

Received
8/16/13

Town of Hinsdale

39 South Street
Hinsdale, MA 01235

*Office of the
Select Board*



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August 8, 2013

Thelma Murphy
Stormwater Coordinator – Region 1
US Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, MA 02109-3912

RE: Request for Waiver for Town of Hinsdale, MA
Municipal Separate Stormwater System (MS4) Permitting Requirements

Dear Ms. Murphy:

The purpose of this letter is to request that the Town of Hinsdale, MA be granted a waiver pursuant to 40 CFR 122.32 (d) from the requirement to obtain coverage under a National Pollutant Discharge Elimination System permit for the MS4 that we own and maintain in the Urbanized Area (UA) of Pittsfield, MA.

The Town of Hinsdale is a small, rural community with a diffuse population of 1928 that is not expected to grow significantly (<500 persons by 2030 as estimated by the Berkshire Regional Planning Commission, based on the US Census). Only 327 residents live within the small section of town covered by the UA. Most of the UA lies along State Rt. 8. The properties in this area are connected to the sewer system of Pittsfield and the development in the corridor is commercial/residential. There are no industrial land uses in the UA. Most drainage in Hinsdale is associated with the state highway, which is under NPDES jurisdiction as well. Some municipal storm drains are connected to the state highway system, but these storm drains discharge to the East Branch Housatonic River near their collection points and are not physically interconnected with any other regulated MS4.

We believe that Hinsdale qualifies for the waiver due to the following circumstances:

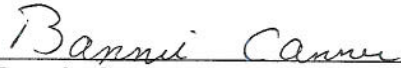
- The population of the UA lies below the 1,000 threshold and will not likely reach that threshold in 30 years;
- The Hinsdale storm sewer system is not physically interconnected with the storm sewers in any other regulated MS4; and
- Water quality sampling done by the Housatonic Valley Association (pursuant to an EPA and DEP-approved Quality Assurance Project Plan) indicates elevated levels of fecal coliform, nitrate-nitrogen and

phosphorous, however, these pollutants may be from natural sources and none are listed as a cause of 'Impairment' on the East Branch of the Housatonic River.

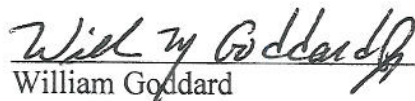
The East Branch of the Housatonic River is the only waterway in Hinsdale that lies within the UA. At this time, there are no Total Maximum Daily Loads established for the East Branch and there are no known sources of priority organics, the only cause of "Impairment" for this stretch of the river.

We look forward to hearing a response from your office on this matter. If you have any questions regarding this waiver request, please call the Select Board at (413) 655-2245.

Sincerely,


Bonnie Conner


Bruce Marshall


William Goddard

cc: Ginny Scarlet
Phase II Storm Water Coordinator
Massachusetts DEP
Division of Watershed Management
627 Main Street, 2nd Floor
Worcester, MA 01608