

Mr. Ian A. Bowles, Secretary
Executive Office of Energy and Environmental Affairs

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Mr. Ian A. Bowles, Secretary
Executive Office of Energy and Environmental Affairs
Attention: A. Eglington
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Town of Falmouth DCWMP/DEIR
Little Pond, Great Pond, Green Pond, Bournes Pond, Eel Pond, and
Waquoit Bay Watersheds
EOEA Number 14154

Dear Mr. Bowles:

Enclosed please find two (2) copies of the Town of Falmouth Draft Comprehensive Wastewater Management Plan and Draft Environmental Impact Report (DCWMP/DEIR) and Notice of Project Change (NPC). The NPC is attached to this document because there were evaluations completed that had not been specifically scoped in the Environmental Notification Form (ENF) Certificate dated January 30, 2008.

The Town of Falmouth has been deeply engaged in evaluating all options for wastewater planning for the Little Pond, Great Pond, Green Pond, Bournes Pond, Eel Pond, and Waquoit Bay Watersheds, also referenced as South Coast Watersheds, for almost three years (related planning commenced long before that). The Town is committed to dramatically changing the way we manage wastewater in Falmouth in order to achieve environmental goals including the restoration of our coastal ponds. This Draft CWMP/DEIR presents a recommended plan that will do so.

However, we must note that we have found our planning efforts almost impossibly constrained by three sets of competing regulatory requirements: 1) the TMDLs established under the Clean Water Act, 2) the new (promulgated this year) groundwater discharge regulations, and 3) the Ocean Sanctuaries Act.

We acknowledge that this submittal may seem a bit premature since we have yet to secure the wastewater treatment site proposed in our recommended plan, and because of the legal, policy and technical issues outlined below. However we believe that it is appropriate and in fact crucial

that we submit the plan at the current time and in this form, in order to initiate formal discussions with the state and advance our wastewater planning process in a timely and cost effective manner. This submission is a continuation of our ongoing outreach and education efforts and initiates a formal public dialogue with our citizens that will last well beyond receipt of your comments.

Legal, Policy and Technical Issues

- Through the TMDL process, nitrogen water quality thresholds for each of the coastal ponds have been set at levels that are only slightly above background levels. Our analysis has determined that in order to meet the TMDLs, we will need to sewer 100% or nearly 100% of the watersheds to each of the coastal ponds, treat wastewater using highly advanced technology, and distribute the recharge across multiple watersheds (or perhaps even recharge outside of the affected watersheds). To meet the TMDLs, our recommended plan involves (a) multiple phases of collection system construction focusing first upon the most densely developed areas but ultimately sewerage nearly 100% of each watershed, (b) membrane bioreactor treatment followed by granular activated carbon to achieve an effluent of less than 3 mg/L of total nitrogen, and (c) recharge wells for distribution of recharge across multiple watersheds (recharge wells also have the advantages of reduced land area footprint and controlled aquifer recharge).
- The State has indicated that it wishes to encourage reuse of treated water and groundwater recharge upgradient of water supplies, in order to limit impacts to surface water levels and to maintain water supply volume. Yet the new groundwater discharge regulations establish a Total Organic Carbon (TOC) limit of 3 mg/L for recharge within Zone II's and a TOC limit of 1 mg/L in case of "discharge to the saturated zone". The strict enforcement of a TOC limit of 1 mg/L for saturated zone discharge could drive us to the highest and most costly available treatment technology: reverse osmosis. If the new TOC limit of 1 mg/L is indeed enforced upon the Town's project, the construction and operating cost of the indicated level of treatment (reverse osmosis) leads some to conclude that discharge to the ground is no longer a feasible alternative.
- The Ocean Sanctuaries Act prohibits ocean outfalls unless there are no other feasible alternatives. Tertiary treatment followed by an ocean outfall would allow the Town to meet the TMDLs with a somewhat reduced (but still very substantial) sewer service area because it would allow discharge of the effluent nitrogen outside of the watersheds to the coastal ponds. An outfall would also of course free the Town from the TOC limits in the groundwater discharge regulations.

- ▶ The Recommended Plan outlined in this report is the Town's best effort to meet our wastewater management and environmental objectives, given all of the above-listed regulatory constraints. It appears that some flexibility may ultimately be required in one of the three regulatory areas described above (we propose that the flexibility be in terms of TOC limits for saturated zone recharge), in order that the other goals and requirements be met.

Phases 1 and 2 of our Recommended Plan: collection of wastewater from the peninsulas south of Route 28, treatment to less than 3 mg/L nitrogen (not to mention removal of other contaminants), and distributed recharge would be enormous positive steps for the Town to take. Implementation of these "first steps" alone would be the most expensive project this Town has undertaken, and would take at least 12 years to implement. We sincerely hope that a debate about the ultimate and complete solution to the Town's water quality challenges within the regulatory constraints above will not prevent the Town from taking the first major steps towards that solution in a timely manner.

Please contact me or Mary Pat Flynn, Chairman of our Board of Selectman, at 508- 495-7320 if you have any questions. If your staff have any questions or need for additional copies of this document have them contact our consultant Stearns & Wheler, LLC (attention Nathan C. Weeks, P.E. at nate.weeks@ghd.com or 508-362-5680 ext. 11).

We look forward to engaging with the regulators and the public during the public review and hearing process.

Sincerely,

Robert L. Whritenour, Jr.
Town Manager

Enclosure

cc: All individuals on the attached Distribution List

**COMPREHENSIVE WASTEWATER MANAGEMENT PLANNING PROJECT
SOUTH COAST WATERSHEDS
TOWN OF FALMOUTH, MASSACHUSETTS**

**MEPA Unit/Cape Cod Commission
Joint Review Process**

**Draft Comprehensive Wastewater Management Plan and Draft Environmental Impact
Report (DCWMP/DEIR) and Notice of Project Change (NPC)
Documents Distribution List**

The DCWMP/DEIR and NPC Document is very large, and distribution of the full 2-volume printed document to everyone on the distribution list may be a poor use of project budget and a waste of paper. Due to this concern we are sending the full 2-volume printed document to selected Town departments, libraries, and government agencies, and we are sending bound copies of the Executive Summary with a CD of the full document (ES set) to the groups and individuals that may not need the full 2-volume printed document. It is noted that the Executive Summary is very detailed (over 30 pages) with several figures and summary tables. Also the ES set contains a CD with electronic copy of the entire document. The full 2-volume printed document will be sent to anyone listed below if the ES set does not meet their needs.

The DCWMP/DEIR and NPC Documents have been sent to the following groups and individuals:

Secretary of Energy and Environmental Affairs
251 Causeway Street, Suite 900, 9th Floor
Boston, MA 02114
Attn: A. Eglinton
(2 copies of full set)

Cape Cod Commission
3225 Main Street
Barnstable, MA 02630
Attn: Andrea Adams
(2 copies of full set and 7 copies of ES set)

Massachusetts Department of
Environmental Protection
One Winter Street
Boston, MA 02108
Attn: R. Lyberger
(ES set)

MassDEP – Hyannis Office
973 Iyannough Road, Route 132
Hyannis, MA 02601
Attn: Brian Dudley
(Full set)

DEP/Southeastern Regional Office
20 Riverside Drive
Lakeville, MA 02347
Attn: Sharon Stone
(Full set)

Massachusetts Department of Conservation
& Recreation, ACEC Program
251 Causeway Street, Suite 700
Boston, MA 02114
Attn: Lisa G. Berry Engler
(ES set)

Environmental Notification Form Document Distribution List (continued)

Massachusetts Historical Commission
Archives Building
220 Morrissey Boulevard
Boston, MA 02125
(ES set)

Executive Office of Transportation
10 Park Plaza, Room 3510
Boston, MA 02116-3969
Attn: Environmental Reviewer
(ES set)

Coastal Zone Management
251 Causeway Street, Suite 800
Boston, MA 02202
Attn: R. Boeri
(ES set)

Coastal Zone Management
3195 Main Street, Route 6A
PO Box 220
Barnstable, MA 02630
Attn: Steve McKenna
(ES set)

USEPA New England Region I
One Congress Street
Suite 1100
Boston, MA 02114-2023
(ES set)

Natural Heritage and Endangered
Species Program
Commonwealth of Massachusetts
Route 135
Westborough, MA 01581
(ES set)

Department of Conservation and Recreation
Division of State Parks and Recreation
251 Causeway Street, Suite 600
Boston, MA 02114-2104
(ES set)

Massachusetts Highway Department
District #5
1000 County Street, Box 111
Taunton, MA 02780
Attn: MEPA Coordinator
(ES set)

Department of Public Health (DPH)
Director of Environmental Health
250 Washington Street
Boston, MA 02115
(ES set)

Vincent Malkoski
Division of Marine Fisheries
NRC Campus
838 South Rodney French Boulevard
New Bedford, MA 02744
(ES set)

Massachusetts Highway Department
Public/Private Development Unit
10 Park Plaza
Boston, MA 02116
(ES set)

Brian Howes, Ph.D. of SMAST
70 Summersea Road
Mashpee, MA 02649
(ES set)

Environmental Notification Form Document Distribution List (continued)

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16 Jan Sebastian Drive
Sandwich, MA 02563
Attn: David Mason, Health Agent
(Full set and ES set)

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971 South Outer Road
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142 Main Street
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102nd Intelligence Wing
158 Reilly Street, Box 9
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16 Great Neck Road North
Mashpee, MA 02649
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Environmental Readiness Center
Building 1204, West Inner Road
Camp Edwards, MA 02542
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5 Joy St
PO Box 657
Mashpee, MA 02649
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Executive Office of Energy and
Environmental Affairs
Environmental Management Commission
Building 1204
Camp Edwards, MA 02542-5003
Attn: Mark Begley, Executive Director
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Town of Bourne
24 Perry Avenue
Buzzards Bay, MA 02532
Attn: Thomas M. Guerino, Town Administrator
(Full set and ES set)

HQ AFCEE/MMR
322 East Inner Road
Otis ANG Base, MA 02542-5028
Attn: J. Davis, Remediation Program
Manager
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Town of Bourne Library
19 Sandwich Road
Bourne, MA 02532
Attn: Patrick Marshall
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US Army Corps of Engineers
N.E. District
696 Virginia Road
Concord, MA 01742-2751
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Environmental Notification Form Document Distribution List (continued)

Massachusetts Division of Fisheries & Wildlife
One Rabbit Hill Road
Westborough, MA 01581
Attn: Thomas W. French, Ph.D.
(ES set)

Department of Agricultural Resources
16 West Experiment Station
University of Massachusetts
Amherst, MA 01003
Attn: MEPA Coordinator
(ES set)

Matthew C. Patrick
Representative Third Barnstable District
24 Collins Road
P.O. Box 3252
Falmouth, MA 02536
(ES set)

The Coalition for Buzzards Bay
Nashawena Mills
620 Belleville Avenue
New Bedford, MA 02745
Attn: Korrin N. Petersen, Esq.
(ES set)

Waquoit Bay National Estuarine Research
Reserve, Massachusetts DCR
P.O. Box 3092
Waquoit, MA 02536
Attn: Brendan Annett
(ES set)

Town of Falmouth DPW
59 Town Hall Square
Falmouth, MA 02540
Attn: Jerry Potamis, P.E.
20 copies of full set with distribution to:

- Town Manager/BOS Office
- Health Agent/BOH Office
- Conservation Agent/Cons. Comm. Office
- Falmouth WWTF
- Falmouth DPW
- Falmouth Library
- Falmouth Planning Department
- Technical Advisory Group
- Falmouth Finance Committee

Town of Falmouth DPW
59 Town Hall Square
Falmouth, MA 02540
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Lombardo Associates, Inc.
49 Edge Hill Road
Newton, MA 02467
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