

March 30, 2010

United States Environmental Protection Agency
New England Region
MA Office of Ecosystem Protection
Five Post Office Square, Suite 100
Boston, MA 02109-3912

Attn: Thelma Murphy

RE: Comments on Draft Stormwater Permit – NPDES Permit

Dear Regional Administrator Spalding:

Massachusetts Water Resources Authority (MWRA) communities and their ratepayers have a proven track record of environmental stewardship; Boston Harbor is the evidence that proves it.

Over the past 25 years, MWRA communities have worked alongside the MWRA to spend \$5+ billion rebuilding the Deer Island Wastewater Treatment Plant, replacing the vast infrastructure of interceptors and pump stations, funding CSO projects in Chelsea, Boston, Cambridge and Somerville, which have dramatically benefited the Inner Harbor and the Charles and Mystic Rivers, reducing overflows from 3.3 billion gallons in 1988 to 613 million gallons today, an 81% reduction.

Since 1993, communities, through the Infiltration/Inflow Reduction Program, have spent over \$190 million on 381 local projects, reducing wastewater flow by 76 million gallons per day.

All of these improvements have come at a heavy price and burden for the communities and their ratepayers, both today and for generations to come. The MWRA service area has some of the highest water and sewer rates in the country. Many exceed the thresholds set forth in EPA's affordability analysis.

Now through the North Coastal Small Municipal Separate Storm Sewer System MS4 General Permits, EPA potentially adds more costly regulatory requirements on communities.

These additional costs come at a time when our cities and towns can least afford them. Local aid to communities is expected to be further reduced. The economic downturn has wreaked havoc on local revenues. As FY11 approaches, cities and towns are being forced to consider and implement draconian cuts to already reduced levels of basic services.

This is not the time to add another layer of regulations. Communities have neither the financial resources nor the human resources to fulfill new regulations.

Specifically, as proposed, the draft permit requirements:

- add significant levels of testing, monitoring and management of stormwater;
- dramatically increase the requirement to sweep streets and sidewalks, arbitrarily set levels for catch basin maintenance, and force dry and wet weather sampling at all outfalls.

Unfortunately, none of these increased mandates come with any additional monies to undertake them.

On behalf of the MWRA communities, we would respectfully request that EPA delay/defer any formal action until it has better engaged communities on the impacts of these permits.

EPA, working with communities, needs to at a minimum:

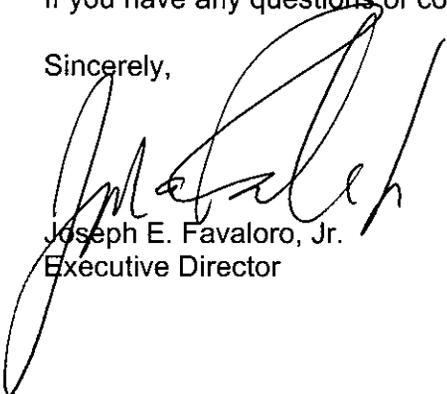
- 1) develop what are the “true” financial costs of these proposed changes and overlay them with the real benefits;
- 2) streamline any requirements and allow communities flexibility in determining how, when and what tasks to implement;
- 3) allow communities more time to develop and implement their programs;
- 4) lastly, EPA must provide funds for communities before communities are asked to meet any additional mandates.

Further, with the storm conditions that have recently impacted our state, cities, towns and residents, we would also request that EPA consider extending the comment period.

Once again, these are not the times to add to community responsibilities. In the end, delaying the implementation and partnering with our communities will allow for a program that is good for the environment, as well as our communities.

If you have any questions or comments, please call.

Sincerely,



Joseph E. Favaloro, Jr.
Executive Director