



Town of York

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Department
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York Village Fire
Department
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CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Alex Rosenberg
Compliance and Enforcement Officer
Office of Environmental Stewardship
USEPA Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

March 6, 2015

Subject: Response to January 22, 2015 EPA Letter to Town of York regarding Continued MS4 Investigations along Long Sands Beach and Short Sands Beach

Hi Alex,

Thank you for your January 22, 2015 comments on our continued investigations in the Long Sands and Short Sands Beach areas. This letter responds to your requests and updates you on the activities completed since our last letter dated October 27, 2014.

We have attached several documents in part to respond to the requests you made as described below:

- Four maps are attached showing our current understanding of the infrastructure in each of the five areas under investigation. As you know, the Town is newly regulated by the General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). As such, we are implementing a systematic approach to complete the mapping in the manner and timeframe required by the Permit. These areas have received priority for mapping and we anticipate field confirmation of the connections once the snow melts. Specific dates for mapping completion for each area are shown in the attached Illicit Discharge Detection and Elimination (IDDE) Tracking Spreadsheet.
- A copy of our most recent IDDE Tracking Spreadsheet is attached which summarizes the plans and schedules for investigations in each area, including a summary of the work completed to date. We plan to initiate field investigations as soon as the snow melt allows us access to structures. Please note that the beach area populations are seasonal, and so we plan to conduct our most intensive field investigations during summer months when illicit discharges are likely to be highest.
- A spreadsheet that correlates your sample numbers and locations with our MS4 naming system is attached. As we are responsible for MS4 system mapping, we feel it would be best to use our own system to name

outfalls and catch basins. We also identified a few discrepancies with the sampling locations and results you provided to us in September, and have noted them on the spreadsheet that correlates your name with our MS4 naming system. The IDDE Tracking spreadsheet has both naming systems to facilitate review.

The remainder of this letter provides responses to the other items noted in your letter.

Optical Brightener Monitoring and use of EPA Draft Bacteria Source Tracking Protocol: We understand the EPA's concerns related to use of Optical Brightener Monitoring Traps, and are aware of the limitations of the devices but this does not mean we should avoid this field technique completely. Other communities (Gloucester and Ipswich, Massachusetts) and Oregon Department of Environmental Quality have had a good track record in the past using these devices in residential areas. The Town of York plans to use the traps in residential areas in conjunction with visual monitoring of the system and other field and laboratory analytical techniques as described in the attached IDDE Tracking Spreadsheet. We do plan to use the techniques described in your Draft 2012 New England Bacteria Source Tracking Protocol to the extent it applies to our sites. For example, we do not plan to do field assessments for dissolved oxygen and chlorine at our sites, because we are investigating areas that are known to have high bacteria counts; and we hope to find a local laboratory to conduct the acetaminophen analyses, but if we cannot, we may eliminate that component from our program. Note that the Town generally does not make it a practice to use draft procedures; could you provide an update on when this document might be finalized?

Septic System Suspect Issues: We indicated in our October letter to you that we would cross reference septic systems in the areas of "OSA1, LS03, SS01-PL, and SS01-SS" with the pumping database we developed to track compliance with our Supplemental Plumbing Ordinance and would follow up with any suspect issues (these locations refer to York IDs OS102, LBO18, YB201, and SS01-SS). You requested a statement as to what the Town would consider a suspect septic system issue.

The Town would consider a suspect issue one of the following: any parcels that have not yet pumped their septic systems in accordance with the Ordinance, any parcels that have pumped twice or more in a 90 day period, or any parcels that have septic systems that are older than 25 years. In order to determine which parcels are associated with one or more these suspect septic system condition, the Town has listed out several action items that will be completed for each catchment area. The following provides some additional detail on the specifics of the Ordinance requirement and the recent enforcement actions conducted.

The Town's Supplemental Plumbing Ordinance requires that owners of properties with septic systems pump their septic tanks:

- at least once every five years if the system serves a property with more than two people,
- at least once every 10 years if the system serves a property with two or fewer people, and
- annually if the systems serves a property that is rented out on a weekly basis.

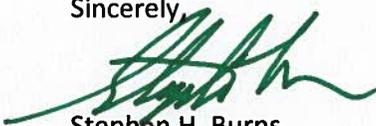
The septic system pumpers in town are required to submit a monthly report to the town with the name, street address, number of gallons pumped and location where the septage was taken. This Ordinance has been in effect in Town for more than five years, and the Town has been issuing letters to property owners who have not had their septic tanks pumped in accordance with the five year requirement. The Town is in the process of reviewing which properties are rented out on a weekly basis within each catchment area to ensure enforcement is being conducted on those properties. The Town is also working with the Sewer District to ensure that the Town has a current listing of who is on septic and who discharges to the sanitary sewer. Finally, the Town intends to review those properties that have been notified of non-compliance, pull the septic system designs from the town files, map the septic system designs associated with each catchment, and review the age of the septic system to assess if the systems are aged. Details of the timing for completing this work are provided in the attached IDDE Tracking Spreadsheet.

EPA comments on "LS04" (LBO12) and "LS03" (LBO18): These outfalls do receive contributions from wetland areas in addition to runoff from streets via catch basins. We do plan to assess these areas for bacteria contributions from human sources in addition to assessing the contributions from the wetland areas. We inadvertently omitted this component for the LBO12 area from our October response to you. The attached spreadsheet outlines our approach in detail.

EPA comments on "Northern Box Culvert" of Short Sands Beach: We have added a field inspection and sampling component to assess for dry weather flow contributions from Main Street.

In conclusion, the Town of York is committed to ensuring our waters are fishable and swimmable in accordance with the Clean Water Act. We are working diligently to fulfill the requirements of our MS4 General Permit. We want to thank you again for your assistance in our illicit discharge investigations. If you have any questions regarding this letter or its contents, please contact Leslie Hinz at 207-363-1002 or me at 207-363-1000.

Sincerely,



Stephen H. Burns
Town Manager

**cc: York Board of Selectmen
York Budget Committee
York Planning Board
York Conservation Commission
Leslie Hinz, York Stormwater Manager
Dean Lessard, York Public Works Director
David Ladd, Maine DEP Stormwater Coordinator
Stephen Jones, UNH
Kristie Rabasca, Integrated Environmental Engineering, Inc.
Erin Trainor, EPA
Denny Dart, EPA**

**Attachments: Maps showing infrastructure in areas of investigation
Spreadsheet correlating EPA identification numbers with Town of York
Identification numbers
Illicit Discharge Tracking and Elimination Spreadsheet showing current
plans for subsequent investigations and work completed to date.**