

EXHIBIT 14



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

SEP 18 2014

Certified Mail - Return Receipt Requested

Kathy Pedersen, Executive Director
Springfield Water and Sewer Commission
City of Springfield
P.O. Box 995
Springfield, MA 01101-0995

Subject: NPDES Permit No. MA0103331; Administrative Order Docket No. 14-007

Dear Ms. Pedersen:

Region I of the United States Environmental Protection Agency recognizes that the Springfield Water and Sewer Commission ("Commission") developed its proposed combined sewer overflow controls ("CSO") as part of an extensive analysis conducted as part of the Commission's efforts to establish an integrated wastewater plan ("IWP"). That work, including the Commission's financial capability assessment and affordability analysis, is consistent with EPA's CSO policy and integrated planning framework. It is apparent that the Commission has invested considerable resources toward this effort.

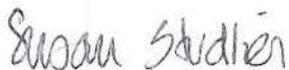
The Region has evaluated the Commission's proposal to schedule construction of CSO controls in the context of the Commission IWP and has concluded that it would be appropriate to require the Commission to implement 1) the CSO controls the Commission proposed and 2) the separate sanitary sewer infrastructure projects that the Commission identified. There does not appear to be any information leading to a conclusion now that the schedule set forth in the IWP will need to change. Of course, as work progresses, it will be necessary to remain alert to new information that might warrant modification of the IWP.

To implement the next phase of the Commission's plan, enclosed is an Administrative Order (the "Order") issued to the Commission pursuant to Section 309(a)(3) of the Clean Water Act, 33 U.S.C. 1319(a)(3). The Order is based upon violations of National Pollutant Discharge Elimination System Permit No. MA0103331 (the "NPDES Permit"), which regulates the discharges from the Commission's combined sewer overflow ("CSO") outfalls.

The Order finds that the Commission has discharged pollutants from its CSO outfalls in concentrations that violate the conditions of the Commission's NPDES Permit. The Order establishes a timeline for the submission of work plans, and schedules for the Phase 2 and Phase 3 CSO projects outlined in the Commission's Integrated Work Plan. The Order also requires the Commission to submit annual reports updating EPA on the progress of the collection system capital improvements, contained in the IWP.

Violation of this Order may subject the Commission to enforcement under Section 309 of the Clean Water Act, in which injunctive relief and/or penalties could be sought. If you have any questions concerning the terms of this Order, please contact Douglas Koopman (617) 918-1747 of the Water Technical Unit.

Sincerely,



Susan Studlien, Director
Office of Environmental Stewardship

cc: Kurt Boisjolie, MassDEP
Mark Casella, MassDEP

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I**

IN THE MATTER OF:)	DOCKET NO. 14-007
)	
Springfield Water and Sewer Commission)	FINDINGS OF VIOLATION
Springfield, Massachusetts)	
NPDES Permit No. MA0103331)	AND
)	
Proceedings under Sections 309(a)(3) of)	ORDER FOR COMPLIANCE
the Clean Water Act, as amended,)	
33 U.S.C. §1319(a)(3))	

I. STATUTORY AUTHORITY

The following Findings are made and ORDER issued pursuant to Sections 308(a) and 309(a)(3) of the Clean Water Act, as amended (the "CWA" or "Act"), 33 U.S.C. §§ 1318 and 1319(a)(3). Section 309(a)(3) of the Act grants to the Administrator of the U.S. Environmental Protection Agency ("EPA") the authority to issue orders requiring persons to comply with Sections 301, 302, 306, 307, 308, 318 and 405 of the Act and any permit condition or limitation implementing any of such sections in a National Pollutant Discharge Elimination System ("NPDES") permit issued under Section 402 of the Act, 33 U.S.C. §1342. Section 308(a) of the Act, 33 U.S.C. § 1318(a), authorizes EPA to require the submission of any information required to carry out the objectives of the Act. These authorities have been delegated to EPA Region I's Administrator, and in turn to the Director of EPA, Region I's Office of Environmental Stewardship ("Director").

The Order herein is based on findings of violation of Section 301 of the Act, 33 U.S.C. § 1311, and the conditions of NPDES Permit No. MA0103331. Pursuant to Section 309(a)(5)(A) of the Act, 33 U.S.C. § 1319(a)(5)(A), the Order provides a schedule for compliance which the Director has determined to be reasonable.

II. DEFINITIONS

Unless otherwise defined herein, terms used in this Order shall have the meaning given to those terms in the Act, 33 U.S.C. § 1251 *et. seq.*, the regulations promulgated thereunder, and any applicable NPDES permit. For the purposes of this Order, "NPDES Permit" means the Springfield Water and Sewer Commission's NPDES Permit, No. MA0103331, and all amendments or modifications thereto and renewals thereof as are applicable, and in effect at the time.

III. FINDINGS

The Director makes the following findings of fact:

1. The Springfield Water and Sewer Commission (the "Permittee" or "Commission") is a person under Section 502(5) of the Act, 33 U.S.C. § 1362(5). The Commission is the owner and operator of a secondary wastewater treatment facility located on Bondi Island (the "WWTF") and a wastewater collection system (the "Collection System") that is comprised of both separate and combined sewers from which it discharges pollutants, as defined in Section 502(6) and (12) of the Act, 33 U.S.C. §§ 1362(6) and (12), from point sources, as defined in Section 502(14) of the Act, 33 U.S.C. § 1362(14), to the Chicopee, Mill and Connecticut Rivers, which are Class B waterways. These water bodies are all "waters of the United States" as set forth at 40 C.F.R. § 122.2 and navigable waters under Section 502(7) of the Act, 33 U.S.C. § 1362(7).
2. On September 30, 2009, the Commission was issued NPDES Permit No. MA0103331 by the Director of the Office of Ecosystem Protection of EPA, Region 1, under the authority given to the Administrator of EPA by Section 402 of the Act, 33 U.S.C. § 1342. This authority has been delegated by the Administrator of EPA to the Regional Administrator of EPA, Region 1, and in turn to the Director of the Office of Ecosystem Protection.
3. The NPDES Permit authorizes the Commission to discharge pollutants, during wet weather, from combined sewer overflows ("CSO") discharge points to the

Connecticut, Chicopee, and Mill Rivers subject to the effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit.

4. Section 301(a) of the Act, 33 U.S.C. § 1311(a), makes unlawful the discharge of pollutants to waters of the United States except, among other things, in compliance with the terms and conditions of an NPDES permit issued pursuant to Section 402 of the Act, 33 U.S.C. § 1342.
5. Part A.1.a. of the NPDES Permit prohibits dry-weather discharges and requires that CSOs receive treatment at a level necessary to achieve water quality standards.
6. Untreated sewage contains pollutants as defined in Sections 502(6) and (12) of the Act, 33 U.S.C. §§ 1362(6) and (12).
7. On May 30, 2012, the Commission submitted to EPA and the Massachusetts Department of Environmental Protection (“MassDEP”) a report entitled Long Term Combined Sewer Overflow (CSO) Control Plan (the “LTCP”), prepared by Kleinfelder SEA. The LTCP concluded that water quality criteria for fecal coliform bacteria in the Connecticut, Chicopee, and Mill Rivers were exceeded during rainfall events. EPA has concluded that the LTCP shows that the Commission’s CSO discharges violate Part A.1.a. of the NPDES Permit by contributing to excursions of water quality standards in the Connecticut, Chicopee, and Mill Rivers.
8. On May 7, 2014 the Commission submitted to EPA and the MassDEP a report entitled Integrated Wastewater Plan (IWP) prepared by Kleinfelder. The IWP provides an integrated plan and schedule for addressing the future CSO, wastewater collection and treatment needs of the Commission.
9. Since at least May, 2003, on a number of occasions without authorization, sewage has overflowed from various components of the Commission’s sanitary sewage collection system other than the permitted CSO outfalls resulting in the unpermitted discharge of pollutants to waters of the United States.
10. The Commission’s unauthorized discharge of sanitary sewage to waters of the United States from various components of the Commission’s sanitary sewage

collection system other than the permitted CSO outfalls, and the discharge of pollutants from the Commission's CSO outfalls to the Connecticut, Chicopee, and Mill Rivers in violation of the NPDES Permit, have occurred in violation of Section 301(a) of the Act, 33 U.S.C. § 1311(a).

IV. ORDER

Accordingly, pursuant to Section 309(a)(3) of the Act, it is hereby ordered that:

1. By December 31, 2014, the Commission shall submit to EPA and MassDEP, a work plan and schedule, including design and construction milestones, for the completion of the Phase 2 York Street pump station and river crossing CSO project identified in the Commission's April 2014 Integrated Wastewater Plan.
2. The Commission shall complete the Phase 2 CSO project by December 31, 2020.
3. Annually through 2020, the Commission shall submit a report to EPA and the MassDEP that outlines the collection system capital improvements, contained in the Commission's IWP, completed in the previous year and a schedule with expected costs for the work planned for the upcoming year. The report shall be included as part of the annual comprehensive CSO report submitted by the Commission by March 31st.
4. By December 31, 2019, the Commission shall submit to EPA and MassDEP, a work plan and schedule, including design and construction milestones, for the completion of the Phase 3 Locust Transfer Structure/Conduit and Flow Optimization in Mill System CSO project identified in the Commission's April 2014 Integrated Wastewater Plan.
5. The Commission shall complete the Phase 3 CSO project by December 31, 2021.
6. Annually, beginning March 31, 2015, until completion of the Phase 3 CSO project, the Commission shall submit to EPA and to the MassDEP a report

summarizing the CSO work completed in the prior year and the anticipated work in the coming year. The report shall be included as part of the annual comprehensive CSO report submitted by the Commission by March 31st.

V. NOTIFICATION PROCEDURES

1. Where this Order requires a specific action to be performed within a certain time frame, the Commission shall submit a written notice of compliance or noncompliance with each deadline. Notification must be mailed within fourteen (14) days after each required deadline. The timely submission of a required report shall satisfy the requirement that a notice of compliance be submitted.
2. If noncompliance is reported, notification should include the following information:
 - a. A description of the noncompliance;
 - b. A description of any actions taken or proposed by the Commission to comply with the lapsed schedule requirements;
 - c. A description of any factors that explain or mitigate the noncompliance; and
 - d. An approximate date by which the Commission will perform the required action. After a notification of noncompliance has been filed, compliance with the past-due requirement shall be reported by submitting any required documents or providing EPA with a written report indicating that the required action has been achieved.

Submissions required by this Order shall be in writing and shall be mailed to the following addresses:

U.S. Environmental Protection Agency
Region I
5 Post Office Square, Suite 100
Mail Code OES04-03
Boston, MA 02109-3912
Attn: Douglas Koopman

and

Massachusetts Department of Environmental Protection
Western Regional Office
436 Dwight Street
Springfield, MA 01103
Attn: Kurt Boisjolie

VI. GENERAL PROVISIONS

1. The Commission may, if it desires, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to the Commission. The Commission should carefully read the above-cited regulations before asserting a business confidentiality claim since certain categories of information are not properly the subject of such a claim. For example, the Act provides that "effluent data" shall in all cases be made available to the public. See Section 308(b) of the Act, 33 U.S.C. § 1318(b).
2. This Order does not constitute a waiver or a modification of the terms and conditions of the NPDES Permit. The NPDES Permit remains in full force and effect. EPA reserves the right to seek any and all remedies available under Section 309 of the Act, 33 U.S.C. § 1319, as amended, for any violation cited in this Order.
3. This Order shall become effective upon receipt by the Commission.

09/15/14
Date

Susan Studien
Susan Studien, Director
Office of Environmental Stewardship
Environmental Protection Agency,
Region I