



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

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January 15, 2013

Frederic E. Turkington, Jr.
Town Administrator
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

Re: Wayland
Wastewater Management Plan

Dear Mr. Turkington:

As you are aware, the Massachusetts Department of Environmental Protection (MassDEP) has been working with the Town of Wayland and the Wayland Wastewater Management District Commission (WWMDC) on many aspects of the Town's efforts in managing wastewater management demands. These efforts have spanned many years, and become more complex given development demands and flow limitations associated with the NPDES permit for the Town's wastewater treatment plant. Recent discussions have centered on the timing and need for a groundwater discharge permit, which is an important factor in MassDEP's determination to authorize additional flows to the Town's wastewater treatment works. This letter is intended to clarify and affirm the outcome of our recent discussions.

On June 7, 2011, MassDEP issued a sewer connection permit to Twenty Wayland, LLC, for the Town Center Project. While the sewer connection permit was issued based on design flows of 45,000 gallons per day, the permit restricted flows from the project to "Phase I" which accounted for 28,000 gallons per day of design flow. MassDEP determined that this volume of flow could be conveyed to the Town's new wastewater treatment plant, and not jeopardize compliance with the flow limits in the NPDES permit. The remainder of the flows for the Town Center Project, amounting to 17,000 gallons per day, can only be connected to the Town's wastewater treatment plant with written authorization from MassDEP. MassDEP has clearly indicated in both discussions and letters to both the Town and to Twenty Wayland LLC that connection of such flows will only be allowed if there is a demonstration that capacity exists to treat and discharge the flows sufficient to address MassDEP's concern that the WWTP is oversubscribed, which could result in an exceedance of the effluent flow limit set forth in the NPDES Permit.

Since issuance of the sewer connection permit to Twenty Wayland, LLC, the Town has moved forward with hydrogeological work at the site behind the Wayland Town Hall, culminating with the submittal and approval of Hydrogeological Report in support of an application for a MassDEP groundwater discharge permit. In the October 26, 2012 MassDEP letter approving the Hydrogeological Report, MassDEP authorized the Town to submit a MassDEP individual groundwater discharge permit application for the Town Hall site. Based on recent discussions with the Town, MassDEP hereby authorizes the Town to submit a MassDEP general groundwater discharge permit application for the Town Hall groundwater discharge site.

A major concern of the Town, and of Twenty Wayland, LLC is that MassDEP expeditiously authorize Twenty Wayland, LLC to discharge the remaining flows associated with the Town Center Project (design flows of 17,000 gallons per day) to the Town's wastewater treatment plant. In accordance with past and recent discussions, MassDEP will agree to authorize Twenty Wayland, LLC to discharge the remaining flows under the sewer connection permit provided the following preconditions are met:

1. The Town enters into an Administrative Consent Order with MassDEP, establishing the terms and schedule for constructing and operating a groundwater discharge facility at the Town Hall site; and
2. The Town applies for and receives coverage under the MassDEP General Groundwater Discharge Permit for Small Publicly Owned Wastewater Treatment Facilities, or alternatively, applies for and receives an individual MassDEP groundwater discharge permit for the Town Hall site.

As discussed, these conditions are necessary to ensure that the flows to the Town's wastewater treatment works will remain in compliance with the terms and conditions of the relevant discharge permits. Please note that MassDEP reserves the right to take any actions it deems necessary to ensure compliance with the Town's NPDES permit, the sewer connection permit for 20 Wayland, LLC and any and all other applicable regulations enforced by MassDEP.

If you have any further questions regarding this matter, please contact me at (978) 694-3225.

Sincerely,



Eric S. Worrall
Deputy Regional Director
Bureau of Resource Protection

Cc: Mark Lanza, Town Counsel, Town of Wayland
Frank Doherty, Twenty Wayland, LLC
H. Zisch, MassDEP-OGC