

From: U.S. EPA [mailto:usaepa@govdelivery.com]

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News Release

U.S. Environmental Protection Agency

New England Regional Office

August 12, 2009

Contact: David Deegan, (617) 918-1010

Nine Mass. and N.H. Communities Face Actions to Improve Storm Sewer Pollution

(Boston, Mass. – August 12, 2009) – As part of a new integrated effort to combat illegal sewage connections that can lead to significant water pollution in New England's waters, EPA today filed complaints against one New Hampshire and eight Massachusetts communities for failing to meet permit requirements designed to ensure that sewage and other pollutants stay out of storm sewers which drain to local rivers, ponds, and coastal waters. As part of this effort, EPA is offering training and other support to communities to help them detect and eliminate illegal sewer connections.

Municipal storm sewer systems (MS4s) collect rain and snowmelt from streets and drain to local rivers and streams. Often, sewage lines or industrial discharges can be improperly connected to the storm sewer, leading to raw sewage or other pollutants reaching water bodies. Discharges from MS4s can also include infiltration from cracked sanitary systems, spills collected by drain outlets, or paint or used oil dumped directly into a drain. These discharges contribute bacteria, heavy metals, toxics, oil and grease, solvents, nutrients, viruses and bacteria to receiving water bodies. EPA has found that illegal sewage connections are major contributors to pollution in New England's rivers and streams.

Since 2003, 297 urbanized cities and towns in Massachusetts and New Hampshire have been subject to an EPA general permit, which sets requirements for reducing pollution discharges from storm sewers. Among other requirements, the communities must produce maps of their storm sewers, pass an ordinance or by-law prohibiting non-stormwater discharges to the storm sewers, and implement a plan to find and remove improper connections to the storm sewers.

The nine communities have failed to meet some or all of these requirements, potentially allowing raw sewage or other pollutants to discharge to their local waters. EPA has filed complaints against the nine communities seeking penalties. The proposed penalties are based on the size of the community and seriousness of the violations, among other factors. The communities and maximum penalties include Plaistow, N.H. (\$40,000), and

in Massachusetts: Canton (\$50,000); Concord (\$50,000); Dennis (\$50,000); Eastham (\$40,000); Gardner (\$60,000); Peabody (\$70,000); and Winthrop (\$70,000). Because Fall River has not responded to a formal information request, EPA is filing a complaint proposing an amount of up to the maximum administrative penalty under the Clean Water Act for this type of case, \$177,500. After Fall River furnishes the required information, EPA will refine the penalty amount.

EPA is simultaneously issuing compliance orders to the nine communities requiring each to implement fully a plan to identify and eliminate illegal sewage connections. This includes a requirement to monitor storm water discharges to impaired waters in order to identify the illegal sewage connections.

EPA New England has previously taken penalty actions against eleven Massachusetts and New Hampshire communities for failing to submit initial applications or annual reports required by the storm sewer permit. Over the last three years, EPA has sent two letters to cities and towns reminding them of their permit obligations.

EPA is simultaneously launching a compliance assistance initiative for cities and towns to give them tools to help identify and eliminate illegal storm sewer connections. Activities include workshops and webinars; a GPS Unit Training and Loan Program to help communities meet critical sewer outfall mapping requirements; access to the EPA National Stormwater Web Page, which sets out compliance information specifically addressing municipal community storm water compliance needs; and the creation of collaborative partnerships among EPA New England and municipalities to increase awareness of and compliance with stormwater regulations, identify Best Management Practices; and share strategies to achieve compliance on a cost-effective basis.

EPA is in the process of reissuing stormwater permits for communities in Massachusetts and New Hampshire. A draft permit for New Hampshire communities was issued for public comment in December, 2008. A draft permit for Massachusetts communities is expected later this year. These permits will include enhanced requirements to identify and eliminate illegal sewer connections.

More information: [Eliminating Sanitary Sewer Overflows in New England](http://www.epa.gov/region1/ssso/index.html)
(www.epa.gov/region1/ssso/index.html)

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