | - | - | - | - | - | - | - | - |
| Aug-09 | - | - | - | - | - | - | - | - | - | - | - | - |
| Sep-09 | - | - | 50 | - | - | - | - | - | - | - | - | - |
| Oct-09 | - | - | 30 | - | - | - | - | - | - | - | - | - |
| Nov-09 | - | - | ND | - | - | - | - | - | - | - | - | - |
| Dec-09 | - | - | ND | - | - | - | - | - | - | - | - | - |
| Jan-10 | - | - | ND | - | - | - | - | - | - | - | - | - |
| Feb-10 | - | - | ND | - | - | - | - | - | - | - | - | - |
| Mar-10 | - | - | ND | - | - | - | - | - | - | - | - | - |
| Apr-10 | - | - | ND | - | - | - | - | - | - | - | - | - |
| May-10 | - | - | ND | - | - | - | - | - | - | - | - | - |
| Jun-10 | - | - | ND | - | - | - | - | - | - | - | - | - |
| Jul-10 | - | - | ND | - | - | - | - | - | - | - | - | - |
| Aug-10 | - | - | ND | - | - | - | - | - | - | - | - | - |
| Sep-10 | - | - | ND | - | - | - | - | - | - | - | - | - |
| Oct-10 | - | - | 30 | - | - | - | - | - | - | - | - | - |
| Nov-10 | ND | - | ND | - | ND | ND | ND | ND | ND | ND | - | - |

Notes:

ND = not detected

- = not sampled

ug/L = micrograms per liter

mg/L = milligrams per liter

s.u. = standard units

* This data is from samples of the extracted groundwater (influent) that were collected under the RGP Authorization # MAG910117.

** The sampling program was modified beginning November 2008, per the Notice of Change (NOC) authorized by EPA on October 21, 2008. After the NOC was approved, the influent was no longer sampled monthly; however, sampling for TRC in the influent resumed in September 2009.

**Table 1 - Monthly Influent* Data - January 2007 through November 2010**

**BMR-350 E Kendall F LLC - Kendall Square Garage Site**

**Notice of Intent for Coverage under the Dewatering General Permit (MAG070000)**

| | Group II PAHs (µg/L) | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **Month** | **Acenaphthene** | **Acenaphthylene** | **Anthracene** | **Benzo(g,h,i) perylene** | **Fluoranthene** | **Fluorene** | **Naphthalene** | **Phenanthrene** | **Pyrene** | **Total Group II PAHs** |
| Jan-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Feb-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Mar-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Apr-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| May-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Jun-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Jul-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Aug-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Sep-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Oct-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Nov-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Dec-07 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Jan-08 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Feb-08 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Mar-08 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Apr-08 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| May-08 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Jun-08 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Jul-08 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Aug-08 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Sep-08 | ND | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Oct-08 | - | - | - | - | - | - | - | - | - | - |
| Nov-08 | - | - | - | - | - | - | - | - | - | - |
| Dec-08 | - | - | - | - | - | - | - | - | - | - |
| Jan-09 | - | - | - | - | - | - | - | - | - | - |
| Feb-09 | - | - | - | - | - | - | - | - | - | - |
| Mar-09 | - | - | - | - | - | - | - | - | - | - |
| Apr-09 | - | - | - | - | - | - | - | - | - | - |
| May-09 | - | - | - | - | - | - | - | - | - | - |
| Jun-09 | - | - | - | - | - | - | - | - | - | - |
| Jul-09 | - | - | - | - | - | - | - | - | - | - |
| Aug-09 | - | - | - | - | - | - | - | - | - | - |
| Sep-09 | - | - | - | - | - | - | - | - | - | - |
| Oct-09 | - | - | - | - | - | - | - | - | - | - |
| Nov-09 | - | - | - | - | - | - | - | - | - | - |
| Dec-09 | - | - | - | - | - | - | - | - | - | - |
| Jan-10 | - | - | - | - | - | - | - | - | - | - |
| Feb-10 | - | - | - | - | - | - | - | - | - | - |
| Mar-10 | - | - | - | - | - | - | - | - | - | - |
| Apr-10 | - | - | - | - | - | - | - | - | - | - |
| May-10 | - | - | - | - | - | - | - | - | - | - |
| Jun-10 | - | - | - | - | - | - | - | - | - | - |
| Jul-10 | - | - | - | - | - | - | - | - | - | - |
| Aug-10 | - | - | - | - | - | - | - | - | - | - |
| Sep-10 | - | - | - | - | - | - | - | - | - | - |
| Oct-10 | - | - | - | - | - | - | - | - | - | - |
| Nov-10 | - | - | - | - | - | - | - | - | - | - |

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* This data is from samples of the extracted groundwater (influent) that were collected under the RGP Authorization # MAG910117.

** The sampling program was modified beginning November 2008, per the Notice of Change (NOC) authorized by EPA on October 21, 2008. After the NOC was approved, the influent was no longer sampled monthly; however, sampling for TRC in the influent resumed in September 2009.

## Table 2 - Semiannual Influent* Data - November 2006 through November 2010

**BMR-350 E Kendall F LLC - Kendall Square Garage Site**

**Notice of Intent for Coverage under the Dewatering General Permit (MAG070000)**

| Sample Date<br>Sample Location | 11/15/2006<br>Influent | 5/17/2007<br>Influent | 11/19/07<br>Influent | 05/14/08<br>Influent | 11/12/08<br>Influent | 05/28/09<br>Influent | 11/11/09<br>Influent | 05/25/10<br>Influent | 11/15/10<br>Influent |
|---|---|---|---|---|---|---|---|---|---|
| **Volatile Organic Compounds (ug/L)** | | | | | | | | | |
| Acetone | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| **Group II Polycyclic Aromatic Hydrocarbons (ug/L)** | | | | | | | | | |
| Benzo(a)anthracene | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Benzo(a)pyrene | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Benzo(b)fluoranthene | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Benzo(k)fluoranthene | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Chrysene | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Dibenzo(a,h)anthracene | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Indeno(1,2,3-cd)pyrene | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Total Group II PAHs | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| **Metals (ug/L)** | | | | | | | | | |
| Chromium VI (hexavalent) | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Chromium III (trivalent) | ND | ND | ND | ND | ND | ND | ND | ND | ND |
| Nickel | ND | 7.0 | 3 | ND | ND | ND | ND | ND | ND |
| Zinc | 70 | 57 | 50 | 45 | 68 | 70 | 40 | 33 | 16 |
| Iron | 1040 | 740 | 890 | 760 | 983 | 1050 | 590 | 373 | 440 |
| Antimony | - | - | - | - | - | - | - | - | 7 |
| Arsenic | - | - | - | - | - | - | - | - | ND |
| Cadmium | - | - | - | - | - | - | - | - | ND |
| Chromium, Total | - | - | - | - | - | - | - | - | 5 |
| Copper | - | - | - | - | - | - | - | - | ND |
| Mercury | - | - | - | - | - | - | - | - | ND |
| Silver | - | - | - | - | - | - | - | - | ND |

**Notes:**

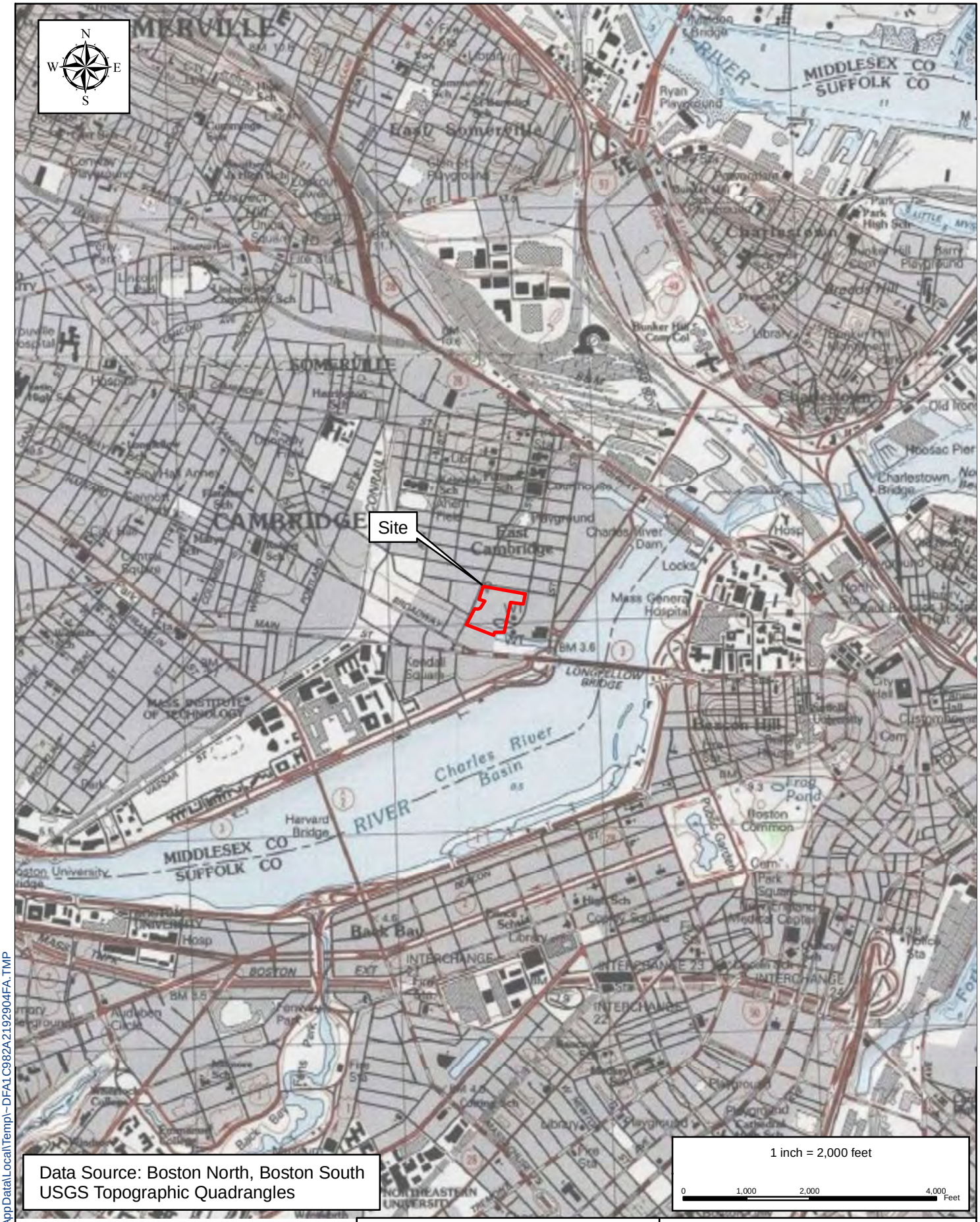
ND = not detected

- = not sampled

ug/L = micrograms per liter

* This data is from samples of the extracted groundwater (influent) that were collected under the RGP Authorization # MAG910117 for the semi-annual re-certification of "believed absent" status.

# Figures




AECOM

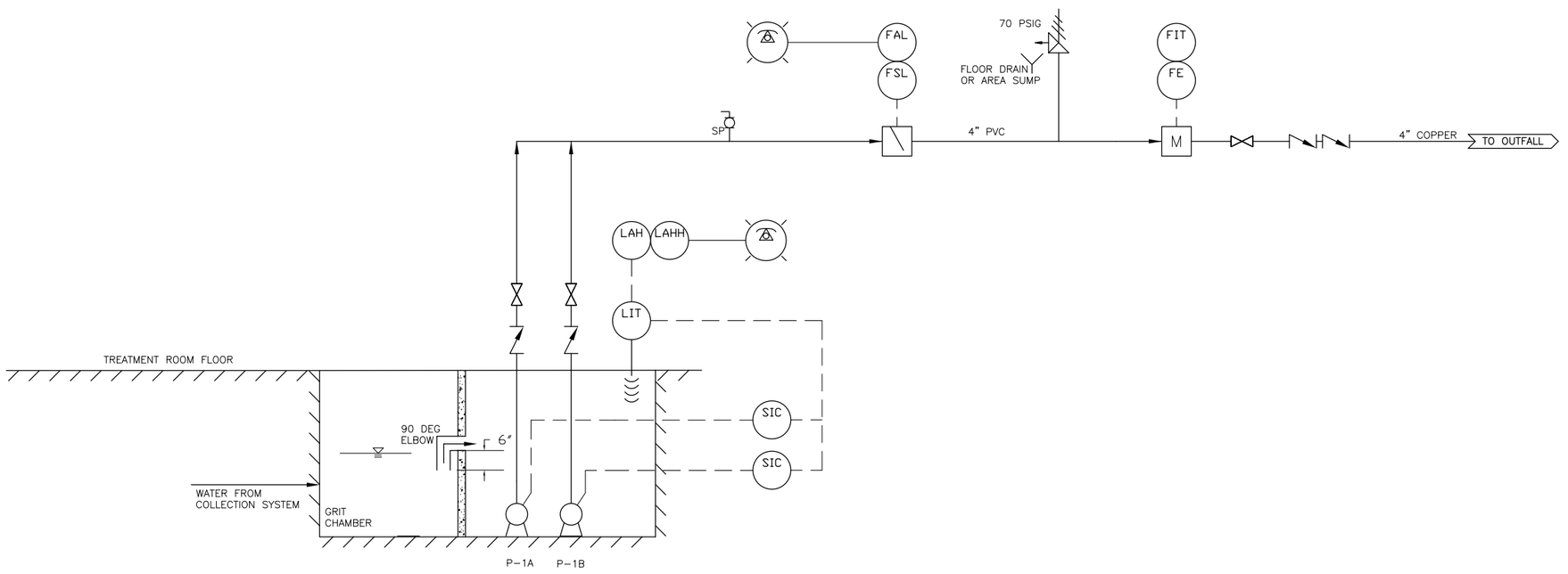
BMR-350 E Kendall F LLC
Kendall Square Garage Site
350 Kendall St., Cambridge, MA

Site Location

DATE: 12/2010 | DRWN: H.K.M. | | | Figure 1

C:\Users\mayerh\AppData\Local\Temp\~DFA1C982A2192904FA.TMP

P1A&B
SUMP PUMPS
7.5 HP
230 VAC – VFD

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| NOTICE OF INTENT<br>350 KENDALL ST<br>CAMBRIDGE, MA | | | **SUMP DEWATERING<br>PROCESS FLOW DIAGRAM** |
|---|---|---|---|
| DATE: 11/22/10 | DRWN: KS | | **FIGURE: 2** |

File: \\Uswtf11fp099\retec-boston\TABLES\BMR\KendallSquareGarage\NOL_Dewatering_GenPermit_2010\PFD2.dwg Layout: ANSI_B1-LJ User: shonkarank Plotted: Nov 23, 2010 - 1:05pm Xref's:

# Attachment 1

# Supplement Information for Dewatering General Permit Notice of Intent

**Attachment 1**
**Notice of Intent for Coverage under the Discharge General Permit (MAG07000)**
**BMR-350 E Kendall F LLC - Kendall Square Garage Site**
**350 Kendall Street, Cambridge, MA**

2.b) Describe the discharge activities:

This Notice of Intent (NOI) is for the long-term dewatering of building sumps to prevent inundation of the building's basement by groundwater. This groundwater extraction system was previously permitted under the Massachusetts Remediation General Permit (RGP) under Authorization # MAG910117, issued in May 22, 2006. A Notice of Change (NOC) to reduce the sampling requirements for this discharge authorization was approved by EPA Region 1 on October 21, 2008. The original treatment system included particulate filtration and treatment for organic compounds by granular activated carbon. Analytical samples of the groundwater (i.e., the influent to the original treatment system) have been collected monthly and semiannually under the RGP authorization.

Based on a review of the influent groundwater analytical data from the past several years and conversations between Laura Kelmar of AECOM Inc. and Victor Alvarez of EPA Region 1, we believe that this discharge no longer qualifies as a remediation activity, but rather functions as a long-term dewatering system. Therefore, we are seeking to terminate the RGP authorization for this discharge and concurrently obtain coverage for it under the Dewatering General Permit (MAG070000).

Under the Dewatering General Permit, groundwater will be pumped from one sump in the garage of the building at 350 Kendall Street, Cambridge, MA. The extracted groundwater will flow through a grit chamber to allow settling of particulates. The extracted groundwater will then discharge to a storm drain system which discharges to the Broad Canal which enters the Charles River. The grit chamber should provide sufficient settling for particulate matter; however, we will leave the existing sand filter units in place as a backup should issues with total suspended solids (TSS) arise.

2.f) Discharge source data:

Under the RGP, influent (groundwater) samples were collected monthly until November 2008 for the parameters listed below. Then the NOC was approved by EPA Region 1 and influent (groundwater) sampling was discontinued. However, influent sampling for total residual chlorine (TRC) was resumed in September 2009. Table 1 summarizes the monthly influent (groundwater) data collected since January 2007.

**Monthly Parameters under RGP Authorization # MAG910117**

| **VOCs** | **Group II PAHs** | **Miscellaneous** |
|---|---|---|
| Benzene | Acenaphthene | pH |
| Ethylbenzene | Acenaphthylene | Total residual chlorine (TRC) |
| Toluene | Anthracene | Total petroleum hydrocarbons (TPH) |
| Xylenes (m&p- and o-) | Benzo(g,h,i)perylene | Copper |
| Chlorodibromomethane | Fluoranthene | |
| Bromoform | Fluorene | |
| | Naphthalene | |
| | Phenanthrene | |
| | Pyrene | |

**Attachment 1**
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**BMR-350 E Kendall F LLC - Kendall Square Garage Site**
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In addition, semiannual influent (groundwater) samples were collected under the RGP authorization as part of the permit requirement to re-certify the "believed absent" status of various analytical parameters. These samples were analyzed for the parameters listed below, and the data collected since November 2006 is presented in Table 2.

**Semiannual Parameters under RGP Authorization # MAG910117**

| **VOCs** | **Group II PAHs** | **Miscellaneous** |
|---|---|---|
| Acetone | Benzo(a)anthracene | Chromium, total |
| | Benzo(a)pyrene | Chromium, hexavalent |
| | Benzo(b)fluoranthene | Iron |
| | Benzo(k)fluoranthene | Nickel |
| | Chrysene | Zinc |
| | Dibenzo(a,h)anthracene | |
| | Indeno(1,2,3-cd)pyrene | |

Because this discharge consists of groundwater, a influent (groundwater) sample was collected in November 2010 analyzed for the following additional parameters to satisfy the NOI requirements under Section 4.4.5 of the Dewatering General Permit. Analyses were also run for benzene, toluene, ethylbenzene and xylenes to provide more current influent data for these parameters.

**Dewatering General Permit NOI Additional Parameters Analyzed in November 2010**

| **VOCs** | **Miscellaneous** |
|---|---|
| Benzene | Antimony |
| Ethylbenzene | Arsenic |
| Toluene | Cadmium |
| Xylenes (m&p- and o-) | Copper |
| | Mercury |
| | Silver |

These results are included on Table 1 and 2.

# Attachment 2

# Endangered Species Act Eligibility

**Attachment 2**
**Notice of Intent for Coverage under the Discharge General Permit (MAG07000)**
**BMR-350 E Kendall F LLC - Kendall Square Garage Site**
**350 Kendall Street, Cambridge, MA**

4. Endangered Species Act Eligibility

To determine Endangered Species Act (ESA) eligibility, we followed the procedure for Endangered Species Consultation, Project Review for Projects with Federal Involvement at the following US Fish and Wildlife Service (FWS) website: http://www.fws.gov/newengland/EndangeredSpec-Consultation_Project_Review.htm.

Step1.A – The FWS list of "Federally Listed Endangered and Threatened Species in Massachusetts" listed only one town in Middlesex County as having endangered or threatened species, and that town was Groton. A copy of this list is attached.

Step 1.B – From the Massachusetts Division of Fisheries & Wildlife, Natural Heritage & Endangered Species Program website, we accessed the Rare Species by Town list (http://www.mass.gov/dfwele/dfw/nhesp/species_info/town_lists/town_c.htm) which did not list any federal threatened or endangered species in Cambridge.

We then consulted the Interactive Priority and Estimated Habitats Online Viewer (available through http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/online_viewer.htm). This did not identify any priority or estimated habitats in proximity to the site. A copy of the map is attached.

Step 1.C – According to the above sources, Cambridge and Boston are not areas where the endangered dwarf wedgemussel is known to occur.

Step 1.D - According to the above sources, Cambridge and Boston are not areas where the endangered northern red-bellied cooter is known to occur.

Step 1.E – We conclude that Cambridge has no known listed, proposed or candidate species present and no further action is required. A copy of the Fish and Wildlife Service "no species present" letter (from the Endangered Species Consultation website) is attached.

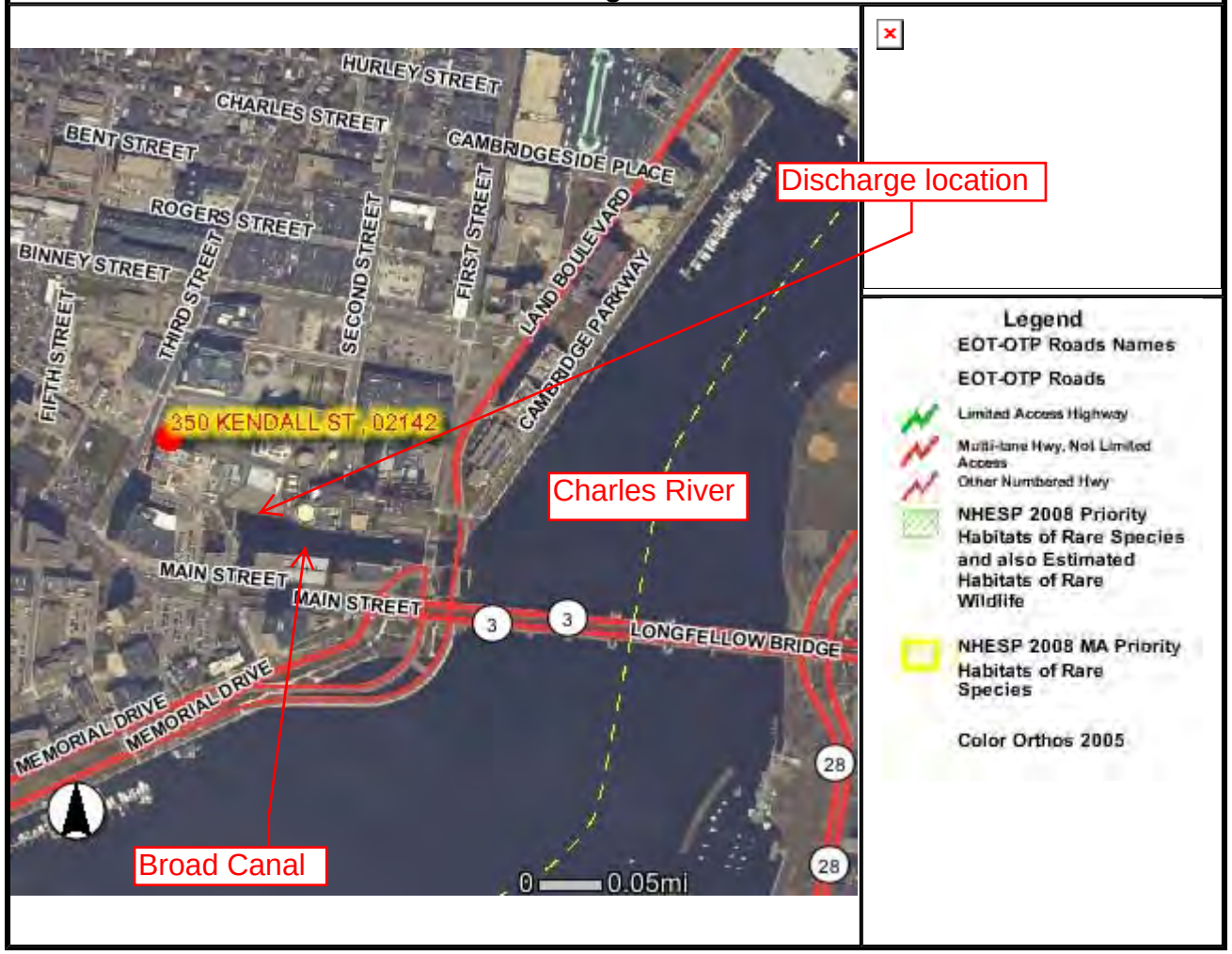
# FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES IN MASSACHUSETTS

| COUNTY | SPECIES | FEDERAL STATUS | GENERAL LOCATION/HABITAT | TOWNS |
|---|---|---|---|---|
| Barnstable | Piping Plover | Threatened | Coastal Beaches | All Towns |
| | Roseate Tern | Endangered | Coastal beaches and the Atlantic Ocean | All Towns |
| | Northeastern beach tiger beetle | Threatened | Coastal Beaches | Chatham |
| | Sandplain gerardia | Endangered | Open areas with sandy soils. | Sandwich and Falmouth. |
| | Northern Red-bellied Cooter | Endangered | Inland Ponds and Rivers | Bourne (north of the Cape Cod Canal) |
| Berkshire | Bog Turtle | Threatened | Wetlands | Egremont and Sheffield |
| Bristol | Piping Plover | Threatened | Coastal Beaches | Fairhaven, Dartmouth, Westport |
| | Roseate Tern | Endangered | Coastal beaches and the Atlantic Ocean | Fairhaven, New Bedford, Dartmouth, Westport |
| | Northern Red-bellied Cooter | Endangered | Inland Ponds and Rivers | Taunton |
| Dukes | Roseate Tern | Endangered | Coastal beaches and the Atlantic Ocean | All Towns |
| | Piping Plover | Threatened | Coastal Beaches | All Towns |
| | Northeastern beach tiger beetle | Threatened | Coastal Beaches | Aquinnah and Chilmark |
| | Sandplain gerardia | Endangered | Open areas with sandy soils. | West Tisbury |
| Essex | Small whorled Pogonia | Threatened | Forests with somewhat poorly drained soils and/or a seasonally high water table | Gloucester, Essex and Manchester |
| | Piping Plover | Threatened | Coastal Beaches | Gloucester, Essex, Ipswich, Rowley, Revere, Newbury, Newburyport and Salisbury |
| Franklin | Northeastern bulrush | Endangered | Wetlands | Montague |
| | Dwarf wedgemussel | Endangered | Mill River | Whately |
| Hampshire | Small whorled Pogonia | Threatened | Forests with somewhat poorly drained soils and/or a seasonally high water table | Hadley |
| | Puritan tiger beetle | Threatened | Sandy beaches along the Connecticut River | Northampton and Hadley |
| | Dwarf wedgemussel | Endangered | Rivers and Streams. | Hadley, Hatfield, Amherst and Northampton |
| Hampden | Small whorled Pogonia | Threatened | Forests with somewhat poorly drained soils and/or a seasonally high water table | Southwick |
| Middlesex | Small whorled Pogonia | Threatened | Forests with somewhat poorly drained soils and/or a seasonally high water table | Groton |
| Nantucket | Piping Plover | Threatened | Coastal Beaches | Nantucket |
| | Roseate Tern | Endangered | Coastal beaches and the Atlantic Ocean | Nantucket |
| | American burying beetle | Endangered | Upland grassy meadows | Nantucket |
| Plymouth | Piping Plover | Threatened | Coastal Beaches | Scituate, Marshfield, Duxbury, Plymouth, Wareham and Mattapoisett |
| | Northern Red-bellied Cooter | Endangered | Inland Ponds and Rivers | Kingston, Middleborough, Carver, Plymouth, Bourne, Wareham, Halifax, and Pembroke |
| | Roseate Tern | Endangered | Coastal beaches and the Atlantic Ocean | Plymouth, Marion, Wareham, and Mattapoisett. |
| Suffolk | Piping Plover | Threatened | Coastal Beaches | Winthrop |
| Worcester | Small whorled Pogonia | Threatened | Forests with somewhat poorly drained soils and/or a seasonally high water table | Leominster |

-Eastern cougar and gray wolf are considered extirpated in Massachusetts.
-Endangered gray wolves are not known to be present in Massachusetts, but dispersing individuals from source populations in Canada may occur statewide.
-Critical habitat for the Northern Red-bellied Cooter is present in Plymouth County.

**Revised 06/22/2009**

## 2008 Priority Habitat and Estimated Habitat Natural Heritage & Endangered Species Program




(from the Massachusetts Division of Fisheries & Wildlife, Natural Heritage & Endangered Species Program Priority and Estimated Habitats Online Viewer)

Notice of Intent for Coverage under the Dewatering General Permit
BMR-350 E Kendall F LLC - Kendall Square Garage Site
350 Kendall Street, Cambridge, MA 02142

# United States Department of the Interior

FISH AND WILDLIFE SERVICE

New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
http://www.fws.gov/newengland

January 4, 2010

To Whom It May Concern:

This project was reviewed for the presence of federally-listed or proposed, threatened or endangered species or critical habitat per instructions provided on the U.S. Fish and Wildlife Service's New England Field Office website:

(http://www.fws.gov/newengland/EndangeredSpec-Consultation.htm)

Based on the information currently available, no federally-listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service (Service) are known to occur in the project area(s). Preparation of a Biological Assessment or further consultation with us under Section 7 of the Endangered Species Act is not required.

This concludes the review of listed species and critical habitat in the project location(s) and environs referenced above. No further Endangered Species Act coordination of this type is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available.

Thank you for your cooperation. Please contact Mr. Anthony Tur at 603-223-2541 if we can be of further assistance.

Sincerely yours,

Thomas R. Chapman
Supervisor
New England Field Office