

NEPONSET RIVER WATERSHED ASSOCIATION

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October 28, 2005

Mr. Dave Ferris
MA Department of Environmental Protection
Division of Wastewater Management
One Winter St.
Boston, MA 02108

RE: PROPOSED REVISIONS TO 310 CMR 15.000, TITLE 5

Dear Mr. Ferris:

The Neponset River Watershed Association (NepRWA) is, in general, strongly supportive of the revisions that the Department proposes to make to Title 5. We appreciate your proposal to eliminate the current Title 5 rule mandating sewer hook-ups even in cases where new or upgraded septic systems can be installed in full compliance with Title 5 (310 CMR 15.004(3)). We believe, however, that you should go further, to specifically discourage extension of sewers into areas currently served by septic systems if, for example, a TMDL states that municipalities should allow such extensions only as a last resort. The Department's Total Maximum Daily Loads of Bacteria for the Neponset River Basin contains such a provision:

“Failing septic systems will be addressed through the local Boards of Health... Extending sewer systems into non-sewered areas should be the last resort for addressing failing systems, as it will result in reduced groundwater recharge and possibly a reduction in stream flows. Inadequate stream base flows are already considered to be a significant problem in some areas of the Neponset Basin.”

The Department could address this issue by rephrasing in 310 CMR 15.404(1)(e) to read:

“e) connection to a sewer system. *Such a connection may be used only as a last resort if so stated in a TMDL for the basin in which the nonconforming system is located.*”
(Recommended new language in italics)

We believe the Department should go even further and extend the recommended language to systems located in all high or medium stressed basins.

Finally, NepRWA is supportive of the Department's proposed provisions:

- giving Boards of Health and DEP greater authority and responsibility over certain aspects of septic design and enforcement (310 CMR 15.017(4)&(7), 15.019, 15.025(3), 15.102(2), 15.340(7)&(8));
- encouraging reuse of greywater systems (310 CMR 15.262(4)); and
- phasing out cesspools (310 CMR 15.303(3) and 15.304(5)).

Thank you very much for your consideration of these recommendations.

Sincerely yours,

Steve Pearlman
Water Resources Analyst

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