From:	Ken Kalinowski
To:	Lewis, Evan
Cc:	Paula Terrasi; Joe Jordan
Subject:	RE: Small MS4 NOI submission - additional or corrected information required
Date:	Wednesday, April 10, 2019 5:14:39 PM
Attachments:	Andrew MacLean signature NOI.pdf Pepperell Receiving Waters.pdf

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Evan,
I am just checking in as we are planning the completion of the annual report and I do not see Pepperell's NOI listed on the EPA website. I am also (re)submitting the info you requested below.

1. See attached list of receiving waters.
2. ESA present in our urbanized area. In Pepperell, the Northern Long-eared Bat is the only Federally Listed Endangered and Threatened Species, but it is not located within the urbanized area.
3. Since filing the NOI last year, the Town has appointed Andrew MacLean as the Town Administrator. I have attached an updated signature page for the NOI. Please let me know if you need the NOI resubmitted electronically with his name & title listed.

Please let me know if you require anything further.
Regards,
Ken

Kenneth Kalinowski, PE
Town Engineer / Director of Public Works

Pepperell Town Hall
1 Main Street
Pepperell, MA 01463

(978) 433-0327 (o)
(978) 877-0084 (c)
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-----Original Message-----
From: Lewis, Evan [mailto:lewis.evan@epa.gov]
Sent: Tuesday, December 18, 2018 12:35 PM
To: Ken Kalinowski <KKalinowski@town.pepperell.ma.us>
Subject: RE: Small MS4 NOI submission - additional or corrected information required

Mr. Kalinowski,

Thank you for your email. We still need a few items to complete the review of your NOI.

1. Please provide an estimate of which receiving waters receive flow from your MS4 and if they are impaired. Since you are a new permittee this can be a list of waters in your urbanized area that you refine during SWWMP development

2. Please provide a list of the ESA listed species present in your urbanized area

3. Appendix B, subsection B.11.B refers to other documents requiring a signature after authorization is granted (this subsection does not apply to the NOI). You need to have your town administrator (or other ranking elected official) sign the NOI document in accordance with Appendix B, subsection B.11.A and please send the original to my attention once completed

Please send the materials back to me at lewis.evan@epa.gov. If you have any questions, please call Newt Tedder at 617-918-1038.

Sincerely,

Evan Lewis
Environmental Engineer
USEPA-New England Region 1
5 Post Office Square, Suite 100, OEP06-4 Boston, MA 02109-3912 Tel 617-918-1543

-----Original Message-----
From: Ken Kalinowski <KKalinowski@town.pepperell.ma.us>
Sent: Wednesday, December 05, 2018 1:29 PM
To: Lewis, Evan <lewis.evan@epa.gov>
Cc: Reports Stormwater <Stormwater.Reports@epa.gov>
Subject: RE: Small MS4 NOI submission - additional or corrected information required

Mr. Lewis,

In response to your requests for additional information regarding the Town of Pepperell's MS4 NOI, I offer the following.

1. 2003 Information: this is not required since Pepperell is a new permittee. The NOI form that the Town submitted has a check box to indicate whether the Town was covered under the 2003 permit and the box is not checked.
2. ESA Eligibility: the NOI form does not ask for a statement that our planned discharge activities will not adversely affect the endangered species present. If the Town checks "Yes" that an ESA determination was completed and indicates the criterion, then no further information should be required.
3. Receiving Waters: An outfall map is not required at this time, therefore, the Town cannot identify the receiving waters. The NOI form indicated the estimated number of outfalls, but the remaining information cannot be completed at this time. The same applies for the impairments for each waterbody and the number of outfalls to each waterbody.
4. TMDLs: there are no approved TMDLs for waterbodies in Pepperell. The Nashua River Nutrient TMDL is not final.
5. Based on conversations with EPA and DEP, there appears to be some confusion as to what constitutes an acceptable signatory authority. Appendix B, subsection B.11 references signature by a duly authorized representative, but this is a bit confusing for the NOI submission since another part of this subsection discusses how a duly authorized representative can submit a new NOI if there is a change in authorization. However, it appears that subsequent annual reports and other submittals can be signed by the authorized representative. I believe it is worth clarifying these requirements regarding the duly authorized representative. To that end, I have attached a duly executed Delegation of Authority to me from the Town Administrator to determine if further action is required.

I hope this addresses your questions and concerns, please let me know if you require any further clarification or assistance.
Regards,

Kenneth Kalinowski, PE
Town Engineer / Director of Public Works

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1 Main Street
Pepperell, MA 01463

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(978) 877-0084 (c)
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-----Original Message-----
From: Lewis, Evan [mailto:lewis.evan@epa.gov]
Sent: Tuesday, November 13, 2018 11:27 AM
To: Ken Kalinowski <KKalinowski@town.pepperell.ma.us>
Cc: Reports Stormwater <Stormwater.Reports@epa.gov>
Subject: Small MS4 NOI submission - additional or corrected information required

To whom it may concern,

EPA requires additional or corrected information to receive a complete NOI submission for your MS4 and continue the review process. Please respond to this email with the requested details in the attached report. You do not need to resubmit your entire NOI form. Please respond with the requested information as soon as you can. If the additional information is not received within 30 days of the date on this email EPA may initiate the process to deny your NOI, unless additional time is granted by EPA for such submission.

Sincerely,
Evan Lewis
Environmental Engineer
U.S. Environmental Protection Agency
5 Post Office Square (OEP06-4)
Boston, MA 02109
Tel: 617-918-1543
Email: lewis.evan@epa.gov