

Comments for the Draft NPDES Permit NO. MAS010002 for the City of Worcester, MA

I chair the Worcester Conservation Commission (WCC), and my “real” job is the Director of Facilities for Bancroft School, located on Shore Drive here in Worcester. Both positions have given me a familiarity with the opposite sides of the table during the stormwater management permitting process.

For the WCC stormwater is a major issue. As you may be aware, our local ordinance and regulations, The City of Worcester Wetlands Protection Ordinance and Regulations, currently requires us to review any work that disturbs ground within 100 feet of a catch basin. At least half of the projects we review come before us because of this regulation.

Prior to the new stormwater regulations issued by DEP on January 2, 2008, the WCC held all applicants to the standards put forth in the DEP Stormwater Policy. In fact, while we didn't have regulatory authority under the state or local regulations, the WCC makes it common practice to ask all home construction to provide infiltration, even for single-family home projects. While compliance is voluntary, we have never had an owner, contractor, engineer or applicant representative balk at complying. Cumulatively this has a large impact citywide as many single family and two family houses are constructed on subdivided lots in established neighborhoods.

With the new DEP Stormwater Regulations, the WCC and the City get much stronger tools for stormwater management. The reduction in credit for sweeping and the refined detail for proprietary BMP structures in calculating TSS removal, and the inclusion of illicit discharges on the Stormwater Management Report that must be filed with the NOI are good examples of improvements to numerous to mention. However, the new focus on LID is a big step in the direction I believe all regulations should be taking. Properly implemented, LID is a win-win-win-win situation. It reduces the impact a given project has on the environment of the site. It reduces the impact on the environment caused by the construction, transportation, and installation of costly BMPs. It reduces the economic impact of stormwater management for end users, and it allows the city to help meet NPDES objectives.

In short, I the new DEP Stormwater Regulations the local regulations already place Worcester in compliance with many of the Draft NPDES requirements. With some minor tweaking of the local regulations it will be possible to exceed some of the requirements.

The LID approach can be creatively used in areas other than those addressed in the new DEP regulations. As the Director of Facilities at Bancroft School, I have changed to organic lawn and turf care for our 34 acres that border Indian Lake. In particular, Bancroft has changed to an organic 6-0-6 phosphate free fertilizer. The school chose to do this based on the proximity to Indian Lake and to set an educational example for students and neighbors. Having seen the soil test reports from our fields and lawns, I can assure anyone that our change to a phosphate free fertilizer has not had an impact on the quality of our turf or soil, and I'm willing to share the reports with any doubters.

A phosphate free fertilizer requirement for lawns in the city of Worcester would have an immense impact on the phosphate input on the MS4 discharges as well as the non-source point inputs to the Blackstone River Basin. This is not a precedent setting solution. As of 2005 Minnesota banned phosphates in fertilizer for lawns state-wide (1). A ban would eliminate the need for outfall treatment and provides a much more cost-effective long-term solution for Worcester.

As a Conservation Commissioner I ask the following from the EPA and DEP in issuing a new NPDES Permit:

Follow the new MA DEP stormwater standards. Having a single standard to follow makes project compliance easier for the Commission and the applicant.

Issue a permit that is clear and concise in its requirements. Updating the local ordinance and regulations is a time consuming process for all involved. Clarity of the objectives makes it easier for the Commission to set standards, creates greater transparency of the process for the public, and allows for quicker implementation.

As a property manager I ask the following for the new permit:

Stress LID based solutions. Compliance can be expensive, and as stated above LID can provide a solution that benefits all.

As a private citizen I ask the following:

Allow the use of third party testing for monitoring requirements. Local groups such as the Indian Lake Watershed Association, Broad Meadow Brook Audubon Sanctuary and others have done this in the past. Allow the city to set up a program that works with these dedicated organizations.

Require phosphate free fertilizer for lawns rather than expensive end of pipe treatment. It is a much better solution.

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1. <http://www.extension.umn.edu/extensionnews/2005/phorphoruslaw.html>