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(781) 447-7630

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Town of Whitman
Department of Public Works

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ENVIR. APPEALS BOARD

June 10, 2005

United States Environmental Protection Agency
Region One
One Congress St., Suite 1100
Boston, MA 02114-2023

ATT: Mr. Roger Janson, Chief
Municipal Permits Branch

RE: NPDES No. MA 0101010 Appeal of Final Draft

Dear Mr. Janson,

The Town of Whitman is in receipt of a copy of the Draft Final NPDES issued to the City of Brockton with mandates to upgrade Brockton's Wastewater Treatment Facility. In that order there is reference to the amount of flow that Whitman is allowed to discharge to the Brockton WWTF. At present, the Inter-Municipal Agreement (IMA) limits Whitman to 1.0 Million Gallons per Day (MGD) average daily flow. The Town of Whitman is hereby submitting its' objection to the language and the intent.

The Town of Whitman requested additional capacity of .15 MGD in its' average daily flow allowance from 1.0 MGD to 1.15 MGD on May 17, 2004 (enclosure) based on its' immediate needs at that time. We anticipate that the Town's needs will increase by an additional .15 MGD over the next five (5) years to 1.3 MGD, Average Daily Flow.

We request that we be allowed an immediate increase of the .15 MGD based on the New Design Flow Rate of 20.48 MGD at the Brockton WWTF. The increased capacity at the WWTF, an increase from the present 18 MGD, will represent an increase of approximately fourteen (14) percent. When considering these facts comparatively, the Town of Whitman's request represents an increase of average daily flow to the WWTF of only about one (1) percent, please refer to Comment Number One.

For the second increase of .15 MGD which will increase Whitman's Average Daily Flow from 1.15 MGD to 1.3 MGD. The simple solution for increased flow contribution to the Brockton WWTF would be a "Flow Capacity Bank" resulting from infiltration and inflow (I/i) REMOVAL WITHIN Brockton's system. As documented in CDM's recent

I/I study, Whitman is actively reducing extraneous I/I flow from within Whitman's wastewater collection system.

The Town of Whitman hereby requests that additional flow capacity in the amount of 0.3 MGD be made available from a "Flow Capacity Bank" to Whitman as a result of I/I removal from the Brockton wastewater collection system. As Whitman removes additional I/I, a credit for this should be taken.

If the WWTF is exceeding design capacity because of I/I from all three communities (Brockton, Whitman and Abington) there should be a sewer moratorium for all participants. Acknowledging that Brockton is by far the largest contributor of I/I there should be a "Flow Capacity Bank" resulting from I/I removal once the flow is below the design flow. This would allow Whitman to use the "Flow Capacity Bank" and increase Whitman's flow authorization, please refer to Footnote#3 of NPDES MA NO.0101010.

Whitman is operating within acceptable DEP parameters and Brockton should not impose a moratorium on Whitman because of excess I/I in the Brockton or Abington System.

Please contact the Town of Whitman to discuss revising the NPDES wording to provide a legal avenue to increase permitted flow to WWTF.

Sincerely,



John D. Pettinelli
Superintendent

Cc: Michael Thoreson, Commissioner of Public Works, City of Brockton
Glenn Haas, Director, Division of Watershed Management, Bureau of Resource
Protection, MADEP
Thomas Morgan, CDM

Enclosure



TELEPHONE
(781) 447-7530

Town of Whitman Department of Public Works

P.O. BOX 454, WHITMAN, MASSACHUSETTS 02382

May 17, 2004

Mayor John Yunits
Brockton City Hall
45 School Street
Brockton, Ma. 02301

Dear Mayor Yunits,

The Town of Whitman respectfully requests that the City of Brockton amend our Inter-Municipal agreement for the disposal of wastewater at the City of Brockton's Wastewater Treatment Plant by increasing our daily allowance by 15%, from 1,000,000 gals/day to 1,150,000 gals/day.

If you have any questions, please call our office.

Very truly yours,

Whitman Dept. of Public Works
Board of Commissioners

Thomas Burnett, Chairman

John Burnett

Charles Pace