

From: [Shuman, Matthew](#)
To: [R1.RDA](#)
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Multi-family exemption. I understand why EPA would want to try to limit the number of permits issued, but I think you should consider including multi-family properties. Looking at Appendix F, they generate the largest amount of phosphorus per acre so would be the most impactful. I think EPA opens itself up to questioning from commercial and industrial users if it does not include them. I think they would say “why are you coming after us and not multi-family residential if multi-family residential generates more than us per acre.” The flip side is we are in a housing crisis, so it might make sense not to add additional burdens that could increase the cost of housing.

- I like the idea of an applicant being able to provide an as-built to show that they are under the 1-acre threshold. This would be similar to what a lot of municipalities with stormwater utilities.
- How would EPA deal with sites that currently partially comply with whatever the proposed regulations would be? For example, they have some BMPs but do not fully meet the requirements.
- This is the same comment I’ve made on the MS4 permit: EPA needs to provide some credits for certain proprietary systems. I remember when I was researching in Watertown that some other states provide credit for proprietary systems, like cartridges (Rhode Island is an example). The initial feedback I heard from EPA was to exhaust infiltration/filtration techniques first, but as others pointed out, there is simply not enough room in urban areas and some of these are very expensive. It was nice to hear EPA acknowledge that municipalities on their own cannot achieve the required TMDL load reductions.
- Compliance will definitely be an issue in downtown areas where properties are built out to the property line, even if proprietary systems are allowed.
- For communities that have stormwater utilities, installation of BMPs would be a large capital outlay but could reduce annual fees if the utility provides credits for BMPs. On the flip side, this might result in some loss of revenue for the utility.
- Strongly consider how to phase in the permit, particularly if relying on municipalities to administer it. This would help spread the additional workload out.
- How would this permit and requirements interact with local requirements and the requirements of MS4 permits? For example, a site is under an acre, builds out more as a “new development” and is now over an acre. They include BMPs for the new development portion of the site. Would the existing portion of the site now be subject to

the RDA?

Matthew Shuman, PE
Town Engineer
Town of Winchester

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