

**APPENDIX D**

Northeast Dredging Company, LLC:  
Silt Curtain Status Letters to USACE-NYD

**NORTHEAST DREDGING EQUIPMENT COMPANY, LLC  
100 CENTRAL AVE  
HILLSIDE, NJ 07205 U.S.A.**

June 20, 2011

Chris J. Nastasi, P.E.  
United States Army Corps of Engineers  
Kill Van Kull Project Office  
Caven Point Marine Terminal  
3 Chapel Avenue, Port Liberte'  
Jersey City, New Jersey 07305

Via Email

Re: Newark Bay / Arthur Kill Channel Contract 11 Navigation Improvement 50-Foot Project, New York and New Jersey, Contract No. W912DS-10-C-0023  
Contractor Serial Letter #37  
Silt Curtains

Dear Mr. Nastasi:

On Thursday 6-16-11, Northeast Dredging Equipment Company, LLC (Northeast Dredging) installed the silt curtain for the South Elizabeth Channel Silt Curtain Pilot Study. All components of the silt curtain system were installed in accordance with manufacturer specifications and the submitted Silt Curtain Maintenance Plan which was developed and approved to meet the requirements set forth in Specification Sections 00903 and 35 20 23.00 18 5.7 for the selection, purchase and installation of the silt curtain for the Silt Curtain Pilot Study phase of the project.

At approximately 08:30 on Saturday 6/18/2011, the Dredge Captain Steve Springer called the QC Manager Paul Poirier and informed him that during inspection of the installed silt curtain system, the silt curtain inspection crew found that multiple sections of the installed silt curtain had been damaged during the overnight period and are considered beyond repair. Paul Poirier contacted Brian Henry and I and informed us of the damaged silt curtain. Mr. Henry, Mr. Poirier and I went out to the site to inspect the installed silt curtain and to ascertain the extent of the damage to the installed silt curtain.

The findings of this inspection were that multiple sections of the silt curtain were damaged beyond repair and would need to be replaced. As required by the Contract Specifications, Northeast Dredging was to keep one or two spare sections of curtain for immediate replacement of un-repairable sections onsite. As a Best Management Practice (BMP), Northeast Dredging exceeded the requirement of the Contract Specifications and had five spare sections on-site. I gave direction to load the five spare one hundred foot sections of silt curtain on a boat and deliver them to the silt curtain area for deployment as replacements for five of the non-repairable sections.

The spare silt curtain sections were delivered and offloaded by the Dredge Delaware Bay on to the deck barge Raritan Bay in preparation for deployment. As this was being accomplished, a meeting was held with Mr. Kevin Reine of the USACE project monitoring vessel for the Silt Curtain Pilot Study Area on the bridge of the Dredge Delaware Bay with Mr. Poirier, Mr. Henry, Mr. Springer and Mr. Rusen. It was proposed to Mr. Reine that all dredging operations in the Silt Curtain Pilot Study Area by halted until a meeting with Corps personnel on Monday 6/20/2011 could be planned and a discussion and direction on how to proceed with the silt curtain operations could be accomplished. This was proposed to Mr. Reine due to the extent of damage to the installed silt curtain in less than two days by a combination of factors acting on the curtain. The most prevalent factor contributing to the silt curtain failure is the current. The current's strength through this area is such that significant forces are applied to the silt curtain system

PHONE  
(908) 964-8812

FACSIMILE  
(908) 964-7426

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**100 CENTRAL AVE**  
**HILLSIDE, NJ 07205 U.S.A.**

during both the flood and ebb tides. Other observed factors acting on the installed silt curtain system that appear to be contributing to the excessive load on the curtain is floating debris. The installed curtain is catching and holding a significant amount of floating debris through each tide cycle. Some of this debris, such as tree limbs and large logs are massive enough to damage to curtain by themselves in addition to being a navigational hazard. Mr. Reine suggested in lieu of waiting to convene a meeting on Monday that we remove and replace the five damaged sections south and west of the corners of berths 94 and 96 and recommence dredging operations tomorrow adjacent to the corners of berths 94 and 96 so sampling may continue. The five remaining silt curtain sections were installed in the location suggested and dredging operations were scheduled to recommence on 6/19/2011 within the silt curtain study area adjacent to the corner of berths 94 and 96.

The damaged curtain sections were removed and placed on the bow of the scow Virginia C. alongside the Dredge Delaware Bay. The five remaining new sections of silt curtain were installed in accordance with manufactures specifications to the remaining installed silt curtain. The new curtain sections were left tied up to the surface floats through the night to prevent any possible damage to the new sections from the current overnight. The new sections will be unfurled and the side panels attached to the previously installed silt curtain in the morning before dredging recommenced adjacent to the corner of berth 94 and 96.

The silt curtain and anchoring system components that were purchased and installed for the Silt Curtain Pilot Study phase of the project met the standards specified in Table 3 "Checklist for Selection and Application of Silt Curtains" of the ERDC TN-DORE-E21 located in Specification Section 00903. All components of the silt curtain system installed for the Silt Curtain Pilot Study phase of this project were installed in accordance with manufacturer specifications and the submitted Silt Curtain Maintenance Plan, meeting the requirements set forth in Specification Sections 00903 and 35 20 23.00 18 5.7. Based on observations in the field, the quantity and size of debris captured by the silt curtain system and the extent of un-repairable damage that occurs daily to silt curtain system, Northeast Dredging believes that boater safety, personnel safety and navigational concerns should be considered while evaluating the effectiveness of the system.

If you have any questions regarding this correspondence, please feel free to contact me on my mobile at 508-353-5202.

Sincerely,  
**Northeast Dredging Equipment Company, LLC**



Stephen Tobin  
Project Manager

Cc: Gerald Giacchetti, Via Email  
John Albert, Via Email  
Thomas D. Witte, Via Email  
Frank J. Belesimo, Via Email

Attachment – Photos

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**100 CENTRAL AVE**  
**HILLSIDE, NJ 07205 U.S.A.**



PHONE  
(908) 964-8812

FACSIMILE  
(908) 964-7426

**NORTHEAST DREDGING EQUIPMENT COMPANY, LLC**  
**100 CENTRAL AVE**  
**HILLSIDE, NJ 07205 U.S.A.**

June 23, 2011

Chris J. Nastasi, P.E.  
United States Army Corps of Engineers  
Kill Van Kull Project Office  
Caven Point Marine Terminal  
3 Chapel Avenue, Port Liberte'  
Jersey City, New Jersey 07305

Via Email

Re: Newark Bay / Arthur Kill Channel Contract 11 Navigation Improvement 50-Foot Project, New York and New Jersey, Contract No. W912DS-10-C-0023  
Contractor Serial Letter #39  
Silt Curtain Follow-up Letter

Dear Mr. Nastasi:

As a follow-up to Contractor Serial Letter (CSL) #37 submitted on 6-20-11, Northeast Dredging Equipment Company, LLC (Northeast Dredging) has continued to monitor the installed silt curtain system for the South Elizabeth Channel Silt Curtain Pilot Study in accordance with the Silt Curtain Maintenance Plan. As previously stated, all components of the silt curtain system were installed in accordance with manufacturer specifications and the submitted Silt Curtain Maintenance Plan which was developed and approved to meet the requirements set forth in Specification Sections 00903 and 35 20 23.00 18 5.7.

Since I gave the direction to replace the un-repairable silt curtain sections discussed in CSL #37 with the five spare one hundred foot sections of silt curtain on 6-18-11, Northeast Dredging has continued to monitor the silt curtain system and has observed continued deterioration of the entire system. Northeast Dredging has made repairs to the system whenever possible, but the system continues to be damaged beyond repair.

To date, Northeast Dredging has removed approximately 21,700 cubic yard of upland material from an area of approximately 270,000 square feet within the silt curtain area. Based on observations in the field, the extent of the continuing un-repairable damage to silt curtain system, and the forecasted weather, Northeast Dredging believes that the silt curtain system will become a navigational safety concern if the system remains in-place.

If you have any questions regarding this correspondence, please feel free to contact me on my mobile at 508-353-5202.

Sincerely,  
**Northeast Dredging Equipment Company, LLC**



Stephen Tobin  
Project Manager

Cc: Gerald Giacchetti, Via Email  
John Albert, Via Email  
Thomas D. Witte, Via Email

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