



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912**

VIA EMAIL

February 13, 2019

Heather Govern
Staff Attorney and Director, Clean Water
Conservation Law Foundation
62 Summer Street
Boston, MA 02210

Christopher Kilian
Vice President of Strategic Litigation
Conservation Law Foundation
15 East State Street, Suite 4
Montpelier, VT 05602

Dear Ms. Govern and Mr. Kilian:

Thank you for the Conservation Law Foundation's (CLF) comments on Notices of Intent (NOIs) submitted to the U.S. Environmental Protection Agency (EPA) Region 1 for coverage under the Massachusetts Small Municipal Separate Storm Sewer General Permit (MA Small MS4 General Permit). On December 14, 2018 we received your comments pertaining to the NOIs submitted by the following applicants: Town of Acton, Town of Agawam, Town of Belchertown, Town of Burlington, Town of Chatham, City of Chicopee, Town of Dracut, Town of Essex, City of Everett, City of Fall River, Town of Hadley, Town of Hanson, Town of Harwich, Town of Hudson, Town of Natick, City of Newburyport, Town of Norfolk, Town of North Andover, City of Northampton, City of Peabody, Town of Plainville, Town of Plymouth, Town of Scituate, Town of Sudbury, Town of Sutton, City of Taunton, Town of Tewksbury, Town of Tyngsborough, Town of Wellesley, City of Westfield, and Town of Wilmington.

CLF's comments are comments on the MA Small MS4 General Permit itself rather than on the NOIs. Because CLF has appealed the permit and is engaged in mediation, it is EPA's view that the mediation is the proper forum for continuing to discuss CLF's concerns regarding the permit.

Please contact me at murphy.thelma@epa.gov or at (617) 918-1615 or Erin Flannery-Keith in the EPA Region 1 Office of Regional Counsel at Flannery-keith.erin@epa.gov or (617) 918-1096 with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Thelma Murphy". The signature is fluid and cursive, with a long horizontal flourish extending from the end of the name.

Thelma Murphy, Chief
Stormwater and Construction Permits Section
Office of Ecosystem Protection

cc: Kate R. Bowers and Sarah Buckley, U.S. Department of Justice, Environment and
Natural Resources Division
Lealdon Langley, Massachusetts Department of Environmental Protection