



March 29, 2022

Michele Duspiva  
Environmental Protection Agency  
[Duspiva.Michele@epa.gov](mailto:Duspiva.Michele@epa.gov)

Mass DEP  
Via email: [massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov)

**Re: Draft General NPDES Permit No. MAG590000 for MWRA-Clinton Wastewater Treatment Plant and accompanying fact sheets**

The Wastewater Advisory Committee to the MWRA has the following comments about this permit as it applies to the MWRA's Clinton plant:

1. **Please ensure that the new permit is based on EPA regulations, and not impracticably burdensome.**
2. **Co-permittees remain an issue.**

While WAC shares the EPA's concern that municipalities that discharge to MWRA control inflow and infiltration (I/I) to maximize the effectiveness of the current sewer infrastructure and prevent sanitary sewer overflows (SSOs), we continue to be concerned about employing the mechanism of co-permittees in this and other permits.

As we stated in our comments for the current permit: Clinton and Lancaster, were added as co-permittees in the 2000 permit. The co-permitting was done in the Agency's belief that MWRA would be better able to supervise an effective I/I reduction program for the town's system via direct regulation through the permit.

As EPA notes in its appendices, co-permitting the two towns did **not** produce the results EPA and MWRA had hoped for. It has **still not** produced those results.

One reason was noted in our previous comment letter: the primary motivation shared by other MWRA communities—setting sewer fees with a formula that includes volume of flow—is lacking in Clinton (Lancaster contributes between 8-10% of flow). Because of the MWRA's unique history, and the need to keep the water supply clean, the Authority may not charge Clinton based on flow.

By contrast, MWRA has a successful cooperative agreement—finalized in 2001 with the consent of EPA—with the cities and towns that send wastewater to the Deer Island plant. Because these communities’ sewer fees are determined using flow as a factor, and because the Authority continues to fund and provide technical assistance for I/I removal, the amount of flow at Deer Island continues to drop, despite population growth in these municipalities.

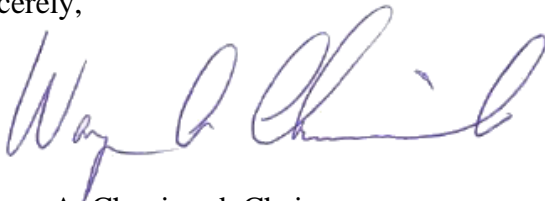
Instead of naming Lancaster and Clinton in the Clinton permit, WAC suggests using incentives that will result in a similarly cooperative relationship between MWRA and the two municipalities.

Establishing a sewage fee based at least partially on flow requires a change in the law which established the MWRA. Such legislation would require an act of the Massachusetts General Court and is not an option at present.

WAC shares EPA’s concern about I/I, however we would prefer that any action by the EPA to reduce I/I in the Lancaster and Clinton collection systems be independent and not part of the MWRA NPDES permit. If the municipalities are included, the permit should be clear that each party is only responsible for the pipes they control—should a penalty be assessed, it should go only to the body that incurred the violation, not to the co-permittees.

Thank you for the opportunity to comment on the draft permit.

Sincerely,



Wayne A. Chouinard, Chair  
Wastewater Advisory Committee to the MWRA