

Norfolk-Bristol-Middlesex Highwaymens Association Fall Tech



EPA RESIDUAL DESIGNATION AUTHORITY (RDA)
FOR DESIGNATED DISCHARGES IN THE UPPER
CHARLES RIVER

AN UPDATE

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Draft MA North Coastal Watershed



- **Significant Additions to the current 6 Minimum Control Measures**
 - More Focus on Public Outreach and Education for Targeted Groups (residents, businesses, developers, industrial facilities)
 - Drastically More Intense Illicit Discharge Investigations
 - Wet & Dry Weather Stormwater Outfall Sampling
 - Update Regulations to Incorporate MA Stormwater Management Standards (projects >1 acre regardless of Wetlands Protection Act jurisdiction)
 - Evaluate Feasibility of Green Infrastructure (rain gardens, green roofs, etc.)
 - Evaluate Methods for Reducing Impervious Area
 - Program Must Address Impaired Water Bodies & TMDLs

TMDL Requirements



- Phosphorous Control Plan (PCP) – where such TMDLs are completed
 - Development & Implement Within 4 Years
 - Complete PCP within 10 Years
 - Estimate Annual Phosphorous Load Reductions
- TMDL – Total Mass Daily Load
 - Establishes the amount of a pollutant that a water body can assimilate without exceeding its water quality standard for that pollutant.
- TMDL addresses the problem of cultural eutrophication which has resulted in the production of excessive plant life because of disproportionate levels of pollutants from human activities.....what does this look like?

Algal Blooms



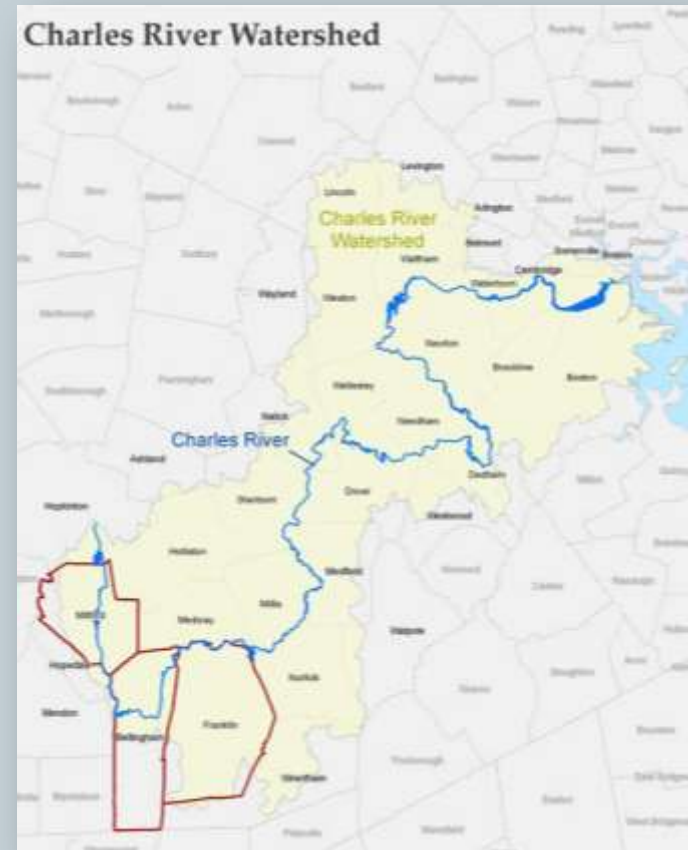
- The excess phosphorous results in (amongst other things) algal blooms that degrade aesthetic quality, reduce water clarity, impair recreational use and decrease the ability to support aquatic life.
 - August 2006



EPA Residual Designation Authority (RDA) Permit



- Franklin, Bellingham & Milford, MA (Upper Charles River Watershed)
- Private sites with >2 acres of impervious surface are required to obtain a permit (Designated Discharges – DD)
- Timeline
 - Draft EPA Permit Issued on November 12, 2008
 - Amended Permit Issued on April 20, 2010
 - Public Comment Period Closed on September 30, 2010
 - Project Feasibility Report released on September 30, 2011



EPA Residual Designation Authority (RDA) Permit



- Creation of a Stormwater Management Plan
- Development of SOPs for Pollution Prevention, O & M, Employee Training
- Phosphorous Reduction Plan or The Ability to Capture 1" of Stormwater On-site
- Does NOT Apply to:
 - Government Property
 - Sporting & Recreational Camps
 - RV Parks & Campsites
 - Mobile Housing Communities
 - Standard Single Unit Residential Homes
 - Multi-Family Units with 4 or Fewer Units

Going Private



- Draft General Permit for Designated Discharges in the Charles River Watershed Within the Municipalities of Franklin, Milford and Bellingham (April 2010)
- Designated Discharge – Stormwater discharges from two or more acres of impervious surface that are located on a single or two or more contiguous lots owned by a single owner or entity.
- Requires Cities and Towns to become a Certified Municipal Phosphorus Program (Local DD Oversight)

Summary of DD Site Requirements



- Submission of NOI for each DD site
- Development of SWMPP (Stormwater Management and Program Plan)
- Comply to baseline performance standards
 - Minimum of 2 sweeping sessions
 - Develop Stormwater Management Team
 - Develop and Maintain Logbook of activities
 - Develop IDDE Plan
 - Develop Phosphorus Reduction Plan
 - Develop written O&M Plan
 - Yearly Compliance Reporting
 - Catchment Delineation and System Mapping

Problems



- When does the new permit become finalized?
 - Phase II permit expired over 3 years ago (May 1, 2008)
 - Moving Target
- Difficult to gain financial support for a permit that does not yet exist
 - Teacher, Police Officer, Firefighter or Rain Garden?
- Lack of Public Support – no noticeable impairment
- Lack of crediting for previously completed work
- No support for Watershed Wide Initiatives
 - Shared Services, Combined Resources, Group Buy-In, Etc.

and more Problems



- Difficult to Comply with Existing Regulations
- Directly Negates Economic Development Initiatives
- Cost Estimates for Implementation
 - \$75 Million for Franklin
- No Legal Framework for Phosphorous Credit / Trading System at this time
- Barriers to Regionalization
- No federal or state funding mechanisms outside of bonding.

My Thoughts



- The regulations will not be going away, but you can try to extend the timeline for compliance (possibility of extending permit to 25 Years)
- Environmental standards will not be reduced or eliminated
- Emphasize the Cost to Value Ratio
- Identify hurdles to implementation
- Low cost solutions still provide benefit
- Detailed stormwater mapping and plan information is very important
- Infiltration is the most cost effective method for pollutant removal



Questions???