UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

5 POST OFFICE SQUARE – SUITE 100

BOSTON, MASSACHUSETTS 02109-3912

Certified Mail – Return Receipt Requested

February 4, 2014

Mr. Dean Lessard, P.E.
Director of Public Works
York Town Hall
186 York Street
York, ME 03909

Re: **York Water Quality Data**

The purpose of this letter is to provide the Town of York, Maine (the "Town") with the results of surface water quality samples recently collected in the Town by personnel of the United States Environmental Protection Agency ("EPA"). Several of the samples indicate an exceedance of Maine water quality standards for enterococci bacteria and require your attention.

As part of an EPA effort to investigate storm water in the vicinity of bathing beaches throughout New England, EPA identified several Municipal Separate Storm Sewer System ("MS4") outfalls that discharge to beaches during dry and/or wet weather in the Town. On September 4, 2012 and May 29, 2013, EPA personnel collected surface water quality samples from MS4 outfalls located along Short Sands Beach, Long Sands Beach, and from the Cape Neddick River (9/4/2012 only) in accordance with an EPA-approved Quality Assurance Project Plan. These samples were analyzed and the resulting data, summarized in Attachment 1, demonstrate that the Town is discharging stormwater mixed with non-stormwater containing E. coli and enterococcus bacteria through its MS4 into the Atlantic Ocean. The discharges were also analyzed for, and found to contain, selected pharmaceutical compounds, namely at locations identified in Attachment 1 as LS03, LS04, LSR01, and SS01. The presence of the specific pharmaceutical compounds in these samples provides evidence that the sources of the bacterial water quality exceedances are of human origin and due to the presence of sanitary sewage.

While it is the responsibility of the Town to maintain compliance with water quality standards, it is in the interest of all parties to address these discharges as soon as possible. To this end, EPA may be able to offer limited technical and analytical support to the

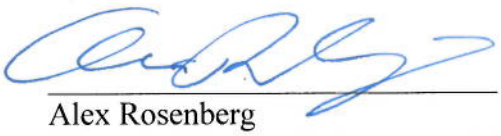
Town to expedite this process. Please contact EPA at your earliest convenience to discuss these findings and proposed next steps.

This letter may not specify all violations of the CWA or violations of other environmental requirements that may exist in the Town. This letter does not preclude the EPA or any other agency from commencing any enforcement action regarding any such violations. It is your responsibility to comply with all legal requirements, whether or not the EPA notifies you of any violations or takes enforcement action against you. Nothing in this letter relieves you of other obligations under applicable federal, state, and local law. Failure to comply with the CWA may result in your liability for administrative, civil, or criminal penalties under Section 309(c), (d), or (g) of the CWA, 33 U.S.C. § 1319(c), (d), or (g), as modified by 40 C.F.R. Part 19. No provision of this Notice and no action or inaction by EPA shall be construed to constitute an assurance by the EPA that actions you take to address the violation(s) specified herein will result in compliance.

Please refer any questions regarding this letter to:

U.S. Environmental Protection Agency, Region 1
5 Post Office Square
Mail Code: EIA
North Chelmsford, MA 01863
Attn: Erin Trainor
(617) 918-8382

Sincerely,



Alex Rosenberg
Office of Environmental Stewardship
Environmental Protection Agency, Region 1

Enclosure – Attachment 1, York Water Quality Data

cc: Pamela Parker, MEDEP (electronic mail only)
Leslie Hinz, Stormwater Manager, Town of York, ME (electronic mail only)
Adam Hartwig, Local Public Health Liason, Division of Local Public Heath, York-Unit 1

Table 1: EPA New England Stormwater Outfall Inspection & Sampling Summary - York, ME

Location				Sampling Data												Coordinates		YSI Meter		
				Bacteria (MPN/100ml)		Pharmacuetical and Personal Care Products (ng/L)							Field Test Kits (mg/L)					Salinity	Temp	Conductivity
Date	Town	Site Name	Time	E.coli	Entero	Atenolol	Acetaminophen	Cotinine	1,7-Dimethylxanthine	Caffeine	Metoprolol	Carbamazepine	Surfactant	Cl_2	NH_3	GPS North(+)	GPS West (-)	ppt	C	uS
9/4/12	York, ME	CNR-13	8:10	96	160	ND	ND	0.58	ND	ND	ND	ND	NA	NA	NA	43.1934464907793 N	70.615567201769 W	26.3	17	40.89 (mS)
9/4/12	York, ME	SS01	8:30	16	ND	ND	ND	3.3	ND	20	ND	3.5	NA	NA	NA	43.1759059320139 N	70.6085451699441 W	3.2	20.3	5.92 (mS)
9/4/12	York, ME	SS01A	8:55	ND	ND	ND	48	2.8	4.9	16	ND	0.79	NA	NA	NA	43.1758379307235 N	70.6113456006386 W	0.1	17.6	139.9
9/4/12	York, ME	SS01-2	11:10	2,190	2,035	ND	62	ND	140	11000	2	0.59	NA	NA	NA	43.1759059320139 N	70.6085451699441 W	1.8	19.4	3427
9/4/12	York, ME	LR01	10:00	744	121	ND	ND	2.8	ND	3.7~	ND	7.4	NA	NA	NA	43.1758379307235 N	70.6113456006386 W	0.1	19.5	277.8
9/4/12	York, ME	LSR01	10:15	3,080	1354~	ND	110	500	120	3000	ND	ND	NA	NA	NA	43.1522252060135 N	70.6242635976591 W	2.3	19.4	4481
9/4/12	York, ME	LS01	10:20	362	185	ND	1.4~	6.6	0.69~	260	ND	0.24~	NA	NA	NA	43.1544155648125 N	70.6233756273515 W	1.2	18.2	2214
9/4/12	York, ME	LS04	10:45	2,452	2,755	2.6~	72	690	310	19000	ND	ND	NA	NA	NA	43.1651189592212 N	70.6170901253628 W	0.1	20.9	117.3
9/4/12	York, ME	LS03	11:30	6,212	5,475	ND	41	120	36	980	ND	ND	NA	NA	NA	43.1681918975235 N	70.6124810264161 W	0.1	19.8	238.1
5/29/13	York, ME	SS01	8:30	160	63	ND	3.6	9.2	8*	380	ND	1.1	0.2	0.02	0	43.17605679 N	70.60872532 W	0.3	12.8	625
5/29/13	York, ME	SS01A	8:45	49	10	ND	3.6	0.89	3.4*	7.6*	ND	1.2	0.2	0.01	0	43.1758591 N	70.61131543 W	0.1	12.6	221.9
5/29/13	York, ME	SS01B	9:15	34	10	ND	4.8	0.64	1.8*	11*	ND	1.4	0.15	0	0.25	43.17652488 N	70.61205247 W	0.1	12.6	219.5
5/29/13	York, ME	SS01C	9:30	44	ND	ND	ND	0.88	4.2*	14*	ND	1.6	0.2	NA	0.1	43.17709084 N	70.61331325 W	0.1	12.6	203
5/29/13	York, ME	LS03	10:00	22,470	1,019	ND	2.1	1.7	2.3*	18*	ND	ND	0.25	0	0.25	43.16822303 N	70.61252298 W	0.2	12.6	374.4
5/29/13	York, ME	MHB04	10:25	394	10	ND	ND	1.3	ND	8.4*	ND	ND	0.2	0.01	0.1	43.1650857 N	70.61714272 W	0.2	12.4	431
5/29/13	York, ME	LS04	10:35	587	259	ND	24	58	63	1600	ND	ND	0.6	0.04	0.2	43.16396263 N	70.61854616 W	0	15.1	60.6
5/29/13	York, ME	LS02	10:50	69	ND	ND	ND	0.66	2.4*	4.4*	ND	ND	0.2	0	0	43.16157841 N	70.62021881 W	0.1	13	309.5
5/29/13	York, ME	LS05	11:05	122	31	ND	ND	1	1.5*	9.4*	ND	11	0.2	0.02	0.1	43.15970192 N	70.62115498 W	0.1	13.7	202
5/29/13	York, ME	LS01	11:15	162	10	ND	ND	0.53	ND	16*	ND	ND	0.2	0.02	0	43.15440719 N	70.62337826 W	0.2	12.2	474
5/29/13	York, ME	LSR01	11:40	2,908	554	ND	25	35	11	180	ND	ND	0.75	0.12	0	43.15222774 N	70.62426748 W	0.5	13.1	1305
5/29/13	York, ME	LR01	12:05	174	41	ND	ND	0.5	2.1*	5.7*	ND	2.7	0.1	0.02	0	43.14983502 N	70.6250598 W	0.2	13.4	394

E. coli - color key: Red ≥ 10,000 col/100ml, Orange ≥ 1260 col/100ml, Yellow ≥ 236 col/100ml, Black < 236 col/100ml
Entero - color key: Red ≥ 1000 col/100ml, Orange ≥ 350 Yellow ≥ 54 col/100ml, Black <54 col/100ml
NH3 - color key: Red ≥ 6 mg/L, Orange ≥ 0.5 mg/L, Yellow ≥ 0.0 mg/L
Surfactants - color key: Red ≥ 1.0 mg/L, Orange ≥ 0.5 mg/L, Yellow ≥ 0.25 mg/L, Black < 0.25 mg/L *** may give false positive at salinity greater than 1 ppt
PPCP color key: Pink = Concentrations greater than background
Cl2 - color key: Red ≥ 1.0 mg/L, Orange ≥ 0.3 mg/L, Yellow ≥ 0.02 mg/L, Black < 0.02 mg/L

REPORTING LIMITS
Ammonia = 0.1 mg/L
Chlorine = 0.01 mg/L
Surfactants = 0.1 mg/L
Refer to Table 2 for laboratory reporting limits

ND – not detected above the associated detection limit
NA – not applicable (analyte not tested for at that site at this time)
(~) – data reported as estimate
(*) – Compound detected in sample at less than 3 times the value detected in the laboratory balnk

EPA notes while there are currently no numerical standards to compare pharmaceutical results against, it is EPA's experience that acetaminophen is the single best bacterial source tracking compound of those listed above, and any detection of this compound may indicate a source of sanitary sewage. With respect to all of the above compounds, when a sanitary sewage source is present, depending on the type of source, distance from the sample location, and the strength of the source, concentrations of these compounds may range from the low ng/l range up to thousands of ng/l. EPA technical staff can provide a more complete explanation of each particular set of results.