



**Town of Lenox**

**6 Walker Street | Lenox | Massachusetts | 01240**

Newton W. Tedder  
U.S. Environmental Protection Agency, Region 1  
5 Post Office Square, Suite 100  
Mail Code OEP06-4  
Boston, MA 02109-3912

Dear Mr. Tedder:

We received EPA's notification that our Town may be subject to the upcoming MS4 permit and would like to request that EPA exercise its authority to grant an MS4 waiver for our Town.

We've reviewed the list of impaired waters and TMDLs in the draft MS4 permit and the 2014 303(d) list found that the Housatonic River is impaired due to phosphorous, fecal coliform and polychlorinated biphenyls.

The Lenox system is not contributing to the pollutant loadings of a physical interconnected, regulated MS4.

We request this waiver due to the following reasons:

- With only 841 people living in the urbanized area the amount of pollution contributed to the receiving waters is negligible. In fact, this population has declined from 913 in 2003, at which point we were given a waiver by the EPA.
- The impairments and TMDLs do not include stormwater as a significant source of pollutants.
- We have spoken with MassDEP about our request and DEP agrees the contribution of pollutants from our stormwater system into the Housatonic River is de minimis.

Thank you for your consideration.

Sincerely,

  
Christopher Ketchen  
Town Manager

CC: Mr. Frederick Civian, MassDEP Stormwater Coordinator