



**Massachusetts Water Resources Authority**

**MWRA Advisory Board Meeting  
March 21, 2013**

**Summary of Proposed DEP  
Regulation Changes**

**Michael J. Hornbrook, Chief Operating Officer**



## DEP REGULATION CHANGES

- **10 Different Regulations Impacted**
- **DEP Regulatory Reform Initiative**
- **Will Impact MWRA & MWRA Communities**
- **Open for Public Comment**
  - **Public Hearings**
  - **Written Comments**



## **PROPOSED CMR REVISIONS**

- **310 CMR 10.00 – Wetlands Protection Act**
- **310 CMR 9.00 Waterways**
- **310 CMR 32.00 – Land Application of Sludge**
- **314 CMR 12.00 – Operations & Maintenance & Pretreatment Standards for Wastewater Treatment Works and Indirect Dischargers**



## **PROPOSED CMR REVISIONS (continued)**

- **314 CMR 2.00 – Permit Procedures for Surface Water Discharge Permits, Groundwater Discharge Permits, Sewer Extensions & Construction Permits & Reclaimed Water Permits**
- **314 CMR 7.00 – Sewer System Extension & Connection permits Program – to be deleted**
- **310 CMR 15.00 – Title 5**



## **PROPOSED CMR REVISIONS**

- **314 CMR 9.00 – 401 Water Quality Cert. for Discharge of Dredged or Filled Material, Dredging & Dredged Material Disposal**
- **257 CMR 2.00 – Board or Registration of Operators of Wastewater Treatment**
- **314 CMR 4.00 – Site Specific Metals Table**



## 314 CMR 12.00

- **DEP “will focus its attention” on:**
  - **Infiltration and Inflow (I/I);**
  - **Capacity Issues;**
  - **Sanitary Sewer Overflows (SSOs);**
  - **Industrial Pretreatment.**
- **Includes MWRA Regional System *AND* Community–owned Collection Systems**



## **NEW DEP COMMUNITY O&M REQUIREMENTS**

- **I/I Identification and Elimination Program;**
- **Sanitary Sewer Overflow Reporting Requirements;**
- **Sewer System Evaluations- Capacity Analysis-  
where limited capacity could lead to overflows;**
- **Offset Programs for chronic overflow areas or  
potential problem areas;**
- **Incorporate Pretreatment Standards.**



## I/I Program Requirements

- **Develop and Implement Ongoing Program including funding level and source of funding ;**
- **Identify presence and quantity of I/I;**
- **Locations and risks of wet weather SSO;**
- **Assess a range of design storms, Specifically the risks of SSOs for a 5 year -24 hour storm;**
- **Complete on or before December 31, 2017 – update every 10 years.**





## I/I Program Requirements

- **Complete and report on Sewer System Evaluation per approved I/I Plan. Each SSES identifies I/I, means to address and schedule.**
- **I/I Plan must mitigate new connections >15,000 gpd with 4 for 1 I/I removal**
  - **For NPDES CSO Permittees;**
  - **Sewer systems tributary to CSO systems;**
  - **Where DEP determines there is SSO risk**



## SSO Reporting

- Anticipated Bypass/SSO report 10 days in advance
- Unanticipated, as soon as knowledge , but no later than report within 24 hours
- Report steps taken to minimize impact and to prevent reoccurrence within 5 days
- Sewer Backups???



## **SEWER USE RULES/REGS**

- **Submit to DEP for approval, including provisions to:**
  - **Control grease, oils, fats;**
  - **Prohibits I/I;**
  - **Authority to physically access properties to enforce;**
  - **Address non-compliance;**
  - **Require permits for new connections or extensions**



## Summary

- **Numerous & Significant Regulatory Changes**
- **Focus on I/I, SSOs and System's Capacity**
- **Requiring Collection System Owners to Implement New Programs – some formerly done by DEP**
- **Revisions Will Allow for Easier DEP Enforcement**



## **PUBLIC COMMENTS**

- **WRITTEN COMMENTS DUE by May 10, 2013**
- **PUBLIC Hearings**
  - **DEP Central Office** – **March 22**
  - **DEP Northeast Office** – **March 28**
  - **DEP Southeast Office** – **April 1**
  - **Mass DEP Western Office** – **April 11**
  - **DEP Headquarters Boston-** **April 16**