

**Year 2 Annual Report**  
**Massachusetts Small MS4 General Permit**  
**Reporting Period: July 1, 2019-June 30, 2020**

**\*\*Please DO NOT attach any documents to this form. Instead, attach all requested documents to an email when submitting the form\*\***

**Unless otherwise noted, all fields are required to be filled out. If a field is left blank, it will be assumed the requirement or task has not been completed. Please ONLY report on activities between July 1, 2019 and June 30, 2020 unless otherwise requested.**

**Part I: Contact Information**

Name of Municipality or Organization: Town of Newbury

EPA NPDES Permit Number: MAR041212

**Primary MS4 Program Manager Contact Information**

Name: James Sarette

Title: DPW Director

Street Address Line 1: 12 Kent Way

Street Address Line 2: Suite 101

City: Byfield

State: MA

Zip Code: 01922

Email: highway@townofnewbury.org

Phone Number: (978) 465-0112

**Stormwater Management Program (SWMP) Information**

SWMP Location (web address): [https://www.townofnewbury.org/sites/newburyma/files/uploads/town\\_of\\_newbury\\_-\\_stormwater\\_management\\_programs\\_-\\_2019-06-30.pdf](https://www.townofnewbury.org/sites/newburyma/files/uploads/town_of_newbury_-_stormwater_management_programs_-_2019-06-30.pdf)

Date SWMP was Last Updated: No updates as of yet

If the SWMP is not available on the web please provide the physical address:

Available on Town of Newbury Website

## Part II: Self-Assessment

*First, in the box below, select the impairment(s) and/or TMDL(s) that are applicable to your MS4. Make sure you are referring to the most recent EPA approved Section 303(d) Impaired Waters List which can be found here: <https://www.epa.gov/tmdl/region-1-impaired-waters-and-303d-lists-state>*

### Impairment(s)

- ☒ Bacteria/Pathogens
 ☐ Chloride
 ☐ Nitrogen
 ☐ Phosphorus  
☐ Solids/ Oil/ Grease (Hydrocarbons)/ Metals

### TMDL(s)

- In State:**
☐ Assabet River Phosphorus
 ☐ Bacteria and Pathogen
 ☐ Cape Cod Nitrogen  
☐ Charles River Watershed Phosphorus
 ☐ Lake and Pond Phosphorus  
**Out of State:**
☐ Bacteria/Pathogens
 ☐ Metals
 ☐ Nitrogen
 ☐ Phosphorus

Clear Impairments and TMDLs

*Next, check off all requirements below that have been completed. By checking each box you are certifying that you have completed that permit requirement fully. If you have not completed a requirement leave the box unchecked. Additional information will be requested in later sections.*

### Year 2 Requirements

- ☒ Completed Phase I of system mapping
- ☒ Developed a written catchment investigation procedure and added the procedure to the SWMP
- ☒ Developed written procedures to require the submission of as-built drawings and ensure the long term operation and maintenance of completed construction sites and added these procedures to the SWMP
- ☒ Enclosed or covered storage piles of salt or piles containing salt used for deicing or other purposes
- ☒ Developed written operations and maintenance procedures for parks and open space, buildings and facilities, and vehicles and equipment and added these procedures to the SWMP
- ☒ Developed an inventory of all permittee owned facilities in the categories of parks and open space, buildings and facilities, and vehicles and equipment and added this inventory to the SWMP
- ☒ Completed a written program for MS4 infrastructure maintenance to reduce the discharge of pollutants
  - Developed written SWPPPs, included in the SWMP, for all of the following permittee owned or
  - ☒ operated facilities: maintenance garages, public works yards, transfer stations, and other waste handling facilities where pollutants are exposed to stormwater

*Optional:* If you would like to describe progress made on any incomplete requirements listed above, provide any additional information, and/or if any of the above year 2 requirements could not be completed due to the impacts of COVID-19, please identify the requirement that could not be completed, any actions taken to attempt to complete the requirement, and reason the requirement could not be completed below:

O&M Plan and SWPPP are complete, reviewed by Town staff and are on the Town Website awaiting public hearing with Select Board, when in person meetings resume.

A televised public hearing for the catchment investigation procedure was held by the Select Board.

### Annual Requirements

- ☒ Provided an opportunity for public participation in review and implementation of SWMP and complied with State Public Notice requirements
- ☒ Kept records relating to the permit available for 5 years and made available to the public
- ☐ The SSO inventory has been updated, including the status of mitigation and corrective measures implemented
  - ☐ This is not applicable because we do not have sanitary sewer
  - ☒ This is not applicable because we did not find any new SSOs
  - ☐ The updated SSO inventory is attached to the email submission
  - ☐ The updated SSO inventory can be found at the following website:  

There are no SSO's in the Town of Newbury
- ☒ Properly stored and disposed of catch basin cleanings and street sweepings so they did not discharge to receiving waters
- ☐ Provided training to employees involved in IDDE program within the reporting period
- ☒ All curbed roadways were swept at least once within the reporting period
- ☒ Updated outfall and interconnection inventory and priority ranking as needed

*Optional:* If you would like to describe progress made on any incomplete requirements listed above, provide any additional information, and/or if any of the above annual requirements could not be completed due to the impacts of COVID-19, please identify the requirement that could not be completed, any actions taken to attempt to complete the requirement, and reason the requirement could not be completed below:

Training was not done during the Year #2. It was accomplished in September 2020. Additional plans were completed. We plan to hold public hearings when in- person Select Board Meeting's resume. No revisions to the SWMP have been made as of yet. They will be made as the need becomes apparent. See comments on Page 9 regarding "Training".

### **Bacteria/ Pathogens (Combination of Impaired Waters Requirements and TMDL Requirements as Applicable)**

#### Annual Requirements

##### *Public Education and Outreach\**

- ☒ Annual message was distributed encouraging the proper management of pet waste, including noting any existing ordinances where appropriate
- ☒ Permittee or its agents disseminated educational material to dog owners at the time of issuance or renewal of dog license, or other appropriate time
- ☒ Provided information to owners of septic systems about proper maintenance in any catchment that discharges to a water body impaired for bacteria

*\* Public education messages can be combined with other public education requirements as applicable (see Appendix H and F for more information)*

***Optional:*** If you would like to describe progress made on any incomplete requirements listed above or provide any additional details, please use the box below:

***Optional:*** Use the box below to provide any additional information you would like to share as part of your self-assessment:

### **Part III: Receiving Waters/Impaired Waters/TMDL**

Have you made any changes to your lists of receiving waters, outfalls, or impairments since the NOI was submitted?

☐ Yes

☒ No

If yes, describe below, including any relevant impairments or TMDLs:

## Part IV: Minimum Control Measures

*Please fill out all of the metrics below. If applicable, include in the description who completed the task if completed by a third party.*

### MCM1: Public Education

Number of educational messages completed during this reporting period: 0

*Below, report on the educational messages completed during this reporting period. For the measurable goal(s) please describe the method/measures used to assess the overall effectiveness of the educational program.*

**BMP:** [Message name here]

Message Description and Distribution Method:

Please see attached sheets

Targeted Audience:

Responsible Department/Parties: Storm Water Management Team

Measurable Goal(s):

In response to the "Measurable Goals" requirement of the permit, a 5- point questionnaire was sent out with a tax bill during Year 2. The response was approximately 4.5% return. It indicated a reasonable understanding of the causes and importance of storm water pollution. However, there was less awareness of the resources on the Town website and the MS4 permit itself. We are discussing ways to remedy this.

Message Date(s):

Message Completed for: Appendix F Requirements ☐ Appendix H Requirements ☒

Was this message different than what was proposed in your NOI? Yes ☒ No ☐

If yes, describe why the change was made:

Most changes were made on the basis of availability, and with respect to conditions beyond our control. Such as lack of response from Non Governmental Entities. We are in compliance with MCMI requirements

Add an Educational Message

### MCM2: Public Participation

Describe the opportunity provided for public involvement in the development of the Stormwater Management Program (SWMP) during this reporting period:

-Held public hearing at a televised Select Board meeting for catchment investigation procedure

- Described the MS4 program at a televised meeting of the Newbury Planning Board
- Held televised public hearing for required updates of Newbury site plan review rules and regulations

Was this opportunity different than what was proposed in your NOI? Yes ☐ No ☒

Describe any other public involvement or participation opportunities conducted during this reporting period:

### **MCM3: Illicit Discharge Detection and Elimination (IDDE)**

#### **Sanitary Sewer Overflows (SSOs)**

*Check off the box below if the statement is true.*

- ☐ This SSO section is NOT applicable because we DO NOT have sanitary sewer

*Below, report on the number of SSOs identified in the MS4 system and removed during this reporting period.*

Number of SSOs identified: 0

Number of SSOs removed: 0

#### **MS4 System Mapping**

*Below, check all that apply.*

The following elements of the Phase I map have been completed:

- ☒ Outfalls and receiving waters
- ☐ Open channel conveyances
- ☒ Interconnections
- ☐ Municipally-owned stormwater treatment structures
- ☒ Waterbodies identified by name and indication of all use impairments
- ☒ Initial catchment delineations

*Optional: Describe any additional progress you made on your map during this reporting period or provide additional status information regarding your map:*

Catch basins and manholes also plotted

All receiving water bodies impaired by pathogens

Catch basins and manholes were located and plotted prior to this period

#### **Screening of Outfalls/Interconnections**



*If conducted, please submit any outfall monitoring results from this reporting period. Outfall monitoring results should include the date, outfall/interconnection identifier, location, weather conditions at time of sampling, precipitation in previous 48 hours, field screening parameter results, and results from all analyses.*

- ☐ The outfall screening data is attached to the email submission
- ☐ The outfall screening data can be found at the following website:

No screening except for training purposes, has been done to date; no screening was done this period. A training session is scheduled for September 28, 2020. Testing will commence soon there after as there is flow in the outfalls

*Below, report on the number of outfalls/interconnections screened during this reporting period.*

Number of outfalls screened: 0

### **Catchment Investigations**

*If conducted, please submit all data collected during this reporting period as part of the dry and wet weather investigations. Also include the presence or absence of System Vulnerability Factors for each catchment.*

- ☐ The catchment investigation data is attached to the email submission
- ☐ The catchment investigation data can be found at the following website:

No catchment investigations have been performed as yet

*Below, report on the number of catchment investigations completed during this reporting period.*

Number of catchment investigations completed this reporting period: 0

*Below, report on the percent of catchments investigated to date.*

Percent of total catchments investigated: 0

*Optional: Provide any additional information for clarity regarding the catchment investigations below:*

The required "Catchment Investigation Procedure" was written and an advertised public hearing was held at a meeting of the Select Board.

### **IDDE Progress**

*If illicit discharges were found, please submit a document describing work conducted over this reporting period, and cumulative to date, including location source; description of the discharge; method of discovery; date of discovery; and date of elimination, mitigation, or enforcement OR planned corrective measures and schedule of removal.*

- ☐ The illicit discharge removal report is attached to the email submission
- ☐ The illicit discharge removal report can be found at the following website:

Please see comments under "Additional Information"

*Below, report on the number of illicit discharges identified and removed, along with the volume of sewage removed during this reporting period.*

Number of illicit discharges identified: 0

Number of illicit discharges removed: 0



Estimated volume of sewage removed: 0 gallons/day

*Below, report on the total number of illicit discharges identified and removed to date. At a minimum, report on the number of illicit discharges identified and removed since the effective date of the permit (July 1, 2018).*

Total number of illicit discharges identified: 0

Total number of illicit discharges removed: 0

*Optional: Provide any additional information for clarity regarding illicit discharges identified, removed, or planned to be removed below:*

The Town of Newbury recognizes the seriousness of our lack of progress in IDDE activities, and are making every effort to rectify the situation. We are seeking quotes from commercial laboratories which will increase our capacity for pathogen testing which is potentially a significant constraint.

### **Employee Training**

*Describe the frequency and type of employee training conducted during the reporting period:*

Training was not done this period due to the total lack of responsiveness of our consultant. We have engaged another consultant and hands on training is scheduled to be held on September 28, 2020.

### **MCM4: Construction Site Stormwater Runoff Control**

*Below, report on the construction site plan reviews, inspections, and enforcement actions completed during this reporting period.*

Number of site plan reviews completed: 10

Number of inspections completed: 10

Number of enforcement actions taken: 2

*Optional: Enter any additional information relevant to construction site plan reviews, inspections, and enforcement actions:*

One issue (within the MS4) was resolved without formal enforcement. Another issue required a project shutdown to get the developers attention. This project was not in the MS4 but was adjacent to a tributary to Newburyport's water supply reservoir.

## **MCM5: Post-Construction Stormwater Management in New Development and Redevelopment**

### **Ordinance or Regulatory Mechanism**

*Below, select the option that describes your ordinance or regulatory mechanism progress.*

- ☒ Bylaw, ordinance, or regulations are updated and adopted consistent with permit requirements
- ☐ Bylaw, ordinance, or regulations are updated consistent with permit requirements but are not yet adopted
- ☐ Bylaw, ordinance, or regulations have not been updated or adopted

### **As-built Drawings**

Describe the measures the MS4 has utilized to require the submission of as-built drawings and ensure long term operation and maintenance of completed construction sites:

As-built drawings are a requirement for site plan review projects as well as subdivisions by Town rules and regulations.

### **Street Design and Parking Lots Report**

Describe the status of the street design and parking lots assessment due in year 4 of the permit term, including any planned or completed changes to local regulations and guidelines:

This report has not been written. However, requirements for minimizing street and parking lot size are in the subdivision and site plan review regulations. These are the minimums required for public safety, and were established with the requirement in mind.

### **Green Infrastructure Report**

Describe the status of the green infrastructure report due in year 4 of the permit term, including the findings and progress towards making the practice allowable:

This review has been made but not yet reduced to a final report. Revisions were made to regulations to minimize impervious areas of streets and parking areas prior to the issuance of this permit.

### **Retrofit Properties Inventory**

Describe the status of the inventory, due in year 4 of the permit term, of permittee-owned properties that could be modified or retrofitted with BMPs to mitigate impervious areas and report on any properties that have been modified or retrofitted:

This is being studied. It is unlikely that more than one impervious town-owned area can be reduced, but a number of structural BMP's are possible. A rain garden was constructed on the campus of the Newbury Elementary school prior to the issuance of this permit.

## MCM6: Good Housekeeping

### Catch Basin Cleaning

*Below, report on the number of catch basins inspected and cleaned, along with the total volume of material removed from the catch basins during this reporting period.*

Number of catch basins inspected: 213

Number of catch basins cleaned: 213

Total volume or mass of material removed from all catch basins: 36 cubic yards

*Below, report on the total number of catch basins in the MS4 system.*

Total number of catch basins: 213

### *If applicable:*

Report on the actions taken if a catch basin sump is more than 50% full during two consecutive routine inspections/cleaning events:

The street involved will be swept annually. Sumps have thus far, been found to be less than 50% full.

### Street Sweeping

*Report on street sweeping completed during this reporting period using one of the three metrics below.*

☐ Number of miles cleaned: 55

☐ Volume of material removed: 42 cubic yards

☐ Weight of material removed: 56 tons

### O&M Procedures and Inventory of Permittee-Owned Properties

*Below, check all that apply.*

The following permittee-owned properties have been inventoried:

- ☒ Parks and open spaces
- ☒ Buildings and facilities
- ☒ Vehicles and equipment

The following O&M procedures for permittee-owned properties have been completed:

- ☒ Parks and open spaces
- ☒ Buildings and facilities
- ☒ Vehicles and equipment

**Stormwater Pollution Prevention Plan (SWPPP)**

*Below, report on the number of site inspections for facilities that require a SWPPP completed during this reporting period.*

Number of site inspections completed: 2

Describe any corrective actions taken at a facility with a SWPPP:

Town transfer station, no requirements for corrective action were observed. Potential BMP's are noted in the SWPPP.

**Additional Information****Monitoring or Study Results**

*Results from any other stormwater or receiving water quality monitoring or studies conducted during the reporting period not otherwise mentioned above, where the data is being used to inform permit compliance or permit effectiveness must be attached.*

- ☒ Not applicable
- ☐ The results from additional reports or studies are attached to the email submission
- ☐ The results from additional reports or studies can be found at the following website(s):

If such monitoring or studies were conducted on your behalf or if monitoring or studies conducted by other entities were reported to you, a brief description of the type of information gathered or received shall be described below:

**Additional Information**

*Optional:* Enter any additional information relevant to your stormwater management program implementation during the reporting period. Include any BMP modifications made by the MS4 if not already discussed above:

The following plans were completed and placed on the Town website as drafts. Public hearings before the Select Board will be held as soon as in-person meetings are possible.

1. Town facilities O&M plan
2. Stormwater Pollution Prevention Plan

**COVID-19 Impacts**

*Optional:* If any of the above year 2 requirements could not be completed due to the impacts of COVID-19, please identify the requirement that could not be completed, any actions taken to attempt to complete the requirement, and reason the requirement could not be completed below:

See attached sheet

#### **Activities Planned for Next Reporting Period**

Please confirm that your SWMP has been, or will be, updated to comply with all applicable permit requirements including but not limited to the year 3 requirements summarized below. (Note: impaired waters and TMDL requirements are not listed below)

Yes, I agree ☒

- Inspect all outfalls/ interconnections (excluding Problem and Excluded outfalls) for the presence of dry weather flow
- Complete follow-up ranking as dry weather screening becomes available

#### **Annual Requirements**

- Annual report submitted and available to the public
- Annual opportunity for public participation in review and implementation of SWMP
- Keep records relating to the permit available for 5 years and make available to the public
- Properly store and dispose of catch basin cleanings and street sweepings so they do not discharge to receiving waters
- Annual training to employees involved in IDDE program
- Update inventory of all known locations where SSOs have discharged to the MS4
- Continue public education and outreach program
- Update outfall and interconnection inventory and priority ranking and include data collected in connection with the dry weather screening and other relevant inspections conducted
- Implement IDDE program
- Review site plans of construction sites as part of the construction stormwater runoff control program
- Conduct site inspection of construction sites as necessary
- Inspect and maintain stormwater treatment structures
- Log catch basins cleaned or inspected
- Sweep all uncurbed streets at least annually
- Continue investigations of catchments associated with Problem Outfalls
- Review inventory of all permittee owned facilities in the categories of parks and open space, buildings and facilities, and vehicles and equipment; update if necessary

Provide any additional details on activities planned for permit year 3 below:

Our principal weakness is in IDDE sampling and testing. As noted above, we have a training session scheduled for the immediate future and are concentrating on "problem" outfalls during the fall of 2020. We have tested 5 outfall thus far in Year three, and will report on the results in the Year three Annual Report.

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**Part V: Certification of Small MS4 Annual Report 2020****40 CFR 144.32(d) Certification**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name:

James Sarette

Title:

DPW Director

Signature:



Date:

09/24/20

*[Signatory may be a duly authorized representative]*