MASS HIGHWAY
Office of the Commisioner

Mitt Romney, Governor | Kerry Healey, Lt. Governor | Daniel A. Grabauskas, Secretary | John Cogliano, Commisioner

March 28, 2005

Linda M. Murphy, Director
Office of Ecosystem Protection
EPA – Region I
One Congress Street, Suite 1100
Boston, MA 02114-2023

RECEIVED
APR 01 2005
U.S. EPA, Region 1, Mail Room

Dear Ms. Murphy:

I am writing in response to your letter dated August 24, 2004, regarding MassHighway's compliance with the NPDES General Permit for Small Municipal Separate Storm Sewer Systems. Your letter requested we amend the Storm Water Management Plan (SWMP) and NOI to provide further detail. Since then we have had several discussions with David Gray of your office regarding these revisions and have met with both EPA and DEP to discuss our proposed changes. The revisions to the SWMP are summarized below:

Illicit Discharge Prohibition

MassHighway is preparing an Illicit Drainage Connection Policy. This policy prohibits the connection of illicit and unauthorized discharges to the state highway drainage system and requires the disconnection of all such existing connections. This policy will soon be finalized and issued by the MassHighway Chief Engineer (May 2005).

MassHighway has also begun development of an updated Drainage Tie-In Standard Operating Procedure (SOP) for the Department. The SOP will expand the prohibition of "illicit" (i.e., non-storm water and/or unauthorized) discharges into MassHighway's storm sewer system set by the Illicit Drainage Connection Policy to establish a comprehensive set of rules and uniformly regulate tie-ins to the MassHighway drainage system. The document is currently still in draft format and being reviewed internally. Once the SOP is finalized it will be sent to the Chief Engineer for issuance.

Development of a Storm Sewer Map

MassHighway will implement a multi-faceted approach to developing a drainage outfall map for the MassHighway roads within urbanized areas. The following is a brief summary of this approach with more detail included in the amended SWMP (dated 2/28/05):

Table 1: Minimum Control Measure 3 Implementation Schedule

BMP ID#	BMP/ Measurable Goal	Target Date	Responsible Department
3A	Rest Area Lease Agreement requiring drainage information to be submitted for redevelopment	April 2005	Env. Section

BMP ID#	BMP/ Measurable Goal	Target Date	Responsible Department
	conditions		
3B-1	Develop and implement specification for securing drainage information from future construction and redevelopment projects.	April 2006	Env. Section./ Projects/ Construction
3B-2	Complete field program mapping discharges from roads within urbanized areas.	March 2008	Env. Section
3C-1	Submit Illicit Drainage Connection Policy to Chief Engineer and Commissioner for issuance to Department.	March 2005	Env. Section
3C-2	Submit Drainage Tie-In SOP to Chief Engineer and Commissioner for issuance to Department.	February 2007	Env. Section
3D	Review twenty discharges each year for potential illicit connections.	March 2008	Env. Section/ Districts

1. **Drainage Inventory** – MassHighway will use a multiple prong approach for creating the urbanized area discharge map including the following programs:
   a. include the drainage inventory specification in all future construction and redevelopment (which impact drainage systems) projects including roadway, rest area and maintenance facilities throughout the state;
   b. rest area drainage information gathered during lease renewal of rest areas undergoing redevelopment; and
   c. field inventories within each district.

2. **Illicit Connection Sampling Program** – MassHighway will review twenty discharges each permit year for potential illicit connections. The discharges reviewed will be based on dry weather flows identified during the field inventories or by MassHighway staff during routine operations. Dry weather flows will be sampled. A summary of the discharges reviewed will be included in that permit year's annual report.

Storm Water Management Handbook

The MassHighway Storm Water Handbook (dated May 2004) has been finalized and is posted on the MassHighway web site at http://www.mhd.state.ma.us/mhd/environ/publications.htm.

TMDL Recommendations

We have developed a TMDL Recommendation Summary Table. This table summarizes:

a. TMDL recommendations which pertain to MassHighway,
b. MassHighway programs which provide compliance with TMDL recommendations, and
c. plans to implement additional BMPs to comply with the recommendations, if necessary.

Until the drainage inventory is completed for a road stretch within the TMDL watershed, MassHighway will be unable to provide specifics regarding number of discharges to the waterbody from MassHighway roads. Each annual report will summarize the discharges to TMDL watersheds as they are inventoried.

The storm water contaminant loading model, currently under development with the USGS, should assist MassHighway in determining the BMPs necessary for controlling any "pollutants of concern" in the runoff from our highways.

We have included the amended SWMP and NOI for your review. I have signed the NOI certification page, as requested. If you have any comments or questions, please contact Gregory Prendergast at (617) 973-7484.

Sincerely,

John Cogliano
Commissioner

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Watershed Management

BRP WM 08A NPDES Stormwater General Permit

Notice of Intent for Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)

Transmittal Number

Facility ID (if known)

A. Instructions

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.

Submission of this Notice of Intent constitutes notice that the entity named at item B1. of this form intends to be authorized by the DEP General Permit issued jointly with EPA for stormwater discharges from the small municipal separate storm sewer system (MS4), in the location identified at item B2. of this form. Submission of the Notice of Intent also constitutes notice that the party identified at item B1. has read, understands and meets the eligibility conditions of Part I.B. of the NPDES Small MS4 General Permit, agrees to comply with all applicable terms and conditions of the NPDES Small MS4 General Permit, and understands that continued authorization to discharge is contingent on maintaining eligibility for coverage. **In order to be granted coverage, all information required on BRP WM 08A, including the Stormwater Management Program Summary and Time Frames form, must be completed. Please read the permit and make sure you comply with all requirements, including the requirement to develop and implement a stormwater management program.**

B. Applicant Information

1. Small MS4 Operator/Owner Information:

   MassHighway Department - Environmental Division
   Name

   10 Park Plaza Room 4260
   Mailing Address

   Boston — City/Town
   MA — State

   (617) 973-7309 — Telephone Number
   Henry.Barbaro@state.ma.us — Email (if available)

2. Municipality Name

   MassHighway Department
   City/Town

3. Legal Status:

   ☐ Federal ☐ City/Town ☒ State ☐ Tribal ☐ Private

   ☐ Other public entity: _____ Specify Public Entity

4. Other regulated MS4(s) within municipal boundaries:

   Since MassHighway's properties are statewide, MassHighway's MS4 system is within municipal boundaries which may include regulated MS4s. A discharge inventory of the system within the urbanized area will be performed during this permit term and will include information on any discharges that flow to other regulated MS4s. This information will be summarized in annual reports submitted to EPA and DEP.

5. Based on the instructions provided in Part I of the NPDES Small MS4 General Permit, have the eligibility criteria for "listed species" and critical habitat been met?

   ☐ yes ☒ pending ☐ no

B. Applicant Information (cont.)

6. Based on the instructions provided in Part I of the NPDES Small MS4 General Permit, have the eligibility criteria for protection of historic properties been met?

☐ yes ☒ pending ☐ no

Note: Section C may be duplicated to accommodate a larger list of receiving waters

C. Names of (Presently Known) Receiving Waters

Receiving Water:	No. of Outfalls	Listed as Impaired?	Impairment
Outfalls within urbanized areas will be inventoried by the end of the permit term. Since outfalls have not currently been inventoried, a list of receiving waters can not be compiled. A list will be included in annual reports with the receiving waters for the outfalls inventoried at that time. Name	Number	☐ Yes ☐ No	Specify

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Watershed Management

BRP WM 08A NPDES Stormwater General Permit

Notice of Intent for Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)

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D. Stormwater Management Program Summary

1. Public Education:

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
1A	MassHighway Training Assistance Program (MTAP)	MTAP	Continue MTAP Program
1B	Baystate Roads	Baystate Roads	Continue Baystate Roads Program
1C-1	MassHighway Website	IT/Environmental	Add Environmental Division web page to web site.
1C-2	MassHighway Website	IT/Environmental	Solicit public input and publicize storm water related initiatives.
1C-3	MassHighway Website	IT/Environmental	Evaluate web page annually and revise as necessary.
1D-1	Storm Water Training Workshop	Environmental/ MTAP	Conduct workshop for MassHighway personnel.
1D-2	Storm Water Training Workshop	Environmental/ Baystate Roads	Conduct workshop for municipal DPW personnel.
1E	Construction Industries Article	Construction Division	Prepare and submit article re: Phase II requirements and MassHighway compliance procedures.

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
1F	MassHighway/ Municipal Tie-In Review Process	Environmental/ Districts	Develop communication mechanism re: MassHighway drainage that discharges to a local MS4. Develop review process for addressing those concerns. Notify other MS4s of process.
	Programs which are listed under other minimum control measures also include public education aspects (e.g. BMP 4H, 4L, 4M and 4N)		

2. Public Participation:

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
2A	Project Related Public Notification and Public Participation Requirements	Environmental	Continue compliance with federal and state public notification and public participation requirements
2B	Adopt-a-Highway	Adopt-a-Highway	Continue to support program.
2C	Project Clean	Project Clean	Continue to support Project Clean.
2D-1	MassHighway Web Site	IT/Environmental	Post Storm Water Management Plan to web site.
2D-2	MassHighway Web Site	IT/Environmental	Post annual reports to the web site.

3. Illicit Discharge Detection and Elimination:

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
3A	Rest Area Leases	Environmental/ Right-of-Way	Develop electronic drainage requirements language for incorporation in Rest Area lease agreements when redevelopment is proposed.
3B-1	Drainage Inventory	Environmental/ Construction/ Planning/ IT Division	Develop Drainage Inventory Spec and include in future construction, and redevelopment projects.
3B-2	Drainage Inventory	Environmental/ Districts/ IT	Complete field program mapping of drainage outfalls within urbanized areas and develop maps.
3C-1	Illicit Connection Prohibition	Environmental	Submit Illicit Drainage Connection Policy to Chief Engineer and Commissioner for issuance to Department.
3C-2	Drainage Tie-In SOP	Environmental	Prepare an internal draft of a revised Drainage Tie-in SOP. Submit to Chief Engineer.
3D	Illicit Connection Review	Environmental/ Districts	Review twenty discharges each year for potential illicit connections.

4. Construction Site Runoff Control:

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
4A	MassHighway Department Highway Design Manual	Environmental/ Construction/ Projects	Continue to comply with erosion and sediment control requirements indicated in manual.

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
4B	MA DEP Stormwater Management Policy	Environmental/ Construction/ Projects	Continue to meet criteria in Policy for projects subject to Wetlands Protection Act.
4C	NPDES Construction General Permit	Construction	Comply with general permit requirements.
4D	Other state environmental regulations or policy	Environmental/ Construction/ Projects	Continue compliance with other state environmental regulations and policies.
4E	MassHighway Storm Water Handbook	Environmental/ Construction/ Projects	Design projects in urbanized areas in compliance with Handbook.
4F	Standard Specification for Highway and Bridges	Environmental/ Construction/ Projects	Continue to include erosion and pollution prevention controls in bridge contracts.
4G	MassHighway Research Need Program	Environmental/ Construction	Continue support of this consortium. Continue to pursue applicable research projects.
4H	NPDES Phase II Notice	Construction Division	Develop and distribute a Notice from the MassHighway Chief Engineer to all pre-qualified Construction Contractors.
4I	Contract Bid Item and Special Provision for SWPPPs	Construction Division/ Contracts	Prepare a Contract Bid Item and Special Provision for inclusion in appropriate construction contracts.

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
4J	Field Guide on Erosion Prevention and Sediment Control	Construction Division/ Chief Engineer	Prepare field guide. Issue to Resident Engineers.
4K	Storm Water Pollution Prevention Plan (SWPPP) Template	Construction Division/ Districts	Prepare SWPPP template. Implement on all appropriate projects. Revise, if necessary, during permit term. Convert into computer program.
4L-1	Training	Headquarters (sponsor)	Conduct annual Erosion Prevention and Sediment Control Training for Construction Personnel.
4L-2	Training	Bay State Roads/ Construction Division	Sponsor and conduct Erosion and Sediment Control Workshop and Vendor Exhibit.
4M	Erosion and Sediment Control Field Tests	Construction Division/ Districts/ Landscaping	Perform field tests of new E&S materials on MassHighway projects. Create and distribute internal memo summarizing materials effectiveness and recommended use.
4N	Construction Bulletins	Construction Division	Issue annual construction bulletins to each District regarding storm water issues.
	Programs which are listed under other minimum control measures also include construction site runoff controls aspects (e.g. BMP 1E)		

5. Post Construction Runoff Control:

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
5A	MassHighway Stormwater Handbook	Environmental	Secure DEP ratification for MassHighway Storm Water Handbook.
5B-1	MassHighway Maintenance Program	Maintenance	Continue to implement MassHighway maintenance program.
5B-2	MassHighway Maintenance Program	Construction/ Planning Division	Include Best Management Practices in drainage inventory database submission requirements.
5C	Technology Acceptance and Reciprocity Partnership (TARP)	TARP	Continue to participate in TARP program.
5D	Stormwater Innovative Technology Evaluators (SITEs)	SITEs	Continue to participate in Committee.
5E	Highway Runoff Contaminant Model	Env. Div. Consultant	Develop and calibrate model.
5F-1	BMP Maintenance Manual	Environmental/ Maintenance	Develop manual.

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
5F-2	BMP Maintenance Manual	Environmental/ Baystate Roads/ MTAP	Provide training on manual.
5G	Right of Way Parcel Evaluation	Environmental	Develop and implement a program of evaluating parcels which are candidates for disposal by MassHighway for their potential in siting storm water BMPs.
	Programs which are listed under other minimum control measures also include post-construction site runoff controls aspects (e.g. BMP# 4A and 4E)		

6. Municipal Good Housekeeping:

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
6A-1	Source Control	Project Clean	Continue to support Project Clean.
6A-2	Source Control	Adopt-a-Highway	Continue to support Adopt-a-Highway program.
6A-3	Source Control	Environmental/ Districts	Continue to support Deicing and Reduced Salt Areas Programs.
6A-4	Source Control	HELP	Continue to support Highway Emergency Locator Program (HELP).
6A-5	Source Control	Environmental	Continue development of Vegetation Management Plan.

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
6A-6	Source Control	Planning	Continue to support MassHighway HOV program.
6A-7	Source Control	Planning	Continue to support alternative transportation through technical funding and assistance.
6A-8	Source Control	Highway Design	Continue to support highway safety.
6A-9	Source Control	Environmental	Continue support of Toxics Use Reduction (TURA) program.
6B-1	Employee Training	MTAP/ Baystate Roads	Continue to support MTAP and Baystate Roads program.
6B-2	Employee Training	Environmental	Continue Facility Handbook Training.
6B-3	Employee Training	Highway Operations	Continue Snow and Ice Program Training.
6B-4	Employee Training	Highway Operations	Continue Equipment and Vehicle Safety Training
6C-1	Maintenance	Districts	Continue maintenance activities for storm water system.
6C-2	Maintenance	Districts	Continue maintenance activities and practices discussed in Environmental Facility Handbooks for maintenance/ material storage yards.

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
6D	Waste Disposal	Districts	Continue proper waste disposal practices.
6E	Good Housekeeping/ Pollution Prevention Program Evaluation	Environmental	Evaluate existing Good Housekeeping/ Pollution Prevention Programs to determine additional or revised activities that would increase effectiveness and usefulness of the programs.
6F-1	Roadway Inspection and Maintenance Record System	Environmental/ Maintenance/ Districts	Collect data for representative areas. Determine if the current inspection and cleaning schedule should be altered for particular areas.
6F-2	Roadway Inspection and Maintenance Record System	Environmental/ Maintenance/ Districts	Upon completion of the review, update Catch Basin Cleaning SOP, if necessary.
6F-3	Roadway Inspection and Maintenance Record System	Districts	Implement SOP.
6F-4	Roadway Inspection and Maintenance Record System	Environmental/ Maintenance/ Districts	Once drainage inventory is created for an area, add future catch basin cleaning information.

7. BMPs for Meeting TMDL:

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
7D	Environmental Site Data Form	Environmental/ Construction	Develop form and instructions. Designers to submit at 25% Design. Contractors to submit as part of Construction SWPPP.

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
7E	TMDL Recommendation Summary Table Update	Environmental	Update table to include TMDL reports finalized within the previous year and progress on implementation of any related measurable goals in annual report each year.
7F	Rt 28 Roadway Drainage – Frost Fish Creek	District/ Planning	As part of the next Route 28 reconstruction project, the Massachusetts Highway Department will work with the Town to mitigate the Route 28 roadway drainage in the immediate area by installing practicable best management structures, or operational practices, as warranted by the magnitude of contaminant loading to Frost Fish Creek.
7G	Rt 28 Roadway Drainage – Muddy Creek	District/ Planning	As part of the next Route 28 reconstruction project, the Massachusetts Highway Department will determine the Route 28 roadway drainage area discharging to Muddy Creek and install practicable best management structures, or operational practices, as warranted by the magnitude of contaminant loading to Muddy Creek.
7H	Chicopee Basin Impaired Waterbodies TMDL	Environmental/ Planning/ District	MassHighway will review projects within this watershed for opportunities to include additional BMPs within proposed projects if MassHighway determines they will help address the pollutant loading issue.
7I	Connecticut Basin Impaired Waterbodies TMDL	Environmental/ Planning/ District	MassHighway will review projects within this watershed for opportunities to include additional BMPs within proposed projects if MassHighway determines they will help address the pollutant loading issue.

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
7J	French Basin Impaired Waterbodies TMDL	Environmental/ Planning/ District	MassHighway will review projects within this watershed for opportunities to include additional BMPs within proposed projects if MassHighway determines they will help address the pollutant loading issue.
7K	Indian Lake Impaired Waterbodies TMDL	Environmental/ Planning/ District	MassHighway will review projects within this watershed for opportunities to include additional BMPs within proposed projects if MassHighway determines they will help address the pollutant loading issue.
7L	Leesville Pond Impaired Waterbodies TMDL	Environmental/ Planning/ District	MassHighway will review projects within this watershed for opportunities to include additional BMPs within proposed projects if MassHighway determines they will help address the pollutant loading issue.
7M	Miller River Basin Impaired Waterbodies TMDL	Environmental/ Planning/ District	MassHighway will review projects within this watershed for opportunities to include additional BMPs within proposed projects if MassHighway determines they will help address the pollutant loading issue.
7N	Northern Blackstone Impaired Waterbodies TMDL	Environmental/ Planning/ District	MassHighway will review projects within this watershed for opportunities to include additional BMPs within proposed projects if MassHighway determines they will help address the pollutant loading issue.

7O
BMP ID #

Salisbury Pond Impaired Waterbody TMDL
Specify Best Management Practice

Responsible Dept./Person Name

MassHighway has committed to DEP in its January 23, 2002 letter that streets will be swept at least once a year (usually in spring) and more often if necessary. All sumped drainage structures will be inspected and cleaned if necessary, twice a year and more often if necessary. MassHighway will inspect/ c lean drainage outlet locations where sediment build-up is evident. MassHighway will inspect and repair damaged and/ or clogged drainage conveyances.
Specify Measurable Goal

BMP ID #

Programs which are listed under other minimum control measures also include BMPs for meeting TMDLs (e.g. BMP# 3B-1, 3B-2, 4B, 4E, and 5E)
Specify Best Management Practice

Responsible Dept./Person Name

Specify Measurable Goal

E. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Mr. John Cogliano, MassHighway Commissioner
Printed Name

Signature

3/15/05
Date