



TOWN OF BELLINGHAM

Bellingham Municipal Center
10 Mechanic Street
Bellingham, Massachusetts 02019
Tel: 508-657-2802 Fax: 508-966-4425

Denis C. Fraine
Town Administrator

March 30, 2010

Ms. Thelma Murphy
EPA Region 1
Office of Ecosystem Protection
5 Post Office Square – Suite 100
Boston, MA 02109-3912

Dear Ms. Murphy:

We are pleased to offer our comments & findings regarding the DRAFT MS4 2010 General Permit for Stormwater Management, for which the comment period is open until March 31, 2010.

The 2010 Draft permit outlines extensive and complex new requirements for Towns to comply with the MS4 2010 general permit. This will include resources and personnel for planning, policy development, monitoring, enforcement, record retention, mapping, testing and engineering. A consistent source of revenue will be needed to comply with these requirements, yet such a source is a near impossibility as we continue to face budget deficits measured currently in the millions of dollars, deficits that are forcing the layoffs of staff across our community(ies).

Within **90 days** of the effective date of the permit each Town will need to file a NOI with the EPA which must include a summary and analysis of the 2003 permit including outflow map, bylaws, number of outflows contributing to receiving waters, responsible parties and location of 2003 SWMP.

Within 120 days of authorization from EPA the Town will need to file the 2010 **SWMP (Stormwater Management Program)**, which shall include a variety of additional items not required in the 2003 permit such as testing, monitoring, reporting, training, education, enforcement, implementation of programs and policies that will effect many different departments.

Ms. Thelma Murphy
Page 2
March 30, 2010

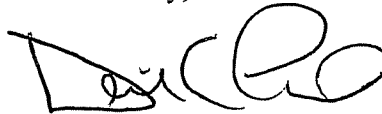
For communities that are within the Charles River drainage basin, the phosphorous standard and requirement for a "Control Plan" within four years of permit issuance will be a major cost and may be technically infeasible. Walpole has a relatively low requirement for phosphorous removal that corresponds to the small area in town that drains to the Charles, however, several communities have to reduce their phosphorous (common in storm water runoff from developed areas from lawn fertilizers) by 65%, a feat very difficult to do in a storm water system where the town has limited control over what flows into the catch basin at any particular point.

This draft permit essentially leads to an extensive long-term program for storm water treatment and control as being the responsibility of individual communities. Because the rivers flow through multiple communities, there is some logic to a regional approach (by drainage basin) to jointly commenting on the requirements of the draft permits. Once the permits are finalized, the towns could evaluate if there are further opportunities for communities to partner with one another for both operational and cost efficiencies.

Our Community(ies) indeed recognize the importance of improving the quality of Stormwater that enters our brooks, rivers, lakes and ponds from environmental and health perspectives. Further, we commend EPA and its professionals for their considerable efforts in drafting the proposed regulations. However, we urge if not implore the EPA to consider a postponement of the implementation of these regulations. As you have most assuredly seen, heard, and read, the Commonwealth and especially our communities are approaching yet another significant uphill climb in the funding process for the upcoming fiscal year. We are looking at staggering numbers of layoffs of town personnel across all departments, and further reductions of necessary expense line items. It would be an enormous understatement to suggest that the regulations proposed by EPA are simply unfeasible to implement in Fiscal Year 2011, both in terms of dollars and personnel resources to carry them out. We as community leaders are most willing to work with you to develop a schedule where final regulations can be phased in without causing havoc to our operations. We ask you to therefore suspend the MS4 2010 process, and instead convene a work session with our professionals to develop just such a schedule.

Together we can make a very positive impact in Stormwater management, and we request your cooperation with our requests presented here.

Sincerely,

A handwritten signature in black ink, appearing to read "Denis C. Fraine". The signature is stylized with a large initial "D" and "C".

Denis C. Fraine