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TSA

**Town of Pelham
Highway Department**

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June 16, 2015

Mr. 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 the Town of Pelham may be subject to the forthcoming Massachusetts MS4 permit and would like to request that EPA exercise its authority to grant an MS4 waiver for our Town.

We feel the waiver for Pelham is justified because our urbanized area is so small--with a population of only 266 people--and there are no stormwater contributions from this area to any impaired waters. The entire area slopes to Amethyst Brook, which is listed in the Year 2012 Integrated List of Waters as Category 2, attaining uses for aesthetics and fish, other aquatic life and wildlife. (Please see attached maps and page from 2012 integrated list.)

Furthermore, most drainage off the local rural roads in this area sheet flows to adjacent land areas where it soaks into the ground. Amherst Road, a busier route that stretches through the northern end of the urbanized area for approximately .75 miles, recently underwent major reconstruction that involved upgrades to stormwater management systems. These stormwater management improvements in Pelham involved the construction of deep sump catch basins and water quality swales to better capture, clean, and manage flows. Any overflow from these facilities outlets to land area that drains to Amethyst Brook so it does not connect to any adjacent MS4 system.

To reiterate, the reason we are asking for this waiver is three-fold:

- With only 266 people living in the urbanized area and the nature of our existing road drainage system, the amount of stormwater pollution contributed to receiving waters is negligible.
- This entire area drains to Amethyst Brook, which is not listed as impaired on the 2012 303d list, and is instead listed as Category 2, attaining uses for aesthetics and fish, other aquatic life and wildlife

- We have spoken with MassDEP about our request and DEP agrees that the contribution from our stormwater system into Amethyst Brook is de minimus. (5-7-15 e-mail from MassDEP Stormwater Coordinator Fred Civian is attached).

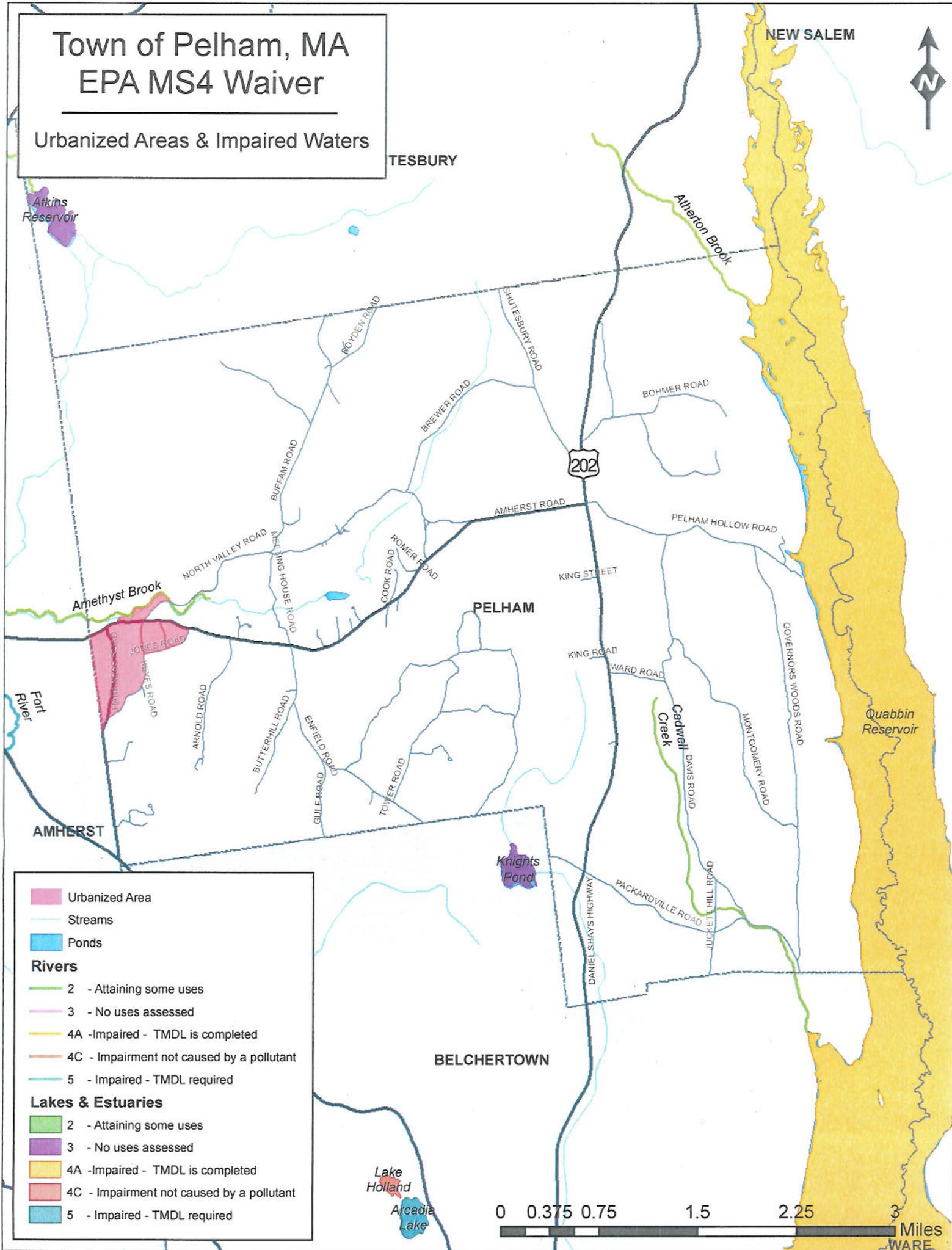
Thank you for your consideration of our waiver request.



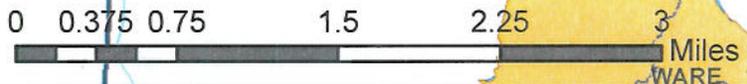
Rick Adamcek
Town of Pelham Highway Superintendent

Town of Pelham, MA EPA MS4 Waiver

Urbanized Areas & Impaired Waters

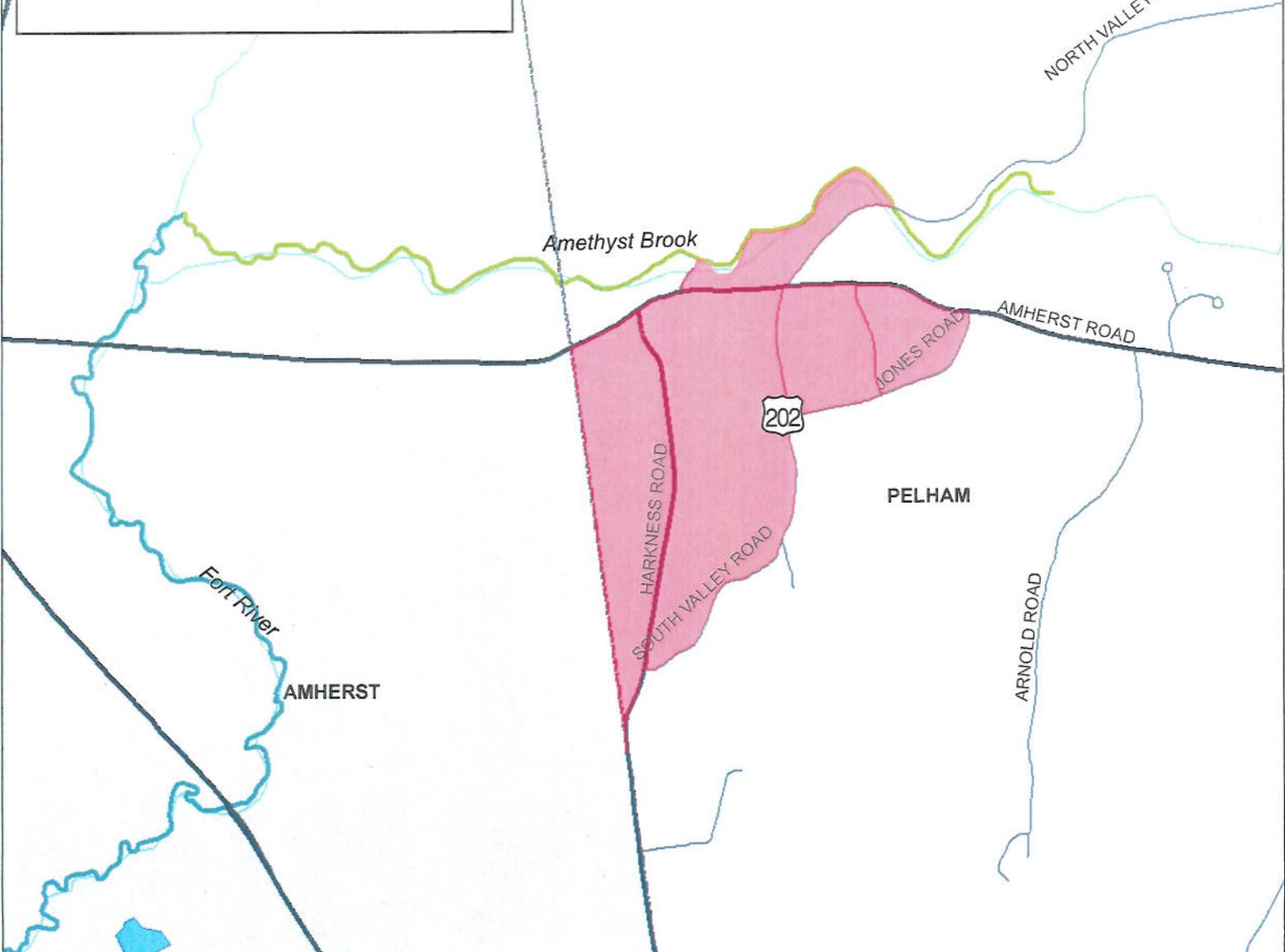


- Urbanized Area
- Streams
- Ponds
- Rivers**
- 2 - Attaining some uses
- 3 - No uses assessed
- 4A - Impaired - TMDL is completed
- 4C - Impairment not caused by a pollutant
- 5 - Impaired - TMDL required
- Lakes & Estuaries**
- 2 - Attaining some uses
- 3 - No uses assessed
- 4A - Impaired - TMDL is completed
- 4C - Impairment not caused by a pollutant
- 5 - Impaired - TMDL required



Town of Pelham, MA EPA MS4 Waiver

Urbanized Areas & Impaired Waters



Urbanized Area

- Urbanized Area

Streams

- Streams

Ponds

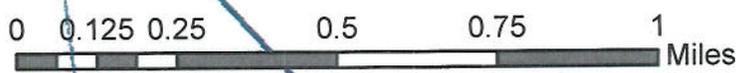
- Ponds

Rivers

- 2 - Attaining some uses
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Lakes & Estuaries

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- 4C - Impairment not caused by a pollutant
- 5 - Impaired - TMDL required



From: Civian, Frederick (DEP) [frederick.civian@state.ma.us]
Sent: Thursday, May 07, 2015 3:14 PM
To: Gambarini, Patty
Subject: RE: MS4 permit waiver exploration with Pelham

Patty –

Thank you for the information about Pelham's request for an MS4 waiver.

The receiving water for Pelham's urbanized area, Amethyst Brook, is listed on MassDEP's Integrated List of Waters as a Category 2, and has been assessed as attaining standards for fish, aquatic life, wildlife, and for aesthetics. It is not listed as Category 4 water (Impaired) or as a Category 5 water (Impaired and requiring a TMDL.)

Further, there is no information from MassDEP's Integrated List of Waters indicating that stormwater from Pelham is contributing to any surface water pollution.

I hope this information proves useful to you .

Sincerely

Fred Civian

Frederick Civian
MassDEP Stormwater Coordinator
617-292-5821
<http://www.mass.gov/eea/agencies/massdep/water/wastewater/stormwater.html>

From: Gambarini, Patty [mailto:PGambarini@PVPC.ORG]
Sent: Thursday, April 30, 2015 2:55 PM
To: Civian, Frederick (DEP)
Subject: FW: MS4 permit waiver exploration with Pelham

Hi Fred,

The Town of Pelham asked me to help them explore the possibility of an MS4 waiver based on the guidance you provided. We have done some mapping and it looks like the town would qualify.

- the urbanized area (UA) in Pelham has a population of 266 people (2010 census)
- the UA drains to Amethyst Brook, which is not listed as impaired on the 2012 303d list

Also, it may be of interest to note that the main road that crosses the northern end of the UA, Amherst Road, underwent major reconstruction that involved upgrades to stormwater drainage, including numerous deep sump catch basins and water quality swales.

Can we schedule a conference call with you that would include Pelham's Highway Superintendent Rick