

Dear Mr. Sullivan:

Thank you for your informative letter of August 1, 2014, describing your integrated wastewater and stormwater master plan project. The letter effectively conveyed some of the financial, compliance and economic development challenges that Fall River faces as it works to address compliance with applicable environmental laws. The information presented demonstrates that the City has put considerable thought into the elements of a plan to integrate all of the City's Clean Water Act regulatory requirements in an economically sustainable manner consistent with the goals and principles of the Integrated Planning Approach described in EPA's memo of June 5, 2012, signed by Nancy Stoner and Cynthia Giles.

We would like to highlight several of the positive aspects of your description of the planned wastewater and stormwater master plan. The letter touches on many elements of the June 2012 framework, including indicating the regulatory scope of the plan, the inclusion of stakeholder input, establishing metrics for measuring success, and establishing a process for evaluating alternatives and assessing financial impacts. It appears that the scope of your initial planning includes identifying the tasks, timing, costs and affordability of the City's required activities to address discharges from the City's permitted wastewater treatment plant (WWTP), combined sewer overflows (CSOs), and Sanitary Sewer Overflows (SSOs). The letter suggests that the City may extend this analysis to municipal separate storm sewer system (MS4) discharge requirements and flooding issues as well to integrate the tasks, priorities and costs within the plan.

We look forward to further information as the plan develops, including the City's processes for public participation in development of the plan to meet water quality standards and other Clean Water Act requirements. EPA also wants to encourage the City to explore opportunities incorporating sustainability and innovation in your planning. For instance, we hope the City will examine the potential for green infrastructure to implement storm water solutions in those area where the subsurface will support it. We will be happy to work with your team on these aspects of the planning effort.

EPA agrees that it would be useful to meet at key intervals to share information among the City, MassDEP and EPA, including discussion of how the integrated planning process builds upon the CSO work the City has already completed, and how the plan can effectively incorporate the individual subjects you enumerate. This will ensure open lines of communication concerning the plan, including ensuring that the City is aware of and incorporates regulatory priorities and financial capability assessments in its planning effort, consistent with the June 2012 framework.

EPA looks forward to CDM Smith's evaluation of the WWTF and the impact of integrating nitrogen removal into necessary WWTF rehabilitation. Unfortunately EPA disagrees with the contention that nitrogen concentrations currently discharged from the WWTF are "very low." EPA's review of Fall River's DMR data indicates that the average TN concentration discharged over the past three years (July 2011 to June 2014) was 17.9 mg/l. This is only slightly below the

discharge of an average conventional secondary treatment facility (about 20 mg/l) and well above the discharge concentrations of facilities that denitrify for all or part of the year. Many facilities with lower baseline discharge concentrations have already implemented or are moving forward with nitrogen reduction upgrades in the Narragansett Bay region. In fact the Fall River WWTF is now by a significant margin the largest discharger of nitrogen in the entire Narragansett Bay watershed. See Table below.

Facility	May-Oct 2013 TN load discharged (lb/day) ¹
Fall River WWTF	2,985
NBC-Fields Point	1,300
NBC-Bucklin Point	991
UBWPAD	975
Brockton AWRF	508
Taunton WWTP	508
Woonsocket WWTF	272

In this context it is clear that the impact of Fall River's discharge on nitrogen loads to Mount Hope Bay and Narragansett Bay proper is a pressing current concern. While EPA is interested in the City's perspective on ways to incorporate nitrogen removal improvements along with other necessary WWTF upgrades in a sustainable fashion, the City should be aware that nitrogen removal is a high priority water quality issue in Mount Hope Bay and Narragansett Bay, and should not be considered a "placeholder" issue that is only relevant for future implementation. EPA is, of course, committed to using the best available information both in determining the potential for Fall River's nitrogen discharges to cause or contribute to water quality standards violations in Mount Hope Bay and Narragansett Bay and in determining any permit limit.

Again, EPA applauds you for taking the initiative to develop an integrated planning approach to address our shared goal of clean water, in a manner which considers Fall River's financial capability in developing schedules for completing municipal projects that are needed to meet Clean Water Act obligations. We look forward to ongoing planning and conversations. If you have any questions, please contact me or have your staff contact Michael Wagner in the Office of Environmental Stewardship at (617) 918-1735 or David Webster in the Office of Ecosystem Protection at (617) 918-1791.

Sincerely,

Ken Moraff, Director
Office of Ecosystem Protection

cc: David Cash, Commissioner MassDEP
Susan Studlien, EPA/OES

¹ Fall River load calculated based on average TN concentration from DMRs (17.9 mg/l) at average flow of 20 mgd (Fall River does not report TN loads or monthly flows). Other facility loads from monthly DMR data.