

Public Notice

Massachusetts Department of Environmental Protection
Bureau of Resource Protection
Boston Region
1 Winter Street
Boston, MA 02108

Public notice is hereby given for City of Brockton, Massachusetts to perform the following Supplemental Environmental Project- Comprehensive Receiving Water Assessment in compliance with Consent Degree Civil Action Case No. 1:06-cv-11334-NMG. The assessment includes biological and chemical sampling at ten sampling locations by city staff and CDM for years one (2009) and three (2011) of the Assessment during the month of August. According to the SEP, documentation of the assessment will be made in the SEP Completion Report, which shall be submitted March 31, 2012. The current estimate to complete all work is \$95,000.

The Department will consider all written comments on the City of Brockton's Comprehensive Receiving Water Assessment received by April 24, 2009.

Additional information regarding this application may be obtained by contacting the Department at (617) 654-6536. Written comments must be addressed to: Jennifer Wood, MassDEP, One Winter St., 6th floor, Boston, MA 02108.



"City of Champions"

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

February 26, 2009

CERTIFIED MAIL 7007 0710 0002 5722 6798

I. Andrew Goldberg
Assistant Attorney General
Massachusetts Office of the Attorney General
One Ashburton Place
18th Floor
Boston, MA 02108

Michael L. Thoreson
COMMISSIONER

**Subject: Brockton, Massachusetts
Wastewater Collection/Treatment Facility
Consent Decree Civil Action Case No. 1:06-cv-11334-NMG**

**Supplemental Environmental Project – Comprehensive Receiving Water
Assessment**

Dear Mr. Goldberg:

The City of Brockton is submitting this Draft Scope of Services in compliance with the subject Consent Decree requirement for the Supplemental Environmental Project (SEP):
"Comprehensive Receiving Water Assessment (the Assessment)."

Specifically, Appendix A of the Consent Decree stipulates that the City shall submit for approval to EPA and Mass DEP a draft Scope of Services for the Assessment, including a schedule for completion of the Assessment and identification of the consultant the City intends to use to conduct the Assessment. The Assessment shall include two low flow surveys conducted over a period not to exceed three years. Low flow shall be defined as flows equal to the August median flow or lower.

The Assessment shall include chemical and biological sampling of approximately 10 stations in locations upstream of the Brockton discharge to the confluence of the Matfield and Town Rivers, including all major tributaries, and reporting the results of the chemical and biological sampling.

The chemical and biological sampling programs, scheduling details, and cost considerations are described further below.

Sampling Locations:

In accordance with the requirement of the SEP, the attached figure identifies the proposed ten sampling locations, from the Brockton Advanced Water Reclamation Facility (AWRF) to the Taunton River. The attached table provides additional detail for each location, including watercourse identification, whether or not the location was included in previous DEP sampling/testing programs, sampling location and access information, and the nearest confluence of the river system. As noted in the table, eight of the ten locations were included in previous chemical and biological testing by the MA DEP Division of Watershed Management (DWM) as detailed in the report 2006 DWM Environmental Monitoring Overview (CN277.0). The other two sites are included to comply with the SEP requirement to include major tributaries of the river system.

Chemical Sampling Program:

The chemical sampling program will include sampling and lab testing for dissolved oxygen levels, pH, alkalinity, total hardness, turbidity, specific conductance, total dissolved solids, nitrogen series (nitrate, nitrite, ammonia, and total kjeldahl), chlorophyll A, and total and dissolved orthophosphate. Samples will be taken at each of the ten locations for each of the noted chemical tests, and transported to a testing lab. Alpha Analytical or a similar facility will be utilized to perform the lab testing for all water samples under this program. CDM will coordinate the program, collect and deliver the samples, and review and report results. It is estimated that each round of testing will include confirmation of sampling locations, compilation of precipitation and streamflow data, two days of field work for two, 2-person teams, compilation of all testing results, and a "Field Completion Memo" summarizing the procedures and results.

Biological Sampling Program:

The biological sampling program will include macroinvertebrates and habitat assessment (using USEPA rapid bio-monitoring/bio-assessment protocol, or RBP), fish community, periphyton assessment (quantitative analysis of microalgae, bacteria, and/or fungi on submerged substrates) and macrophytes (qualitative analysis of vegetation at the sampling site, such as water starwort, waterwort, and pondweed.) CDM will coordinate the program, perform the field work and classifications (i.e., identification to family/genus), and review and report results. It is estimated that each round of testing will include confirmation of sampling locations, compilation of precipitation and streamflow data, five days of field work for one, 4-person team, in-house lab work for identification to family/genus, compilation of all sampling and analysis, and a "Field Completion Memo" summarizing the procedures and results.

Proposed Schedule:

The chemical and biological sampling programs as noted above shall each be performed in years one (2009) and three (2011) of the Assessment. To comply with the requirement to

sample during "low flow" conditions, sampling will be performed in August of each sampling year. Precipitation levels (via NOAA) and the USGS stream gage level of the Taunton River shall be monitored prior to each year's sampling program, and will be documented for the five days prior to sampling. Following completion of the year-three sampling program and field completion memos, the SEP Completion Report shall be submitted by March 31, 2012, as stipulated in the SEP.

Cost Considerations:

The SEP includes a requirement that the City shall expend a total of no more than \$80,000 toward the cost of the Assessment. Further, the City shall include documentation of the expenditures made in connection with the Assessment as part of the SEP Completion Report, which shall be submitted by March 31, 2012. To complete the chemical and biological sampling programs in years one and three of the program, plus all reporting, the current estimate to complete all work is \$95,000. In order to cost effectively complete the final scope of work while limiting additional costs to the City beyond the requirement of the SEP, the City of Brockton intends to utilize City personnel to assist CDM staff with field work where possible. Additional cost savings will be evaluated throughout the program to ensure that the final Scope of Work is properly completed in a cost effective manner.

Certification by Representative of the City:

In accordance with Section 73 of the Consent Decree, I certify under penalty of law that 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, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Closing

We trust this information meets your expectations regarding the required scope of work for the Comprehensive Receiving Water Assessment. Please do not hesitate to contact me at 508-580-7135 regarding any questions or comments on this information.

Sincerely,



Michael L. Thoreson
DPW Commissioner
Enclosures
MLT/ss

cc: Chief, Environmental Enforcement Section CERTIFIED MAIL 7007 0710 0002 5722 6804
Environmental and Natural Resources Division
United States Department of Justice
P.O. Box 7611, Ben Franklin Station
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Assistant U.S. Attorney
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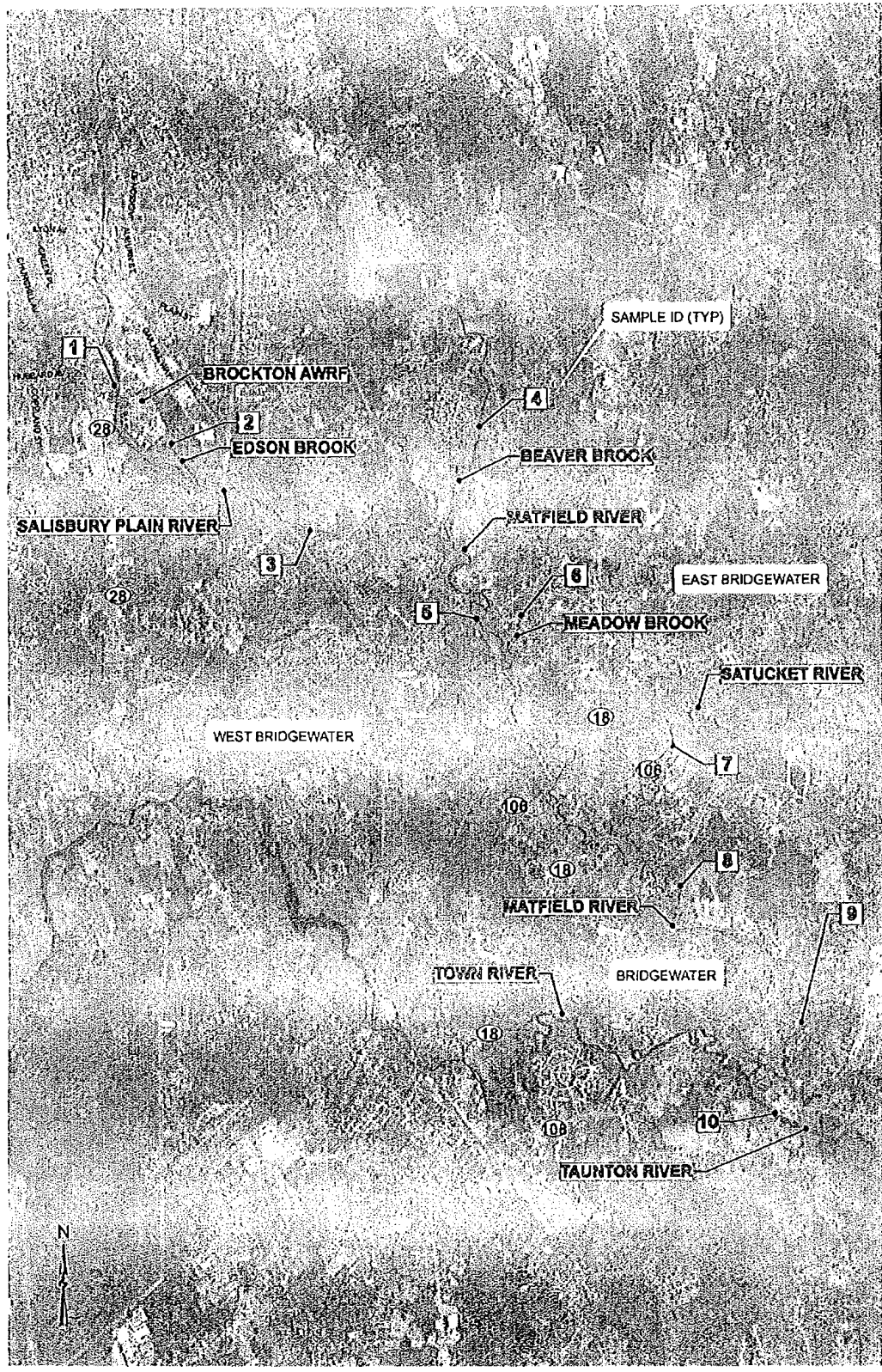
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Elaine Czaja, DPW Administrative Assistant
David Norton, Water and Sewer Contract Administrator
Larry Rowley, Utilities Superintendent
Gregory A. Roy, CDM Cambridge
Ian W. Mead, CDM Providence



1,900 950 0 1,900 Feet

CONSENT DECREE SEP
DRAFT SAMPLING LOCATIONS

BROCKTON, MA
2/19/09

Site Number	Watercourse	Previous DEP Sampling Site? **	Comments and Location	Nearest Confluence	Access
1	Salisbury Plain River	Yes	Upstream of wastewater treatment facility discharge to Salisbury Plain River	Salisbury Plain River and Edson Brook	Sargent's Way
2	Edson Brook	No	Major Tributary; Upstream of confluence with Salisbury Plain River	Salisbury Plain River and Edson Brook	Treatment Plant
3	Salisbury Plain River	Yes	Downstream from Belmont Street, East Bridgewater	Salisbury Plain River and Edson Brook	No good public access, possible private access.
4	Beaver Brook	Yes	Belmont Street, East Bridgewater	Beaver Brook and Salisbury Plain River	Northeast of Cheryl Drive, near #525 Belmont St.
5	Matfield River	Yes	West Union Street, East Bridgewater	Meadow Brook and Matfield River	300' West of Cross St. on West Union
6	Meadow Brook	Yes	West Union Street, East Bridgewater, MA	Meadow Brook and Matfield River	100' West of Orange St. on West Union
7	Satucket River	Yes	Plymouth Street, East Bridgewater, MA	Satucket and Matfield Rivers	100' South of Whiteman St. on Plymouth St.
8	Matfield River	No	Upstream of Agricultural Area	Satucket and Matfield Rivers	Possibly Copperfield Drive or Leo Way
9	Matfield River	Yes	High Street, Bridgewater, MA	Matfield River and Town River	High Street near #1440 High St.
10	Taunton River	Yes	Plymouth Street, Bridgewater, MA	Matfield River and Town River	300' North of Running River Rd. on Plymouth St.

** Per DEP Report: "2006 DWM ENVIRONMENTAL MONITORING OVERVIEW (CN 277.0)"