Hand-enter Your Transmittal Number 1165

W 041350
Transmittal Number

Your unique Transmittal Number can be accessed online: http://www.state.ma.us/scripts/dep/trasmfrm.stm or call DEP's InfoLine at 617-338-2255 or 800-462-0444 (from 508, 781, and 978 area codes).

Massachusetts Department of Environmental Protection

Transmittal Form for Permit Application and Payment

1. Please type or print. A separate Transmittal Form must be completed for each permit application.
2. Make your check payable to the Commonwealth of Massachusetts and mail it with a copy of this form to: DEP, P.O. Box 4062, Boston, MA 02211.
3. Three copies of this form will be needed.

Copy 1 - the original must accompany your permit application. **Copy 2** must accompany your fee payment. **Copy 3** should be retained for your records

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to DEP, P.O. Box 4062, Boston, MA 02211

For DEP Use Only
Permit No._____
Rec'd Date_____
Reviewer

A. Permit Information

BRP WM 08A
Permit Code: 7 or 8 character code from permit instructions

NPDES Stormwater General Permit
Name of Permit Category

Notice of Intent for Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)
Type of Project or Activity

B. Applicant Information – Firm or Individual

Town of Upton
Name of Firm - Or, if party needing this approval is an individual enter name below:

Last Name of Individual | **First Name** of Individual | MI

One Main Street
Street Address

Upton | MA | 01568 | (508) 529-6901
City/Town | State | Zip Code | Telephone # and extension

Ms. Joan E. Shanahan
Contact Person | e-mail address (optional)

C. Facility, Site or Individual Requiring Approval

Town of Upton Storm Sewer System
Name of Facility, Site or Individual | DEP Facility Number (if Known) | Federal I.D. Number (if Known)

Street Address | e-mail address (optional)

Upton | MA | 01568
City/Town | State | Zip Code | Telephone # and extension

D. Application Prepared by (if different from Section B)

Tata & Howard, Inc.
Name of Firm Or Individual

125 Turnpike Road
Address

Westborough | MA | 01581 | (508) 366-5760
City/Town | State | Zip Code | Telephone # and extension

Mr. Donald J. Tata, P.E.
Contact Person | LSP Number (21E only)

E. Permit - Project Coordination

Is this project subject to MEPA review? ☐ yes ☒ no If yes, enter the project's EOEA file number - assigned when an Environmental Notification Form is submitted to the MEPA unit: EOEA file number _____
Is an Environmental Impact Report Required? ☐ yes ☒ no
Is this application part of a larger project for which two or more DEP permits are being or will be sought? ☐ yes ☒ no

List any other DEP permits that apply to this project:

Permit Category	Date of Submission (tentative or actual)	Transmittal # if application already submitted

MUNICIPAL ASSISTANCE UNIT
AUG 0 4 2003

F. Amount Due

Special Provisions:

☒ Fee Exempt* (city, town or municipal housing authority)(state agency if fee is $100 or less)
☐ Hardship Request - payment extensions according to 310 CMR 4.04(3)(c)
☐ Alternative Schedule Project (according to 310 CMR 4.05 and 4.10)

*There are no fee exemptions for 21E, regardless of applicant status

Check Number | Dollar Amount | Date

Please make check payable to the Commonwealth of Massachusetts and mail check and one copy of this form to:
DEP, P.O. Box 4062, Boston, MA 02211

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

W041350
Transmittal Number

BRP WM 08A NPDES Stormwater General Permit

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

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:

   Ms. Joan E. Shanahan, Chairperson, Board of Selectmen
   Name

   One Main Street
   Mailing Address

   Upton — City/Town
   MA — State

   (508) 529-6901 — Telephone Number
   Email (if available)

2. Municipality Name

   Town of Upton
   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:

   Massachusetts Highway Department (Route 140)

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

MUNICIPAL ASSISTANCE UNIT
AUG 04 2003

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
West River (Name)	Unknown (Number)	☒ Yes ☐ No	pH, metals, nutrients, low DO, pathogens, TDS,etc. (Specify)
Center Brook (Name)	Unknown (Number)	☐ Yes ☒ No	(Specify)
Mill Pond (Name)	Unknown (Number)	☒ Yes ☐ No	Exotic Species (Specify)
Pratt Pond (Name)	Unknown (Number)	☒ Yes ☐ No	Exotic Species (Specify)
Warren Brook (Name)	Unknown (Number)	☐ Yes ☒ No	(Specify)
Baker Pond (Name)	Unknown (Number)	☐ Yes ☒ No	(Specify)
Lake Wildwood (Name)	Unknown (Number)	☒ Yes ☐ No	Exotic Species (Specify)
(Name)	(Number)	☐ Yes ☐ No	(Specify)
(Name)	(Number)	☐ Yes ☐ No	(Specify)
(Name)	(Number)	☐ Yes ☐ No	(Specify)
(Name)	(Number)	☐ Yes ☐ No	(Specify)
(Name)	(Number)	☐ Yes ☐ No	(Specify)
(Name)	(Number)	☐ Yes ☐ No	(Specify)
(Name)	(Number)	☐ Yes ☐ No	(Specify)
(Name)	(Number)	☐ Yes ☐ No	(Specify)
(Name)	(Number)	☐ Yes ☐ No	(Specify)
(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)

W041350
Transmittal Number

Facility ID (if known)

D. Stormwater Management Program Summary

1. Public Education:

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
1	Develop & distribute brochures to residents	Upton DPW	1st Year
2	Develop & distribute brochures to businesses	Upton DPW	2nd Year
3	Install watershed signage	Upton DPW	3rd Year
4	Develop collection program for household hazardous waste	Upton DPW/Board of Health	4th and 5th Year
5	Develop school curricula & distribute to schools	Upton DPW/Board of Health	5th Year

2. Public Participation:

BMP ID #	Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
6	Public meeting to discuss Stormwater management plan	Upton DPW/Board of Selectmen	1st Year
7	Public Hearing to discuss water quality data of beach	Board of Health/Board of Selectmen	2nd Year
8	Develop and implement composting program	Board of Health	3rd Year
9	Coordinate & implement town beach clean-up program	Board of Health/Board of Selectmen	4th Year
10	Form citizen watch groups to identify polluters to waterways	Board of Health/Board of Selectmen	5th Year

D. Stormwater Management Program Summary (Cont.)

3. Illicit Discharge Detection and Elimination:

BMP ID #		
11		
Develop stormwater system map	Upton Highway Dept.	1st Year
12		
Identify illicit discharges	Upton Highway Dept.	2nd Year
13		
Commence with elimination of identified illicit discharges	Upton Highway Dept.	3rd & 4th Year
14		
Review & implement ordinances	Board of Selectmen	4th Year
15		
Develop employee training program to identify discharges	Upton Highway Dept.	5th Year

4. Construction Site Runoff Control:

BMP ID #		
16		
Develop procedures to inform public of upcoming projects	Planning Board/Conservation Commission	1st Year
17		
Develop & implement site plan review process for sites	Planning Board/Conservation Commission	2nd Year
18		
Develop & implement erosion & sediment control ordinances	Planning Board/Conservation Commission	3rd Year
19		
Develop construction inspection program	Planning Board/Conservation Commission	4th Year
20		
Implement construction inspection program with fines	Planning Board/Conservation Commission	5th Year

D. Stormwater Management Program Summary (Cont.)

5. Post Construction Runoff Control:

BMP ID #		
21		
Review existing non-structural BMPs	Conservation Commission/Planning Board	1st Year (Specify Measurable Goal)
22		
Review existing structural BMPs	Conservation Commission (Responsible Dept./Person Name)	2nd Year (Specify Measurable Goal)
23		
Require O&M manuals for newly installed BMPs	Conservation Commission (Responsible Dept./Person Name)	3rd Year (Specify Measurable Goal)
24		
Develop inspection program of newly installed BMPs	Conservation Commission/DPW	4th Year (Specify Measurable Goal)
25		
Conduct inspections of BMPs within 1st year of operation	Conservation Commission/DPW	5th Year (Specify Measurable Goal)

6. Municipal Good Housekeeping:

BMP ID #		
26		
Inspection of town owned sand/salt storage areas	Upton Highway Dept. (Responsible Dept./Person Name)	1st Year (Specify Measurable Goal)
27		
Review snow removal & street sweeping procedures	Upton Highway Dept. (Responsible Dept./Person Name)	2nd Year (Specify Measurable Goal)
28		
Develop & implement maintenance schedules-BMPs	Upton Highway Dept. (Responsible Dept./Person Name)	3rd Year (Specify Measurable Goal)
29		
Develop & implement employee training program	Upton Highway Dept. (Responsible Dept./Person Name)	4th Year (Specify Measurable Goal)
30		
Review & update Town's recycling programs	DPW/Board of Health/Board of Selectmen	5th Year (Specify Measurable Goal)

D. Stormwater Management Program Summary (cont.)

7. BMPs for Meeting TMDL:

BMP ID #
See Narrative A
Specify Best Management Practice | Responsible Dept./Person Name | Specify Measurable Goal

BMP ID #
Specify Best Management Practice | Responsible Dept./Person Name | Specify Measurable Goal

BMP ID #
Specify Best Management Practice | Responsible Dept./Person Name | Specify Measurable Goal

BMP ID #
Specify Best Management Practice | Responsible Dept./Person Name | Specify Measurable Goal

BMP ID #
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.

Joan E. Shanahan
Printed Name

Joan E. Shanahan
Signature

July 31, 2003
Date

Narrative A
Notice of Intent
Stormwater Management Plan
Town of Upton

Portions of the Town of Upton has been identified as an urbanized area and therefore must comply with the requirements of the U.S. Environmental Protection Agency's (EPA) Stormwater Management Phase II program. The locations identified as urbanized areas is presented in Attachment A. The Town is proposing to develop a stormwater management plan as outlined in the attached Notice of Intent and herein in order to fulfill the requirements of the National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater General Permit.

As outlined in the regulations, the Town must meet the eligibility criteria for "listed species" and critical habitat and historical properties. As shown on Figure No. 1 in Attachment B, portions of the Town's roadways and drainage infrastructure are located within designated "listed species" and critical habitat areas. Upon completion of the Town's stormwater drainage map, which is currently ongoing, the Massachusetts Division of Fisheries and Wildlife will be contacted to determine if the Town is eligible under Criterion B listed in the regulations.

Based upon review of the Natural Register of Historic Places on the National Park Service website, there are two listings for the Town of Upton. The listings are the Upton Town Hall, which is located at One Main Street, and the Knowlton Hat Factory, which is located at 134 Main Street. Since it is not anticipated that the existing stormwater discharges will negatively affects these historical places, as the drainage will not affect the buildings along Main Street. Therefore, the eligibility criteria for protection of historic properties has been met.

Since the development of the drainage system map in ongoing at this time, the number of outfalls to each receiving water body listed on Part C of the Notice of Intent within the urbanized areas cannot be assessed at this time. As a conservative approach, all water bodies within the urbanized areas are listed on the Notice of Intent as possible receiving water bodies. Upon completion of the mapping component of the stormwater management plan, the number of outfalls to each respective receiving water body will be identified and located on the stormwater drainage map. Although the West River listed on Part C of the Notice of Intent are listed on the Massachusetts 303 (d) Impaired List of Waters requiring a Total Maximum Daily Load (TMDL), it is unknown at this time if the stormwater is discharged into this water body. As such, the Best Management Practices (BMPs) for meeting the TMDL goals will be evaluated upon the completion of the drainage mapping. Additionally, it should be noted that Pratt Pond, Lake Wildwood and Mill Pond were listed as category 4C waters, which means they are impaired due to the presence of exotic species that is not caused by pollutants.

It should be noted that the Massachusetts Highway Department is also a regulated MS4 within the municipal boundaries. The area under the jurisdiction of the MHD is Route

140. As such, the Town intends to coordinate with the MHD prior to the implementation of the selected BMPs to avoid redundancy.

Stormwater Management Plan

The Town is proposing to develop a stormwater management plan that is comprised of the minimum six control measures. The control measures are illicit discharge detection and elimination; public education and outreach; public participation; construction site runoff control; post construction runoff control; and pollution prevention/good housekeeping. The following provides an overview of the BMPs for each control measure the Town intends to implement.

Public Education

Within the first year of the permit, the Town intends to develop and distribute brochures and fact sheets to residents. The content of the factsheets will include lawn and garden activities, water conservation practices, proper disposal of hazardous waste and trash management. In addition, information will be advertised on the local community access channel. The second phase of the public education program will focus on local businesses. Within the second year of the permit, the Town will target local businesses in an effort to mitigate and control releases to the drainage system. Brochures will be developed to outline proper steps to take when handling materials such as oil, gasoline and grease. Garages will be provided brochures for distribution regarding handling procedures for oil, cleaning solvents and gasoline, while local food establishments will be provided information regarding food wastes and grease and their potential impact on the drainage system and receiving watershed. Within the third year, the Town will implement a program to install watershed signage to promote awareness of locations of the receiving water bodies. Within the fourth and fifth year of the permit period, the Town will develop and implement a household hazardous waste collection day to encourage the public to properly dispose of small quantities of hazardous materials. Also in the fifth year of the permit, the Town will develop an educational program and distribute the program to local schools to implement as part of a school curricula to promote public awareness of the impacts of stormwater discharges on water bodies for school-aged children.

Public Participation

The Town intends to hold a public hearing to discuss the goals of their stormwater management plan and the importance of protecting the stormwater collection system and receiving water bodies from illicit discharges and potential sources of contamination. Prior to holding the hearing, the Town will advertise in the local newspaper and on the community access channel to encourage the public to participate. Since water quality testing is completed each year at the Town's public beach, in the second year of the permit period, a public hearing will be held to discuss the results findings of the monitoring program and discuss methods to improve overall water quality of the beach. Residents will be encouraged to attend and offer suggestions to assist in protecting the

beach. Within the third year, the Town intends to develop and implement a composting program. It is anticipated that the Board of Health will implement this program by purchasing composting bins from a manufacturer and selling to interested residents at cost. In addition, brochures will be developed and distributed to the public in order to explain the importance of composting and good trash management practices. Within the fourth year of the permit period, the Town will coordinate and implement a community clean-up of the local beach. Residents will be encouraged to participate in this worthy project. If successful, a Town beach clean-up can be scheduled on an annual basis. Lastly, the Town will hold a public hearing to solicit residents to form a citizen's watch group to report any identified illegal discharges to water bodies or the stormwater collection system.

Illicit Discharge Detection and Elimination

The initial work associated with this measure is developing a storm sewer system map and identifying the location of all outfalls and names and locations of all waterways that receive discharges from the outfalls. The Town intends to complete this task within the first year of the permit period. Upon the development of the map, the Town will implement a program to identify illicit discharges to the collection system and water bodies. Within years three and four of the permit period, the Town will commence with the elimination of identified illicit discharges in an effort to improve the water quality of the receiving water bodies and mitigate potential public health threats due to the illicit discharges. Upon the completion of identifying the illicit discharges, brochures will be developed and distributed to residents to promote awareness of what illicit discharges are and how to report suspected activities to the Town. Within the fourth year, the Town will review any existing bylaws and ordinances that prohibit non-stormwater discharges into their stormwater systems and adopt any additional bylaws and regulations needed to further prohibit illicit discharges. Public hearings will be held prior to the adoption of these regulations. In the fifth year, a training program will be developed and implemented to assist Town employees with identifying illicit discharges.

Construction Site Runoff Control

In the first permit year, a procedure for informing the public of upcoming construction activities disturbing greater than one acre but less than five acres will be established. Additionally, residents will be able to attend public hearings held on such projects and discuss potential impacts to adjacent water bodies. In the second year, a site plan review process will be developed and implemented to ensure consistency with local sediment and erosion control requirements for applicable construction activities. Within the third year of the permit period, the Town will review existing regulations dealing with erosion and sediment controls and adopt additional bylaws and ordinances which outline best management practices, require the control of wastes such as discarded building materials, chemicals, litter and sanitary waste on construction sites that may negatively impact the water quality. In the fourth year, a construction inspection program will be developed for all construction activities within Town that disturb greater than one acre but less than five

acres. The inspection program may consist of an evaluation of the installation and efficiency of the BMPs selected, and compliance with any permit issued by the Town relative to construction site runoff. In the fifth year of the permit period, the above mentioned construction inspection program will be implemented, and fines will be assessed for violations. Town departments or agencies will be responsible for implementing the inspection program. In the event that numerous construction activities are ongoing, the sites will be prioritized, and sites that have a greater potential impact will be inspected by a representative of the Town prior to other construction sites. Additionally, the Town will encourage local residents through the use of the community access channel to report any suspected violations of local sediment and erosion control practices, complaints and concerns to designated Town departments or agencies.

Post Construction Stormwater Management

In the first year, a review of existing non-structural BMPs such as ordinances and bylaws currently in place will be completed to evaluate their effectiveness. If necessary, additional bylaws and/or ordinances will be adopted within the first and second year of the permit to improve post construction stormwater management for new development or redevelopment projects that disturb more than one acre of land but less than five acres. It is anticipated that this process will be developed by various Town departments and agencies including but not limited to the Upton Department of Public Works, the Upton Planning Board, the Upton Conservation Commission and the Upton Board of Health. Within the second year of the permit, a review of existing structural BMPs such as use of detention/retention basins, vegetative practices, infiltration units and sedimentation basins will be completed to evaluate their effectiveness. If necessary, additional structural BMPs will be identified and required for applicable construction activities during the review process to address post construction runoff to the extent allowable under all state or local laws. The Town will make every effort to meet the process outlined in the regulations. In the third year of the permit period, all project proponents of construction activities with structural BMPs will be required to provide the Town with an operation and maintenance manual on each selected BMP. The Town will catalogue each operation and maintenance manual provided and review for compliance with Town requirements. During the fourth year of the permit, an inspection program will be established to evaluate the conformance of the BMP required to the operation and maintenance manual and to evaluate the effectiveness of the newly installed BMP. The goal of this program is to inspect all new structural BMPs within the first year of operation in an effort to identify potential shortcomings and/or failures with the BMPs. Identifying deficiencies of newly installed BMPs may reduce or prevent potential pollutants from entering the receiving water bodies. Within the fifth year of the permit, the inspection program will be implemented by a representative of the Town for conformance to the operation and maintenance manual provided for each BMP.

Pollution Prevention/Good Housekeeping

In the first year, inspections of all municipal parking lots, maintenance yards, salt and storage areas and snow disposal areas will be conducted. Upon the inspections, recommendations will be made to reduce or eliminate the discharge of pollutants from these areas from entering the stormwater drainage system or adjacent water bodies. During the second year of the permit period, the Town will review their snow removal and street sweeping procedures and disposal practices and revise, if necessary, in an effort to prevent potential sources of pollution such as salt, sand and sediment from entering water bodies. In addition, restrictions will be established to eliminate the hauling and storage of treated snow in portions of the Town that may negatively impact surface water quality or drinking water supply sources. In the third year, a maintenance schedule for all existing structural BMPs will be developed. This schedule will outline the frequency of inspections, cleaning and general maintenance required to maintain the effectiveness of the structural BMPS used within the urbanized areas of Town. Within the fourth year of the permit period, a Town employee training program will be developed and implemented. The goal of the training program is to in an effort to increase awareness of potential sources of contamination to the stormwater collection system and the nearby receiving water bodies in the vicinity of municipal owned parcels such as wastewater treatment facilities, parking lots, maintenance yards and salt and storage areas. In conjunction with the public participation control measures, the training program will assist in identifying potential sources of pollutant runoff and outline prevention methodologies. Lastly, during the fifth year of the permit period, a review of the Town's existing recycling program and household hazardous waste collections will be evaluated to identify potential problems associated with the current programs. If necessary, the goals may be revised to improve the efficiency and effectiveness of the programs and increase public participation in these programs.

Measurable Goals

Since reports must be submitted on an annual basis during the first permit period, the Town will assess the effectiveness of the BMPs selected for each control measures for the given permit period. The effectiveness will be determined based on numerous factors such as fulfillment of the intended goal of the BMPs, ease of implementation, and cost effectiveness of each selected BMP. The Town department or agency responsible for the implementation of the BMP will summarize the advantages and disadvantages encountered with the selected BMP and recommend changes if the measures are not reducing potential contamination from entering the municipal collection system or receiving water bodies due to stormwater runoff. In addition, photographs of outfall locations identified during the development of the stormwater mapping will be taken in the beginning and end of each permit year in an effort to document the condition of the receiving water bodies. The photographs will be used as a tool in assessing the effectiveness of each applicable structural BMPs in meeting the goals to improve and protect water quality of receiving water bodies. The measurable goals and

implementation schedule for each selected BMPs are presented in the attached Time Frame form provided in Attachment C.