



# TOWN OF WATERTOWN

DEPARTMENT OF PUBLIC WORKS

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Ms. Thelma Murphy  
United States Environmental Protection Agency Region 1,  
Office of Ecosystem Protection,  
5 Post Office Square, Suite 100 - Mail Code: OEP06-4,  
Boston, MA 02109-3912

RE: Watertown Comments on Draft MS4 Permit

Dear Ms. Murphy:

We appreciate the opportunity to comment on the Draft MS4 Permit. Watertown's initial comments are as follows:

1. Since Watertown discharges to the Charles River with a TMDL for phosphorus, the Draft Permit requires the Town to reduce total phosphorus loading by 65%. Even if the Town fully implements low phosphorus fertilizer alternatives for all of the publicly owned recreation and open space areas, achieving this level of reduction is impractical since the vast majority of vegetated cover areas are privately owned and fertilizer use is not under the Town's control on private land. The Town will implement a public education and awareness campaign, but cannot exercise the same control over private practices as it does over its own activities.
2. Table G-2 of the Draft Permit established a base phosphorus loading amount for Watertown at 918.14 kg/yr based on land use type and density and an assumed area based phosphorus loading rate. Instead of using an assumed phosphorus loading rate to set the baseline, communities should be allowed the option of evaluating actual phosphorus loadings at outfalls discharging to the Charles River as determined from quarterly phosphorus sampling results averaged over a period of a year. This method will provide more representative phosphorus loading data to establish the baseline value and percent reduction to meet the TMDL value for Watertown of 321.74 kg/yr.
3. The Approved TMDL Waste Load Allocation in Table G-1 of Appendix G for Watertown requiring 65% reduction of total phosphorus discharged to the Charles River was issued without the opportunity for the Town to review and comment on how the reduction target was established and the methodology used in setting the phosphorus base loading amount of 918.14 kg/yr. We recommend allowing municipalities to review and comment on the establishment of both the methodologies and resultant target.
4. The requirement for sweeping of all sidewalks (approximately 144 miles) a minimum of twice per year will further strain the Watertown DPW's limited labor and equipment resources and will produce questionable improvements in reduced pollutant loadings. The Town is not presently equipped to perform sidewalk sweeping and would need to purchase specialized sidewalk sweepers and train DPW personnel on its use.

Due to financial constraints, the vacant street sweeper position has been frozen leaving the DPW with one street sweeper to cover the Town's 76 miles of streets twice per year.

Further, given the total length of streets in Town and available street sweeping resources, the Town needs to perform street sweeping year round as weather conditions, staffing and equipment allow in order to service all locations twice yearly. Limiting sweeping to spring and fall would introduce an additional handicap to meeting the requirement. Anticipated cuts in local aid will drive the cut of another position, reducing a division of ten positions to eight. Adding an additional program with staff reductions of 10%- 20% is not realistic.

5. Implementing a Catch Basin Inventory Program to catalogue inspection, maintenance and management information for every catch basin is an onerous task that will again require dedication of more thinly stretched resources of the DPW.

The requirement to document will require numbering all catch basins, a task that requires unbudgeted labor and materials. The cost and time it will take installing and maintaining catch basin identifying number markers for the Town's over 3,700 catch basins will be enormous.

The volume of information collected will require the establishment of a database maintained on a laptop computer and the skills to use computer. The standard employee cleaning catch basins does not have computer skills. In addition to the purchase of hardware and software, an additional staff person will need to accompany the individual performing the cleaning to enter the information in a proper and timely fashion. Whether or not this process is performed by inhouse staff or by an outside consultant, the additional requirements will add significantly to the cost of complying with the requirement. It is also worth noting that municipalities often know which basins have problems.

6. The water quality monitoring requirements of the Draft Permit are excessive and unjustified when considering the significant increase in annual costs to comply. The Town is already monitoring its 27 outfalls to the Charles River quarterly for pathogens, ammonia, surfactants, pH, conductivity, and turbidity under wet and dry weather conditions. The Draft Permit will require the addition of monitoring for nutrients, potassium, chlorine, priority organics, metals, nutrients, dissolved oxygen and oil & grease. The addition of monitoring for nutrients (nitrogen and phosphorus) is expected since there is a TMDL for phosphorus. However, including the other additional parameters in the monitoring requirements does not appear justified and will add significantly to the annual cost for compliance with additional sampling, laboratory and reporting costs. It is estimated the increased monitoring costs to the Town will exceed \$80,000 per year. It is anticipated that increased consulting costs for compliance with the new MS4 permit requirements could run between \$200,000 and \$250,000. Paring down of required elements and frequency of sampling is absolutely necessary to make this a realistic requirement for implementation by financially strapped municipalities.
7. The Public Education and Outreach Minimum Control Measure requires the Town to produce and present educational and outreach materials on 2 separate occasions for 4 specific targeted groups. Readily customizable templates of education and outreach materials for each type of

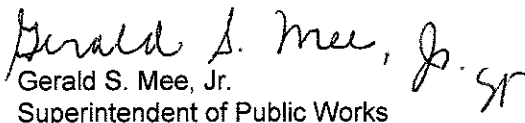
audience should be provided by EPA to limit the time and cost burden on the Town to generate these materials from scratch.

8. The Draft Permit requirement that each and every stormwater structure within the Town's MS4 (including manholes, catch basins, outfalls, drain inlets, and culverts) be inspected annually is overly burdensome. The Town is well aware of locations within the MS4 that require routine inspection, monitoring and/or cleaning. It is unclear if the expansion to include all MS4 structures annually will yield significantly better information; it will prove highly costly.
9. The proposed Phosphorus Control Program is a central piece of the new permit, yet the EPA has not posted a draft or sample program for review before the close of the comment period. It is therefore impossible to comment on the program, its difficulties or make recommendations without this option. We recommend the comment period be extended to allow for review of this critical piece of the program.
10. The Draft Permit requires the Annual Report for the period of July 1 to June 30 be prepared and submitted by August 1<sup>st</sup>. Given the extensive amount of information required to be included in the Annual Report under the Draft Permit and the due date falling within the peak vacation season, completing the Annual Report in a month after the reporting period ends will be extremely challenging. A minimum of 2 months after the reporting period ends should be given to prepare and submit the Annual Report.

Additional legal comments will be submitted early next week by Kopelman and Paige on behalf of the Town.

Again, we appreciate the opportunity to comment and look forward to working with you to ensure that the viability of the program.

Sincerely,

  
Gerald S. Mee, Jr.  
Superintendent of Public Works

- c: Michael J. Driscoll, Town Manager  
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