

**WATER & SEWER
COMMISSION**

MAY 5 2009

April 28, 2009

United States Environmental Protection Agency
Region 1
One Congress Street, Suite 1100
Boston, MA 02114-2023
ATTN: Glenda Velez

9

Fred Civian
MassDEP
One Winter St.
Boston, MA 02108

Dear Sir or Madam:

Enclosed please find the Annual Report for the Lynn Water and Sewer Commission's NPDES Phase II Storm Water Management Program. The report has been prepared in accordance with the Commission's NPDES Permit # MAR0410044, and covers the Reporting Year for the period of May 1, 2008 through April 30, 2009

Should you have any question or require additional information please do not hesitate to contact me at (781) 596-2400 x241.

Sincerely:



Neal Johnson
Engineer

cc: Anthony J. Marino, P.E.
LWSC file.

A. Self Assessment Review of Compliance with Permit Conditions

For the period of May 1, 2008 through April 30, 2009 the Lynn Water & Sewer Commission (Commission) has complied with the General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems # MAR041044 to the best extent practicable by:

1. Continuing to comply with MassDEP Regulations and NPDES Permit # MA 0100552 effective March 30, 2007 through March 30, 2012.
2. Continuing to comply with the Second Modified Consent Decree effective June 29, 2001 for the control of combined sewer overflows, and private inflow and infiltration, to the receiving water bodies of the City of Lynn.
3. Continuing to maintain and enforce an effective Industrial Pretreatment Program governing industrial users of the Lynn Water & Sewer Commission sanitary sewer and stormwater systems.
4. Continuing to maintain and enforce current Lynn Water & Sewer Commission rules regulations governing construction site runoff in conjunction with the City of Lynn Planning Board and Conservation Committee.
5. Continuing to review and comment on all new construction or new subdivision site plans while enforcing Lynn Water & Sewer Commission rules and regulations regarding stormwater regulations.
6. Continuing to maintain an effective catch basin cleaning and repair programs.
7. Continuing to maintain and implement effective brook and drain conduit cleaning and repair programs
8. Continuing to require street sweeping on all Lynn Water & Sewer Commission construction projects.
9. Continuing to work with the City of Lynn Department of Public Works to provide a city wide street sweeping program.

C. Assessment of Progress Towards Achieving Measurable Goals.

The Commission continues to make progress towards achieving its measurable goals. Under a "Second Modified Consent Decree" agreed to by the Commission and USEPA, MassDEP, and other government agencies in early 2001 the Commission is required to eliminate combined sewer overflows (CSO's) at four (4) of its NPDES permitted outfall locations. Compliance with the decree, the elimination of CSO's, remains the Commission's primary goal. In October of 2004 the Commission submitted to a USEPA and MassDEP a fifteen (15) year Supplemental Facilities Plan with a scheduled completion date of December 2020. Included in the plan are the design and construction of new sewer and storm water sewer systems, storage conduits, flow control structures, as well as private and public inflow removal programs. As of April 2009 the Commission is awaiting USEPA and MassDEP approval of the submitted Supplemental Facilities Plan.

Below is a detailed assessment of the Lynn Water & Sewer Commission's measurable goals for each Control Measure.

1. Public Education and
2. Public Participation:

Public Education and Outreach and Public Participation efforts as set forth in the Lynn Water & Sewer Commission's Notice of Intent have not been met at this time. Work pertaining but not limited to compliance with an MassDEP Administrative Consent Order(ACO) issued August 2006, the drafting of I&I removal contracts, water and sewer system improvement projects, metering of unaccounted for water, as well as acceptance of the Commission's Supplemental Facilities Plan by USEPA MassDEP for the control of Combined Sewer Overflows (CSO's) at receiving water outfalls to ensure compliance with the Second Modified Consent Decree has taken precedence over the development of Public Education and Public Participation policies for storm water.

4. Construction Site Runoff Control

Measurable Goals for Construction Site Runoff Control are met by continuing current practices regarding construction activities and construction sites. The Lynn Water & Sewer Commission in conjunction with the City of Lynn Planning Board, and the Lynn Conservation Commission require strict compliance with individual MassDEP Order of Conditions for all construction projects, as well as the City of Lynn General Conditions.

A copy is attached as Appendix B.

5. Post Construction Runoff Control

Measurable goals for Post Construction Runoff Control are being met by continuing current practices regarding construction sites after completion of projects.

The Lynn Water & Sewer Commission continues to require:

- Separate storm water and sanitary sewer systems.
- Biannual street sweeping.
- Annual catch basin cleaning.
- Developers to maintain pre-development runoff conditions.
- Developers must submit drainage plans providing control measures for subdivision drainage such as detention ponds, swales, vegetation planting, grass plots etc.
- Maintenance of drainage structures to conform to Lynn Water & Sewer Commission standards.

A copy of the Lynn Water & Sewer Commission Storm Water Operation and Maintenance Requirements for Water Quality Structures and Detention Basins is attached as Appendix C.

D. Discussion of Activities for Next Reporting Cycle

The Lynn Water & Sewer Commission as previously mentioned is currently designing, building and installing new sanitary sewer and storm water drainage systems to comply with the Second Modified Consent Decree agreed to by the Commission and regulatory agencies on June 29, 2001. Pending USEPA and MassDEP approval of the Commission's "Supplemental Facilities Plan" the Commission will begin installation activities and continue through December 31, 2020. Moreover removal of private inflow and infiltration will continue through the same time period.

In the coming year the Lynn Water & Sewer Commission will attempt to meet measurable goals for the Public Education and Public Participation control measures. Many of the stated goals in the Lynn Water & Sewer Commission's Notice of Intent require formal consideration by the Commission Board. In the coming year attempts will be made to set as agenda items storm water initiatives such as:

- Volunteer Stenciling of catch basins.
- Feasibility of a Storm Water Management Panel.
- Public / Municipal Watershed Committees.
- Financing for Storm Water programs.

Efforts have been made to institute employee training programs regarding Storm Water Management. LWSC has purchased the Municipal SWPP training kit "Storm Watch" from Excal Visual for the training of current and new employees in BMP's for municipal employees regarding storm water flow.

E. Changes in Identified Best Management Practices or Measurable Goals.

At this time the Lynn Water & Sewer Commission has not changed any Best Management Practices or measurable goals.

F. Reliance on Other Entities for Achieving Measurable Goals

The Lynn Water & Sewer Commission continues to work towards achieving measurable goals with the City of Lynn Department Of Public Works, City of Lynn Health Department, MassHighway, and surrounding communities including Lynnfield, Peabody Revere, Salem, Swampscott, and Saugus.