CDW CONSULTANTS, INC.
CIVIL & ENVIRONMENTAL ENGINEERS

November 16, 2016

USEPA Region I – New England
5 Post Office Square
Mail Code: OEP06-1
Boston, MA 02109-3912

Attn: Damien Houlihan

Re: Permit No. MA0003590: Request to Change Discharge Monitoring Location and Flowrate Monitoring
MBTA Commuter Rail Maintenance Facility: 70 Rear 3rd Avenue, Somerville, MA 02143

Dear Mr. Houlihan:

On behalf of our client, Keolis Commuter Services, LLC (Keolis), and in consultation with the Massachusetts Bay Transportation Authority (MBTA), CDW Consultants, Inc. (CDW) is submitting a request to ***change the discharge monitoring location*** for the above-referenced NPDES permit (Permit). This change is requested as a result of drainage system improvements recently completed by the MBTA as part of the Green Line Extension (GLX) project. These recommended changes have been previously discussed and inspected in meetings held with EPA, the Massachusetts Department of Environmental Protection (MassDEP), the MBTA, and Keolis on August 9, 2016 and October 12, 2016.

As noted in the MBTA's letter submitted on September 21, 2015 to EPA and via the Discharge Monitoring Report (DMR) submittals for the Permit, the GLX project included infrastructure improvements to the storm drainage system traversing the Commuter Rail Maintenance Facility (CRMF) property and discharging to the outfall at the Millers River. Per the most recent GLX project information, the watershed that contributes stormwater runoff to this storm drainage system is made of both CRMF property and other adjacent properties, and consists of approximately 213 acres of land in Somerville, Charlestown and East Cambridge, per the most recent GLX project observations. The Permit currently regulates the discharges from this outfall and requires discharge and flowrate monitoring. In consensus with the MBTA Environmental Department, the following sections summarize the current discharge monitoring location, drainage system improvements, proposed discharge monitoring location and proposed flowrate monitoring:

Permit Discharge Monitoring Location

In accordance with the Permit requirements, periodic discharge sampling (monthly, quarterly and annual) is conducted at the downstream end of the Prison Point OWS, prior to discharge into the outfall pipes (see attached sheet 000-C-2062).

Prior to the GLX project activities, the storm drainage system traversing the CRMF property flowed through the Prison Point oil/water separator (OWS) and into three 48" diameter outfall pipes, collecting the stormwater draining from the CRMF property, upstream drainage areas, and small volumes of flow

from the adjacent Northpoint development area (former Boston & Maine Corporation property) and the Gilmore Bridge, before discharging to the cofferdam outfall at the Millers River.

GLX Drainage System Improvements

A portion of the GLX project's drainage system improvements included the installation of new drain piping and drainage structures, coupled with the abandonment of existing structures that are inadequately sized or no longer necessary after this construction. This work was conducted primarily in the downstream portion of the existing drainage system, in areas located both upstream and downstream of the Prison Point OWS.

With the exception of *de minimis* quantity of stormwater from the Gilmore Bridge and the North Point area, the new drainage system no longer directs flow through Prison Point. A new 84" drain pipe directs the flow to a new drainage chamber access point, designated as **DMH 13.4** (see attached sheets 000-C-2061, 000-C-2062, and 000-C-2063). This access point is the *last available sampling location* before *all flow from the drainage area* discharges directly into the Millers River via three discharge pipes.

PROPOSED PERMIT MONITORING CHANGES

Discharge Monitoring Location

The MBTA and Keolis request to change the discharge monitoring location from the downstream end of the Prison Point OWS to the downstream end of the new **DMH 13.4** chamber, just prior to discharge into the outfall pipes. The DMH 13.4 chamber is surcharged above the outfall pipes under normal conditions. Therefore, sampling will be conducted at the approximate depth of the centerline of the outfall pipes, which corresponds to a depth of approximately 14 feet below the manhole rim (see attached sheet 000-C-8028).

Flowrate Monitoring

The Permit calls for reporting of the Monthly Maximum Daily Flow and the Monthly Daily Average Flow entering and exiting the Prison Point OWS. The MBTA and Keolis propose the use of a conservative calculation using precipitation data to estimate the flowrate in the drainage system. The maximum possible storm water runoff will be calculated based upon the drainage area, precipitation records, and estimated base flow (due to groundwater). This estimated value will be used for reporting the flowrates both entering and discharging from the system.

The flowrate calculation conservatively assumes that all of the precipitation runs off into the drainage system, using Boston Water and Sewer Commission precipitation records for Charlestown. Thus, the maximum daily precipitation for a given month will be used to calculate the *Monthly Maximum Daily Flow*, and the total precipitation for the month will be used to calculate the *Monthly Daily Average Flow*.

The runoff volume is calculated by multiplying precipitation depth times the drainage area, and converting the result to gallons. This value is based on an acre area of 43,560 square feet and 7.48 gallons of water per cubic foot. For the Monthly Maximum Daily Flow, the maximum daily runoff volume is then converted to million gallons per day (MGD) and the estimated base flow for the drainage system (3.04 MGD) is added to calculate the maximum daily flow. For example, if the maximum precipitation in a single day is 0.81 inches, the maximum runoff would be 4,684,904 gallons (4.68 MGD). Adding the base flow (3.04 MGD) to this value results in a Monthly Maximum Daily Flow of 7.72 MGD.

The Monthly Daily Average Flow is calculated in a similar manner, and the total precipitation for the month is divided by the number of days in the month to calculate the average daily precipitation. For example, if the total precipitation for a month with 31 days is 1.27 inches, the total flow volume for the

month would be 7,344,996 gallons, with the average daily flow volume as 236, 935 gal/day (0.237 MGD). Adding the base flow (3.04 MGD) to this value results in a Monthly Daily Average Flow of 3.28 MGD.

In summary, given the current improved drainage system configuration, the proposed DMH 13.4 chamber discharge monitoring location is based on an assessment of what is considered the optimal sampling location consistent with the Permit criteria. Furthermore, the proposed method for calculating estimated flowrate using precipitation data is believed to be, to the extent practicable, a conservative estimation of the flowrates entering and discharging from the system.

At this time, we respectfully request that EPA approve the proposed changes described above and discussed during our last meeting held on October 12, 2016 in order to begin the monitoring changes expeditiously.

If you have any questions concerning these proposed monitoring changes, please do not hesitate to contact me at (508) 875-2657 x27. We look forward to your reply regarding this request.

Sincerely,

William J. Betters, P.G., L.S.P.
Director of Environmental Services

attachments

cc: U. Kipka, EPA
C. Vakalopoulos, MassDEP
J. Nerden, MassDEP
J. Kearney, MBTA
C. Coutu, Keolis

BEALS + THOMAS
BEALS AND THOMAS, INC.
Reservoir Corporate Center
144 Turnpike Road
Southborough, MA 01772-2104

MEMORANDUM

T 508.366.0560
F 508.366.4391
www.bealsandthomas.com
Regional Office: Plymouth, MA

TO:	Undine Kipka, U.S. Environmental Protection Agency – Region 1
FROM:	Paula A. Thompson, PE Matthew Cote, PE
DATE:	May 24, 2017
REFERENCE:	Updates & Information Request NorthPoint NPDES Information Cambridge, Massachusetts B+T Project No. 2084.45
COPIES	Mark Johnson, DW NP Property, LLC Janis Kearney, MBTA

Pursuant to your email request for drainage information relative to the NorthPoint Site dated April 11, 2017, Beals and Thomas, Inc. (B+T) offers the following information.

There are no wastewater outfalls from NorthPoint property that discharge to either the Millers River or the Charles River.

The NorthPoint Site currently utilizes three (3) stormwater outfalls as depicted on the attached Figure No. 1. They include:

1. Unnamed Tributary, locally known as the Millers River
    a. Three (3) 48" steel outlet pipes discharge from the oil/water separator to the Millers River
    b. The oil/water separator was constructed in the 1960's to treat runoff from a railroad maintenance facility but currently only accepts MassDOT/DCR flow from a portion of the Gilmore Bridge, as well as one NorthPoint related catch basin located beneath the Gilmore Bridge. The NorthPoint related catch basin will be rerouted so that it flows to an existing stormwater treatment system on NorthPoint property that is part of the overall NorthPoint stormwater management system. Pending coordination with MassDOT and DCR, DW NP Property, LLC will also reroute the MassDOT/DCR flow to the junction downstream of the oil/water separator. Discharge pipes from the oil/water separator to the Millers River drainage system shall then be capped. It is anticipated that this work can be completed within several weeks.
    c. Discharge under NPDES Permit MA0003590. DW NP Property, LLC is a co-permittee and does not have primary responsibility for this permit.
    d. Longitude 42°22'18.80" N, Latitude 71°04'2.30"W

2. Lechmere Canal
    a. 4' x 7' RCP outfall to Lechmere Canal that is tributary to the Charles River.
    b. Covered under the City of Cambridge MS4 Permit, ID #D03OF0005.
    c. Longitude 42°22'09.96" N, Latitude 71°04'33.06"W
    d. Most of the existing and future NorthPoint drainage infrastructure is intended to discharge via this outfall.

3. North Point Park
    a. 12" RCP pipe outfall to Charles River. Currently 2.4± acres of the NorthPoint site contributes stormwater runoff to this outfall. Upon completion of the construction of Parcel U, 1.3± acres will remain tributary to this outfall.
    b. Covered under the City of Cambridge MS4 Permit, ID #D03OF0010.
    c. Longitude 42°22'09.17" N, Latitude 71°04'17.08"W

MC/PAT/rpk/208445MR001c.docx

Northpoint Stormwater Outfall Locations
Figure No. 1

Scale: 1"=200'
Date: 05/08/2017
Plan No. 208445P337A-001
B+T Project No. 2084.45

NORTHPOINT
Cambridge, Massachusetts

DW NP Property, LLC
One Kendall Square, Suite B3201
Cambridge, Massachusetts

North Arrow
NORTH

COPYRIGHT (C) BY BEALS AND THOMAS, INC.
ALL RIGHTS RESERVED

BEALS AND THOMAS, INC.

Received 7/7/14

Deval L. Patrick, Governor
Richard A. Davey, MassDOT Secretary & CEO
Beverly A. Scott, Ph.D., General Manager
and Rail & Transit Administrator

massDOT
Massachusetts Department of Transportation
Rail & Transit Division

April3, 2014

Thelma Murphy
US EPA, Region 01
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Glenn Haas, Director
Massachusetts Department of Environmental Protection
One Winter St.
Boston, MA 02108

Frederick Civian
Massachusetts Department of Environmental Protection
One Winter St.
Boston, MA 02108

RE: NPDES Permit for MBTA Commuter Rail Facilities

APR - 4 2014

Dear Ms. Murphy, Mr. Haas and Mr. Civian:

In January 2014, the MassDOT Board of Directors voted to award the contract to operate the Massachusetts Bay Transportation Authority (MBTA) commuter rail system to Keolis Commuter Services, Inc. The Massachusetts Bay Commuter Railroad Company (MBCR) currently operates the commuter rail system for the MBTA and is responsible for complying with applicable NPDES permit requirements. These responsibilities will continue through MBCR's contract expiration on June 30, 2014.

The purpose of this letter is to advise the EPA and DEP that the Keolis Commuter Services, Inc. will assume the responsibilities for all NPDES permitting on the commuter rail system on July 1, 2014 and request that the existing NPDES permits be transferred to Keolis Commuter Services as of the July 1st operations transfer date. Seven facilities are currently covered under the Multi-Sector General Permit (MSGP) and two facilities are currently covered by Individual Permits.

Listed below are the seven facilities that are currently covered under the NPDES MSGP:

- Fitchburg Layover (in Lunenburg) - MSGP MAR05D291
- Franklin Layover - MSGP MAR05D158
- Greenbush Layover (in Scituate) - MSGP MAR05D961
- Needham Layover - MSGP MAR05D155
- Newburyport Layover (in Newbury) MSGP MAR05D153
- Rockport Layover - MSGP MAR05D151
- Service and Inspection/Widett Circle (in Boston) - MSGP MAR05D150

The two facilities currently covered by Individual Permits are listed below:

- North Station (in Boston) - NPDES MA0029841
- Commuter Rail Maintenance Facility (in Boston and Somerville) - NPDES MA0003590

MBCR will still be responsible for permitting requirements until their contract expires on June 30, 2014, at which time we anticipate that MBCR will file a Notice of Termination (NOT) for these permits. As an alternative, we respectfully request that the above mentioned NPDES permits be transferred to Keolis Commuter Services with the intention that they will assume all permitting requirements for these facilities – either under the MSPG or the two individual permits.

If you have any questions or need anything else, please call me at 617-222-3126 or by email at abrennan@mbta.com.

Sincerely,

Andrew D. Brennan
Director of Energy and Environment

cc: C. Lynds, MBTA
B. Kesler, MBTA
J. Kearney, MBTA
M. Reilly, MBCR

O:\Keolis Transition Documents\Keolis EPA and DEP permits.docx

Boston and Main Corporation
Iron Horse Park
High Street
North Billerica, MA 01862

September 18, 2014

Ken Moraff, Director
Office of Ecosystem Protection
US Environmental Protection Agency
5 Post Office Square - Suite 100
Boston, MA 02109

Rebecca Weidman, Director
Division of Watershed Management
Department of Environment Protection
1 Winter Street
Boston, MA 02108

Re: **NPDES Permit No. MA003590**

Gentlemen:

Pursuant to 40 CFR Part 122.61 Boston & Maine Corporation, a Delaware corporation, ("Transferor") as a co-holder of NPDES Permit No. MA003590 (the "Permit") effective as of August 1, 2007 (renewal application submitted January 26, 2012), which stipulates responsibilities, coverage and liability for operations involving discharges of wastewater from the Massachusetts Bay Transpiration Authority (MBTA) Commuter Rail Maintenance Facility located at 70 Rear Third Avenue in Somerville, Massachusetts (the "Land"), hereby notifies the addressed of Transferor's transfer of all of Transferor's right, title and interest in the Permit, including all of Transferor's responsibility, coverage and liability thereunder, to CJUF III Northpoint LLC, a Delaware limited liability company ("Transferee"). The transfer from Transferor to Transferee shall be effective upon the closing of the real estate transaction transferring fee simple ownership of the Land from Transferor to Transferee (the "Closing Date"), which is expected to occur on or about October 20, 2014.

Transferee, as the new co-permittee hereby, agrees to assume the responsibility for compliance with the entirety of the coverage, responsibility and liability of the NPDES permit commencing on the Closing Date, to the extent such coverage, responsibility and liability arises and accrues from and after such date, and to the extent such coverage, responsibility, and liability would apply to Transferee as co-permittee and successor to Transferor (and not to the extent such coverage, responsibility and liability would apply only to any other co-permittee). Transferor shall continue to comply with all terms, limitations and conditions, and shall remain liable and responsible for compliance with the entirety of the coverage, responsibility and liability of the NPDES permit, to the extent such coverage, responsibility and liability arises and accrues on or before the Closing Date, and to the extent such coverage, responsibility, and liability applies to Transferor (and not to the extent such coverage, responsibility and liability would apply only to any other co-permittee).

Transferor shall continue to comply with all terms, limitations and conditions, and assumes any liability under the Permit until the Closing Date.

[*The remainder of this page has been intentionally left blank; signature page follows*]

Sincerely,

TRANSFEROR:

BOSTON AND MAINE CORPORATION,
a Delaware corporation

By: _____
Name: Robert Clifford
Title: Sr VP

[Signature Page – Notice Regarding Transfer of NPDES Permit No. MA003590]

Acknowledged and agreed to as of the date first set forth above.

TRANSFEREE:

CJUF III NORTHPOINT LLC,
a Delaware limited liability company

By: CJUF III Northpoint PE Member LLC
a Delaware limited liability company
its managing member

By: CJUF III Northpoint Member LLC
a Delaware limited liability company
a member

Legal	Acq/AM
	NLS

By: _____
Name: Maria L. Stamolis
Title: Authorized Signatory

[Signature Page – Notice Regarding Transfer of NPDES Permit No. MA003590]

CJUF III NORTHPOINT LLC
c/o Canyon Capital Realty Advisors LLC
2000 Avenue of the Stars, 11th Floor
Los Angeles, California 90067

July 24, 2015

VIA HAND DELIVERY AND VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ken Moraff, Director
Office of Ecosystem Protection
US. Environmental Protection Agency
Region I
5 Post Office Square - Suite 100
Boston, MA 02109

David Ferris, Director
Division of Watershed Management
Department of Environment Protection
Commonwealth of Massachusetts
1 Winter Street
Boston, MA 02108

Re: **Change of Co-Permittee: NPDES Permit No. MA003590**

Gentlemen:

Pursuant to 40 CFR Part 122.61, CJUF III Northpoint LLC, a Delaware limited liability company, ("Transferor") as a co-permittee under NPDES Permit No. MA003590 (the "Permit") effective as of August 1, 2007 (renewal application submitted January 26, 2012), as modified by Change of Co-Permittee signed December 10, 2014, which Permit stipulates responsibilities, coverage and liability of each co-permittee for operations involving discharges of wastewater from the Massachusetts Bay Transpiration Authority (MBTA) Commuter Rail Maintenance Facility located at 70 Rear Third Avenue in Somerville, Massachusetts, hereby notifies the addressed of Transferor's anticipated transfer of all of Transferor's right, title and interest as co-permittee in the Permit, including any of Transferor's responsibility, coverage and liability as co-permittee thereunder, to DW NP Property, LLC, a Delaware limited liability company ("Transferee"). The transfer from Transferor to Transferee shall be effective upon the closing of the real estate transaction transferring from Transferor to Transferee fee simple ownership of certain real property that is owned by Transferor and subject to the Permit (the "Closing Date"), which closing is expected to occur on or about August 24, 2015.

Transferee, as the new co-permittee hereby, agrees to assume the responsibility for compliance with the coverage, responsibility and liability of the NPDES permit commencing on the Closing Date, to the extent such coverage, responsibility and liability arises and accrues from and after such date, and to the extent such coverage, responsibility, and liability would apply to Transferee as co-permittee and successor to Transferor (and not to the extent such coverage, responsibility and liability would apply only to any other co-permittee). Transferor shall continue to comply with all terms, limitations and conditions, and shall remain liable and responsible for compliance with the entirety of the coverage, responsibility and liability of the NPDES permit, to the extent such coverage, responsibility and liability arises and accrues on or before the Closing Date, and to the extent such coverage, responsibility, and liability applies to Transferor (and not to the extent such coverage, responsibility and liability would apply only to any other co-permittee).

Transferor shall continue to comply with all terms, limitations and conditions, and assumes any liability under the Permit until the Closing Date.

[*The remainder of this page has been intentionally left blank; signature page follows*]

Sincerely,

TRANSFEROR:

CJUF III NORTHPOINT LLC,
a Delaware limited liability company

By: CJUF III Northpoint PE Member LLC
a Delaware limited liability company
its managing member

By: CJUF III Northpoint Member LLC
a Delaware limited liability company
a member

By: _____
Name: Jonathan P. Roth
Title: President

[Signature Page to Letter Agreement Re: NPDES Permit No. MA003590]

Acknowledged and agreed to as of the date first set forth above.

TRANSFEREE:

DW NP PROPERTY, LLC
a Delaware limited liability company

By:_____
Name:
Title: Steven Dietsch
Authorized Signatory

[Signature Page to Letter Agreement Re: NPDES Permit No. MA003590]

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109 – 3912

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

JUL 1 8 2014

Ms. Beverly A. Scott, Ph.D.
General Manager & MassDOT Rail & Transit
Administrator
Massachusetts Bay Transportation Authority
Ten Park Plaza
Boston, MA 02116

Mr. Tom Mulligan
General Manager
Keolis Commuter Services LLS
470 Atlantic Avenue
Boston, MA 02210

Re: Transfer of Operator - NPDES Permit MA0003590

Dear Ms. Scott and Mr. Mulligan:

By letter dated letter dated April 3, 2014 and via emails in May and June 2014, the US Environmental Protection Agency (EPA) was notified of a request for a change in operator status for National Pollutant Discharge Elimination System (NPDES) permit number MA0003590. The original operators of the permit signed on June 11, 2007 were the Massachusetts Bay Transportation Authority (MBTA) and the Massachusetts Bay Commuter Railroad Company (MBCR). In a letter dated June 30, 2014, it was confirmed that effective July 1, 2014, the Massachusetts Bay Commuter Railroad Company (MBCR) was to be replaced by the new operator, Keolis Commuter Services, LLC.

The above listed NPDES permit expired on July 31, 2012, however the conditions in the existing permit continue in force until a new permit is issued and becomes effective since a timely and complete renewal application was submitted (as per 40 CFR, Section 122.6). Please note that all limits and requirements outlined in the permit issued on June 11, 2007 remain in effect for the MBTA, as well as effective on July 1, 2014 for Keolis Commuter Services LLC (KCS). A copy of the current permit is attached for Keolis Commuter Services LLC's records.

Prior to drafting a new permit for the facility located at 70 Rear Third Avenue, Somerville, MA, a permit writer from EPA's Industrial Permit Unit will be in touch to clarify or supplement any previously submitted information. Also note that the new operator information will be entered into the Integrated Compliance Information System (ICIS), EPA's NPDES database of permittee information. EPA's staff will ensure that the record for the NPDES facility located at the MBTA's Commuter Rail Maintenance facility, 70 Rear Third Avenue, Somerville (NPDES no. MA0003590) is updated accordingly. The information relative to the co-permittees that is, the Boston & Maine Corporation, the City of Somerville's Department of Public Works and the Commonwealth of Massachusetts' Department of Conservation and Recreation, remains unchanged.

We look forward to working with you in the future. Should you have any questions concerning this change in operator, please contact Olga Vergara of the Industrial Permits Unit at (617) 918-1519. Regarding the storm water permits, please refer to Thelma Murphy's email dated May 27, 2014. Should you require further information on the Storm Water General Permits, please contact Ms. Murphy, Manager of the Storm Water and General Permits Unit at telephone number (617) 918-1615, or she can be emailed at murphy.thelma@epa.gov

Sincerely,

Damien Houlihan, Manager
Industrial Permits Unit
Office of Ecosystem Protection

cc: C. Vakalopoulos, MassDEP
A. Brennan, MBTA
B. J. Murphy, MBCR
T. Murphy, EPA
C. Coutu, CDW Consultants
C. Hack, CDW Consultants
D. Boisclair, ICIS – EPA

CHANGE OF OPERATOR
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§ 26-53)

Massachusetts Bay Transportation Authority
10 Park Plaza
Boston, MA 02116-3974

Keolis Commuter Services, LLC
470 Atlantic Avenue
Boston, MA 02210

are authorized to discharge from the facility located at

Massachusetts Bay Transportation Authority
Commuter Rail Maintenance Facility
70 Rear Third Avenue
Somerville, MA 02143-4458

The following parties are named as co-permittees for specific activities required by the permit, as set forth

Boston & Maine Corporation
Iron Horse Park
High Street
North Billerica, MA 01862

City of Somerville
Department of Public Works
1 Franey Road
Somerville, MA 02145

Commonwealth of Massachusetts
Department of Conservation and Recreation
251 Causeway Street
Boston, MA 02114

to receiving water named:

Unnamed Tributary, locally known as the Millers River (MA 72-31)

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on August 1, 2007.

This permit and the authorization to discharge expire at midnight, five (5) years from the last day of the month preceding the effective date.

This permit supersedes the permit issued on November 9, 1976.

This permit consists of 13 pages in Part I including effluent limitations, monitoring requirements and the Part II including General Conditions and Definitions.

All conditions and requirements of this NPDES permit originally signed on June 11, 2007 remain in effect for the MBTA, Keolis Commuter Services, LLC, Boston and Maine Corp., the City of Somerville DPW and the Commonwealth of MA Department of Conservation and Recreation.

Signed this 17th of July 2014

Ken Moraff, Director
Office of Ecosystem Protection
Environmental Protection Agency
Region I
Boston, MA

David Ferris, Director
Division of Watershed Management
Department of Environmental Protection
Commonwealth of Massachusetts

Received 7/2/14

Deval L. Patrick, Governor
Richard A. Davey, MassDOT Secretary & CEO
Beverly A. Scott, Ph.D., General Manager
and Rail & Transit Administrator

massDOT
Massachusetts Department of Transportation
Rail & Transit Division

June 30, 2014

Thelma Murphy
US EPA, Region 01
5 Post Office Square, Suite 100
Boston, MA 02109-3912

David Ferris
Massachusetts Department of Environmental Protection
One Winter St
Boston, MA 02108

RE: NPDES Permit for MBTA Commuter Rail Facilities

Dear Ms. Murphy and Mr. Ferris:

In January 2014, the MassDOT Board of Directors voted to award the contract to operate the Massachusetts Bay Transportation Authority (MBTA) commuter rail system to Keolis Commuter Services, Inc. The Massachusetts Bay Commuter Railroad Company, LLC (MBCR) currently operates the commuter rail system for the MBTA and is responsible for complying with applicable NPDES permit requirements. These responsibilities will continue through MBCR's contract expiration on June 30, 2014.

The purpose of this letter is to specifically inform the EPA and the DEP that MBCR will no longer be the operator of the MBTA facilities; Keolis Commuter Services (KCS) will be taking over these responsibilities, and as such, all three parties (MBTA, MBCR and KCS) agree that the NPDES permits should be transferred from MBCR to Keolis. Keolis Commuter Services, LLC. will assume the responsibilities for all NPDES permitting on the commuter rail system on July 1, 2014 and request that the existing NPDES permits be transferred to Keolis Commuter Services as of the July 1st operations transfer date.

Seven facilities are currently covered under the Multi-Sector General Permit (MSGP) and two facilities are currently covered by Individual Permits.

Listed below are the seven facilities that are currently covered under the NPDES MSGP:

- Fitchburg Layover (in Lunenburg) - MSGP MAR05D291
- Franklin Layover - MSGP MAR05D158
- Greenbush Layover (in Scituate) - MSGP MAR05D961
- Needham Layover - MSGP MAR05D155
- Newburyport Layover (in Newbury) MSGP MAR05D153
- Rockport Layover - MSGP MAR05D151
- Service and Inspection/Widett Circle (in Boston) - MSGP MAR05D150

The two facilities currently covered by Individual Permits are listed below:

- North Station (in Boston) - NPDES MA0028941
- Commuter Rail Maintenance Facility (in Boston and Somerville) - NPDES MA0003590

MBCR will still be responsible for permitting requirements until their contract expires on June 30, 2014, at which time we anticipate that MBCR will file a Notice of Termination (NOT) for these permits. As an alternative, we respectfully request that the above mentioned NPDES permits be transferred to Keolis Commuter Services with the intention that they will assume all permitting requirements for these facilities – either under the MSPG or the two individual permits.

If you have any questions or need anything else, please call Andrew Brennan at 617-222-3126 or by email at abrennan@mbta.com.

Sincerely,

Beverly A. Scott

Beverly A. Scott, Ph.D.
General Manager and MassDOT Rail & Transit Administrator

Concur: Bonnie J. Murphy
Bonnie J. Murphy, General Manager, MBCR DATE June 30, 2014

Concur: Tom Mulligan
Tom Mulligan, General Manager, KCS DATE June 30, 2014

cc: C. Lynds, MBTA
B. Kesler, MBTA
A. Brennan, MBTA
J. Kearney, MBTA
M. Reilly, MBCR
F. Dubourdieu, KCS
C. Coutu, KCS

O:\Keolis Transition Documents\Keolis EPA and DEP permits.docx