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May 15, 2017

U.S. Environmental Protection Agency
EPA Docket Center
Docket ID # EPA-HQ-OA-2017-0190
Mail Code 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RE: EPA and Executive Order 13777, "Enforcing the Regulatory Reform Agenda"

To whom it may concern:

The Massachusetts Coalition for Water Resources Stewardship (MCWRS) appreciates the opportunity to comment on regulatory reform and the U.S. Environmental Protection Agency (EPA). For most MCWRS members, issues with EPA Region 1 have not often been about regulations or rules but more about permits, policy and interpretation of statutes. Any attempt to improve upon Clean Water Act (CWA) and Safe Drinking Water Act (SDWA) programs would be remiss if it simply focused on regulatory changes and ignored policy, guidance, permit-writing and Agency interpretations. With that in mind we would welcome review of the following:

Integrated Water Resources Planning: To bolster the legal standing of EPA's Integrated Planning Framework, the Agency should make it clear that Integrated Planning is a preferred approach for municipalities with multiple CWA compliance issues by incorporating its framework into a regulatory context.

NPDES Stormwater Permits (MS4): EPA should write MS4 permits for municipalities that are consistent with the language of the Clean Water Act (i.e., that municipalities shall remove pollutants from their MS4 to the Maximum Extent Practicable (MEP)). That is the standard, and the only standard, that should be applied to municipalities.

Delegation: Related to the above, forty-six states in the US are authorized by EPA to administer the NPDES program, including the Municipal Separate Storm Sewer System (MS4) permits. Massachusetts, New Hampshire, Idaho and New Mexico are the only states that do not currently have delegated authority. The Commonwealth of Massachusetts, through the Baker/Polito administration and the Department of Environmental Protection (MassDEP) has expressed a willingness to run this program at the state level. This proposal has received support from municipalities, stormwater coalitions, and business groups. The currently proposed MS4 permit (effective July 1, 2017) was widely commented on during the public comment period. Municipalities and businesses largely felt that EPA was unresponsive to the comments and concerns of the entities most effected by the permit.

Stakeholders also feel that MassDEP is in a better position to understand specific concerns of Massachusetts communities. MassDEP already has delegated authority for the Drinking Water program and has demonstrated it is willing to work with communities to develop responsible and achievable results. EPA should delegate administration of NPDES permits, including the MS4 permit, to the Commonwealth of Massachusetts.

Funding: Additional federal funding for water infrastructure is paramount to the future successful implementation of the CWA and SDWA. Without funding assistance municipalities cannot be expected to meet their obligations under these statutes.

Once again, thank you for the opportunity to comment on these important matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip D. Gerin". The signature is fluid and cursive, with the first name "Philip" being the most prominent.

President and Chairman

cc: MCWRS Board of Directors
MCWRS members