



February 19, 2015

United States Environmental Protection Agency – Region 1
Attn: Newton Tedder
Mail Code: OEP06-4
Boston, MA 02109-3912
Subject: Comments on the Draft Massachusetts North Coastal Small MS4
General Permit

Dear Mr. Tedder:

The Massachusetts Department of Conservation and Recreation, Division of Water Supply Management, Office of Watershed Management (DCR-OWM) has reviewed the Draft Massachusetts Small MS4 General Permit for stormwater management. We would like to offer the following comments for your consideration for finalizing the permit.

DCR-OWM is responsible for protection of the watersheds that provide drinking water for 2.5 million users of the MWRA system. Our staff works with watershed communities, businesses and residents to manage all potential water quality threats to the drinking water reservoirs. As stormwater is a major conveyance of pollutants, the measures outlined in the permit provide a framework and guidance for managing stormwater. We have found that the watershed communities and, in particular the DPWs who are primarily responsible for the measures outlined in the draft permits, are concerned about impact of stormwater and want to be good stewards of the water resources in their communities. However, the communities are financially stretched and the new requirements of the draft permit are financially prohibitive.

DCR-OWM has worked with the communities in the past and will work with them in the future to help implement stormwater mitigation measures. The current permit is very “prescriptive” in detailing steps that must be taken. We feel that EPA should allow individual permittees, at least for those in our watershed, an option to modify the specific tasks to be more useful in the particular watershed. Two examples of changes that we think could be made in our watersheds are found in section 2.3.4 Illicit Discharge Detection and Elimination (IDDE) Program:

2.3.4.7.c Written Illicit Discharge Detection and Elimination Program – Assessment and Priority Ranking

The requirement to assess and prioritize catchments appears misguided, especially for communities in the Wachusett Reservoir watershed. All streams in the watershed are tributary to a drinking water supply and therefore all are equally important, but even if not it seems impractical to devote a year towards developing a methodology and then

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using it to rank and prioritize catchments when the time might be better spent actually implementing detection protocols and finding problems. The goal here is being overlooked and too much emphasis placed on documenting each detail of the decision-making process. Simplification makes more sense, especially in a watershed with a very low likelihood of illicit discharges.

2.3.4.7.d Written Illicit Discharge Detection and Elimination Program – Outfall Screening and Sampling

Wet weather sampling is difficult to coordinate, and sample collection and analysis will be expensive. Collection of a few wet weather samples at each outfall during the five year permit period will provide limited information. In-stream monitoring downstream of outfalls is more practical and in many cases data already exist or are being collected regularly by others. The DCR-OWM has monitored temperature, bacteria, and conductivity weekly for many years and has monthly nutrient data from a number of tributaries. DCR-OWM believes that existing data and ongoing tributary sampling efforts are sufficient to help locate illicit discharges and will continue to work with local communities to support their efforts.

In addition, we offer the following comments on section 2.3.6 Post Construction Stormwater Management (New Development/Redevelopment)

2.3.6.a.ii.(a) Retain the first one (1) inch of runoff from all impervious surfaces on site.

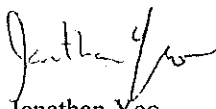
As long as there are differences between EPA stormwater requirements and DEP stormwater standards, there will be difficulties obtaining compliance. There should be agreement so that EPA and DEP are asking for the same thing.

2.3.6.d. Directly Connected Impervious Area

The methodology used for initial estimates of impervious surfaces and directly connected impervious surfaces is based on outdated land use and therefore includes error. Annual changes will be small and likely fall within the margin of error, so labor intensive efforts to determine annual change seems impractical and unnecessary.

Thank you for the opportunity to comment on the draft permit. If you have specific questions on our comments, please contact Patricia Austin, P.E., Director of Environmental Quality, Wachusett Watershed at 508-792-7423 x204.

Sincerely,



Jonathan Yeo
Division Director

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