



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MA 02109-3912**

**VIA EMAIL**

February 13, 2019

Heather Govern  
Staff Attorney and Director, Clean Water  
Conservation Law Foundation  
62 Summer Street  
Boston, MA 02210

Christopher Kilian  
Vice President of Strategic Litigation  
Conservation Law Foundation  
15 East State Street, Suite 4  
Montpelier, VT 05602

Dear Ms. Govern and Mr. Kilian:

Thank you for the Conservation Law Foundation's (CLF) comments on Notices of Intents (NOIs) submitted to the U.S. Environmental Protection Agency (EPA) Region 1 for coverage under the Massachusetts Small Municipal Separate Storm Sewer General Permit (MA Small MS4 General Permit). On December 14, 2018 we received your comments pertaining to the NOIs submitted by the following applicants: Town of Acton, Town of Agawam, Town of Belchertown, Town of Burlington, Town of Chatham, City of Chicopee, Town of Dracut, Town of Essex, City of Everett, City of Fall River, Town of Hadley, Town of Hanson, Town of Harwich, Town of Hudson, Town of Natick, City of Newburyport, Town of Norfolk, Town of North Andover, City of Northampton, City of Peabody, Town of Plainville, Town of Plymouth, Town of Scituate, Town of Sudbury, Town of Sutton, City of Taunton, Town of Tewksbury, Town of Tyngsborough, Town of Wellesley, City of Westfield, and Town of Wilmington.

CLF's comments are comments on the MA Small MS4 General Permit itself rather than on the NOIs. Because CLF has appealed the permit and is engaged in mediation, it is EPA's view that the mediation is the proper forum for continuing to discuss CLF's concerns regarding the permit.

Please contact me at [murphy.thelma@epa.gov](mailto:murphy.thelma@epa.gov) or at (617) 918-1615 or Erin Flannery-Keith in the EPA Region 1 Office of Regional Counsel at [Flannery-keith.erin@epa.gov](mailto:Flannery-keith.erin@epa.gov) or (617) 918-1096 with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Thelma Murphy". The signature is written in a cursive style with a long, sweeping underline.

Thelma Murphy, Chief  
Stormwater and Construction Permits Section  
Office of Ecosystem Protection

cc: Kate R. Bowers and Sarah Buckley, U.S. Department of Justice, Environment and  
Natural Resources Division  
Lealdon Langley, Massachusetts Department of Environmental Protection