



CITY OF CHICOPEE

DEPARTMENT OF PUBLIC WORKS



Stanley W. Kulig, P.E.
Superintendent

Thomas Hamel
Chief Operator

March 30, 2010

Thelma Murphy
US EPA
Suite 1100
One Congress St.
Boston, MA 02114-2023

Re: Stormwater Draft Permit Comments

Dear Thelma Murphy,

The City of Chicopee has reviewed the draft stormwater permit for the Massachusetts North Coastal Watershed in anticipation that a permit for the Interstate Watersheds will soon follow. The City of Chicopee applauds the attempts by the EPA to clean up the waters for the Commonwealth, but has serious concerns over how to pay for the work and testing required under the permit, since it is highly unlikely that the federal government will provide any funding for compliance. While well intentioned, this general permit adds financial burden to Cities and rate payers who cannot financially afford the luxury of additional storm water regulations even if it leads to cleaner waterways. Chicopee is presently experiencing sewer rate increases of 10 to 15% per year to pay for ongoing projects mandated under the City's Consent Decree with EPA and its Long Term CSO Control Plan and is quickly approaching environmental costs of 2% of the median household income (MHI).

The City has a limited ability to fund new environmental initiatives, as we rely almost entirely on our residents and ratepayers. New regulations and cleaner waterways are not priorities for a public which is concerned about keeping a job. With diminishing dollars available, what is needed is a financial cost/benefit analysis to determine how to best spend the limited funds available to meet the myriad of good environmental regulations. Right now, Chicopee (and EPA through the Consent Decree) is prioritizing Combined Sewer Overflow (CSO) expenditures because they provide a large "bang for the buck." However, they are presently consuming all available environmental funds/fees as we rapidly approach the 2% of MHI affordability threshold. We request that EPA take affordability and cost/benefit into account before promulgating these regulations. While complying with proposed stormwater regulations may improve the quality of the receiving waters, it is by no means a certainty. How can communities that already have high sewer rates to pay for tangible environmental improvements like CSO elimination continue to raise rates for uncertain additional environmental benefit?

Water Pollution Control

Beyond the affordability issue, Chicopee is very concerned about the timing of regulatory requirements. Most of the proposed stormwater permit requirements require additional staff, equipment and engineering reports/studies that even if money were plentiful require long lead times to comply with bidding and hiring laws.

The City respectfully submits the following specific comments regarding the above mentioned draft permit.

- **Good Housekeeping:** Street sweeping twice per year, catch basin cleaning when half full and sidewalk sweeping twice per year will not only require significant costs in labor and equipment. It will require staff we do not have at a time when the City may be facing layoffs of public works personnel due to declining municipal and state revenues. It is possible that complying with this requirement could double the budget presently used and put Cities in non compliance very quickly. Please remove these requirements or reduce the frequency.
- The draft permit requires significant sampling and monitoring requirements. The amount of sampling will surely require the hire of additional staff/consultants to deal with the sheer volume. In CSO communities, there is little benefit to stormwater sampling until the bulk of the CSOs are eliminated. Please consider waiving these requirements for CSO communities.
- A great deal of paperwork in reporting, brochures and education will be required. There would be a great deal of time, effort and money for each community to develop these materials independently. Ma DEP and EPA should take on this task as a state wide or nation wide campaign. I am sure EPA does not have funding for this public education and neither does the City. At a minimum, we suggest reducing the costs to each community by having EPA develop downloadable templates and web links that we can e-mail to our residents in order to save time and money.
- **Finances:** As noted in the introductory paragraphs, we anticipate that these regulations would increase cost well beyond what is reasonably affordable. Communities will be forced to come up with much greater budgets for the new stormwater requirements. This is and especially tall task considering the economy, the lack of a funding mechanism for required changes or work, and the competing interests of other environmental improvement projects such as CSO elimination.
- Universal approach to municipalities does not take into account the measures that some communities already implemented or the different types of area and populations served.
- Each task required, on its own, might be achievable in the timeline given. However, asking the communities to complete all the various tasks in the 5 year plan is unrealistic and is setting the communities up to be out of compliance.

- Time and money are the limiting factors to meet these and all new regulations. If government cannot provide financial assistance to Cities/Towns to meet these regulations, then additional time is always most welcome to help spread out and plan for the additional costs and allow existing staff to do more of the work in house.

The City of Chicopee appreciates the opportunity to comment on the draft permit and encourages the EPA to consider making changes in the draft permit so that communities can attempt to achieve the goals set and the environment can benefit.

Sincerely,

A handwritten signature in blue ink that reads "Thomas Hamel". The signature is fluid and cursive, with the first name "Thomas" and last name "Hamel" clearly legible.

Thomas Hamel
Chief Operator

Copy: Mayor Michael Bissonnette
Stanley Kulig, DPW Superintendent.