



TOWN OF SHREWSBURY
100 MAPLE AVENUE
SHREWSBURY, MASSACHUSETTS 01545-5398

March 31, 2010

Thelma Murphy
U.S. EPA – Region 1
Suite 100
Mail Code – OEP06-4
5 Post Office Square
Boston, MA 02109-3912

Re: NPDES General Permits for Small MS4

Dear Ms. Murphy:

As Town Engineer for the Town of Shrewsbury, I am responsible for overseeing the Stormwater Permit for the Town. Although Shrewsbury is not covered by the North Coastal Region Draft Permit, I have attended workshops relative to the permit requirements and the public hearing on March 18, 2010 at the Thomas P. O'Neil Jr. Federal Building. I assume that the permit requirements for Shrewsbury will be similar to the draft permit currently issued and I would like to offer the following comments.

First, I would note that the cost to implement the permit will be significant. That fact was acknowledged by both the municipalities and environmental groups testifying at the public hearing. The estimated costs from various communities seemed to range from \$250,000 to \$500,000 per year. We estimate that the same permit would cost the Town of Shrewsbury between \$350,000 to \$500,000 per year. The Town of Burlington estimated that the paperwork alone will cost between \$80,000 to \$100,000 per year. I am sure that you are well aware of the type of impact this range of costs will have upon a Town budget. Over the past few years increased costs for energy, medical insurance, and other fixed costs coupled with reductions in State aid and lack of new growth in the communities, have led significant budget and staffing reductions. It is obvious to us that we will need to increase staff to carry out the requirements of this program. Funding the new permit from local taxes will just further impact already stressed Town budgets and further reduce other essential services.

As an option to funding the Stormwater Permit requirements, almost every speaker at the hearing talked about funding the program with a Stormwater utility. However, no one discussed the level of effort and funding needed to implement a Stormwater utility, as well as the length of time needed to go through sufficient billing cycles to generate the funds needed to sustain the program. From my discussion with consultants who have implemented Stormwater utilities in other municipalities, it takes from one to two years to get a program fully up and running.

The process would include a feasibility study to look at the current Town Program, future program needs, funding requirements, and developing support from community leaders. The estimated cost of the feasibility study is from \$20,000 to \$40,000. Upon completion of the feasibility study, an implementation plan would need to be developed. The implementation plan would include finalizing the program, development of policies for billing and credits, rate structure analysis, rate study/cash flow analysis, database and billing methodology, and a public outreach program. All of this work is needed before the first bill can be sent out, and a revenue stream developed. Assuming that the fees collected will fund the annual expenses, it will take a full year of billing to collect the funds needed to run the program. Thus, the total time needed from developing a Stormwater utility and get it fully funded will be from two to three years. This time table does not consider the time which may be required to get Town Meeting action to approve the program. For some Towns this could easily add another year to the process depending upon the date when the permit is issued. I hope that consideration can be given to this timeline when developing the schedule required for various activities within the permit. Without consideration of the time constraints, many municipalities will be out of compliance with the permit soon after it is issued, and will be subject to possible fines even though they may be making significant efforts to establish the funding mechanism they need to meet the permit requirements.

With regards to the actual permit requirements, I would like to comment on the larger program requirements and will wait until a permit is issued for Shrewsbury before analyzing all of the requirements of the permit.

Street sweeping is required two times per year. The sweeping also extends to the sidewalks adjacent to the road and permittee-owned parking lots. The second sweeping is to occur in the Fall as part of the leaf clean-up. Currently the Town sweeps the streets and parking lots once in the Spring and does not sweep the sidewalks. The Town operates two sweepers and two dump trucks per day for five days per week. The program takes eight to ten weeks to complete. Apparently, the intention of the required second sweeping is to assist with leaf clean-up. The Town currently provides curbside collection of bagged leaves for the residents. The collection program typically ends the first week in December which allows the residents to finish clean-up of the leaves from Oaks and other trees which typically fall late in the season. If the second sweeping were started in mid-November, it would not be completed until mid- to late- January. There are practical reasons that this would not work. First, the sweepers spray water for dust control and to improve the efficiency of collection as part of the sweeping operation. During December and January the water would freeze onboard the sweeper and would also freeze on the street. Also, by this time of year the Highway Department has typically stored the sweepers until the Spring and has started full snow and ice control operations. There is also not enough staff to perform both operations at the same time.

The catch basin cleaning program appears to require inspection of every catch basin to determine if it is more than 50% full. For the Town of Shrewsbury that means inspecting approximately 4,000 catch basins which will require a significant effort. For many catch basins the depth of the sump will not be known until it is cleaned.

The reason is that many older catch basins were built before the standard three-foot sump was established. The three-foot sump was then revised to a four-foot sump a few years ago with the new Stormwater standards. Also, the sumps on older basins may have been reduced if the bottom conflicted with an existing water main or service, a sewer main or service, a gas main, or even ledge. To obtain the actual depths of all catch basins sumps, field measurement will have to be taken after a cleaning and compiled into a database. With current staffing levels, the Town cleans approximately 25% to 30% of the catch basins each year. Thus, it will take three to four years before all the data can be collected and the 50% full requirement can be accurately applied.

The outfall monitoring program is also an area that will require significant manpower, time and expense to accomplish in the manner required. Monitoring transfer points alone will be very labor intensive and will also require police details for traffic control as many of our transfer points occur at manholes in State roads. In the Town of Shrewsbury there are four roads that are controlled by Massachusetts D.O.T. They are Main Street, Maple Avenue, Route 9, and Route 20. There are many Town-owned roads with drainage systems that connect to the State system and vice versa. It is unclear why these points would need to be tested if samples are being collected from the outfalls. If there is no problem with the outfalls, all of the time and expense testing transfer points is not needed. It is estimated that the Town has between 350 and 500 outfalls not including the transfer points.

I would also like to note that many of the first year requirements to develop reports, develop programs, review and establish policies, inventory systems, delineate catchments, develop written procedures, evaluate effectiveness of programs (old & new), develop and implement a SWPPP, develop an updated SWMP, submit NOI, submit Annual Report, meeting all documentation requirements and the development of a Stormwater utility will all have to be accomplished with existing staff which is already stretched too thin. Adding staff is not possible until the Stormwater utility is up and running and providing a revenue stream.

In summary, as someone who has been involved in Civil and Environmental Engineering for 37 years, I agree with the goal of improving Stormwater Management and understand the desire to clean up discharges to wetlands and waterways. However, from a practical point of view I believe the proposed implementation schedule is too aggressive based on the reasons stated above.

Developing a Stormwater utility is critical to having a successful program with a reliable funding stream. This process should not be rushed and the development of the program will also serve to educate the general public as to the importance of Stormwater Management and the need for an additional fee. I would also ask that EPA and DEP consider developing grant programs to assist communities with the start up costs to meet the requirements of the permit and get the program off the ground. As it currently stands, the communities are the key to the success of the program but have little to no staff or funding to comply.

Thank you for your consideration of the issues stated above and for the opportunity to provide comments.

Sincerely,



Jack Perreault
Town Engineer

JP/awr

Copy to: Board of Selectmen
Sewer Commissioners
Conservation Commission
Daniel Morgado, Town Manager
Micheal Hale, Assistant Town Manager
Robert Tozeski, Superintendent, Water and Sewer
Brad Stone, Agent, Conservation Commission