



America's Small Town Capital

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February 25, 2016

David Deen, Chair
Vermont State House
House Fish, Wildlife and Water Resources Committee
115 State Street
Montpelier, Vermont 05633-0531

RE: H. 674

Dear Chairman Deen,

This letter is submitted to offer our comments and to express our concerns regarding the Act relating to public notice of waste water discharges. As one of the State's historic communities with many original combined storm sewer systems still in use equipped with combined sewer overflow (CSO) protection, we have a vested interest in all regulations affecting these vitally important systems.

Through cooperative and collaborative efforts with our partners in the Agency of Natural Resources, Montpelier has undertaken a multitude of water quality initiatives beginning in the 1960s, including an 11 year storm sewer separation program that will continue this year. We are committed to making further water quality improvements as a matter of operational best management practices. To date we have reduced the number of active CSO structures from 25 to 6 and continue to make progress in reducing the frequency and volume of overflows at the remaining structures.

We recognize that Montpelier is located within the Lake Champlain basin and situated at the convergence of two rivers that we embrace as important assets for our residents, Vermonters and our visitors. Our significant investment to date demonstrates our sincere desire to improve water quality but we also must remain realistic about any measures that may not be immediately achievable and when sufficient resources do not exist at the local level to implement them. As Karen Horn of VLCT pointed out in her letter to you dated February 23rd, ANR is gathering comments on their updated CSO policy. We are actively engaged in this process and therefore must question the purpose and intent of H. 674.

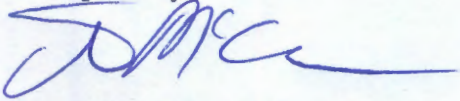
H.674 outlines a requirement for wastewater treatment facility operators to report an overflow within 15 minutes of discovery. We question the public benefit of requiring a 15 minute notification period vs. a 4 hour period or a more immediately achievable 24 hour notification period. We feel strongly that funding is best spent on mitigating the CSO issue, not on costly equipment from which only a small portion of the public will utilize information from. Automated monitoring and reporting systems seem to be the only practical means to accomplish this proposed 15 minute rule. Most if not all of us without automated systems will find ourselves in violation in spite of our best efforts and intention to comply with water

quality regulations. We ask the Committee to consider whether the ultimate objective of H.674 is to compel the premature installation of automated monitoring and reporting. In Montpelier, these systems will be extremely costly in part because the majority of the CSO structures are located within a highway.

We recommend no action be taken on the bill allowing the draft CSO policy review and comment process to run its course and for the entire policy to be adopted as a single document. Ultimately, the reduction of CSO incidence will have a more signification impact on improving the water quality in Lake Champlain, a goal that we fully support.

Thank you for considering these comments.

Respectfully,



Thomas J. McArdle
Director of Public Works

C: Hon. John Hollar, Mayor
William J. Fraser, City Manager
Kurt Motyka, P.E., Assistant Director / City Engineer
Chris Cox, Chief Operator, Water Resource Recovery Facility