



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
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BOSTON, MA 02109-3912

March 3, 2015

OFFICE OF THE
REGIONAL ADMINISTRATOR

Mayor Thomas C. Hoye, Jr.
City of Taunton
141 Oak Street
Taunton, MA 02780

RE: Permit for Taunton Wastewater Treatment Plant

Dear Mayor Hoye,

Thank you for taking the time to meet with my staff and me in your offices on February 18, 2015. I understand that wastewater treatment and other water infrastructure upgrades to improve water quality in the Taunton River are among the many challenges that Taunton is currently facing.

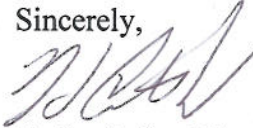
We have given careful consideration to the concerns you raised at our meeting regarding the upcoming permit renewal of the Taunton Wastewater Treatment Plant. You expressed concerns over the imposition of a 3 mg/l total nitrogen (TN) limit in the permit for several reasons. As you have long made clear, the City has doubts about the scientific basis for the limit. For this reason, the City would like to have the time to study the receiving waters and to present any information resulting from that inquiry to the EPA prior to the 3 mg/l TN limit going into effect. Relatedly, the City is also concerned that inclusion of the 3 mg/l in the permit will trigger an anti-backsliding prohibition, making it difficult to relax the limit in the future. We have crafted a proposal that we believe will resolve your concerns and at the same time satisfy our obligations under the Clean Water Act. Our proposal consists of the following:

- Deferring the effective date of the 3 mg/l and 210 lb/d TN limits for a period of ten years, such that the limit is not subject to anti-backsliding requirements until that time.
- A written assurance in the permit itself that anti-backsliding provisions will *not* be triggered until the permit limit comes into effect (i.e., ten years).
- In the meantime, the City moves forward now with the proposed 4- stage Bardenpho treatment plant upgrade (in a manner that does not preclude further upgrade to 3 mg/l), with an interim monthly average 5 mg/l TN limit, consistent with the City's plans.
- A multi-year time frame for additional data collection and/or analyses.
- A commitment by EPA to evaluate and render a decision during the permit term based on new information the City submits regarding whether the more stringent TN conditions are necessary.

An outline of the proposal and timeline is attached.

We hope that this proposal incorporates your concerns. We look forward to your response and further communications so that we can be complete our work by March 20th as discussed at our meeting. Please feel free to contact me or Ken Moraff. Our legal representative in this matter is Samir Bukhari.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Curtis Spalding', written over a light blue horizontal line.

H. Curtis Spalding

Regional Administrator

Cc: Martin Suuberg, MassDEP Commissioner