



## Department of Public Infrastructure

Jamie Ponte  
Commissioner

Water  
Wastewater  
Highways  
Engineering  
Cemeteries  
Park Maintenance  
Forestry  
Energy

### CITY OF NEW BEDFORD

Jonathan F. Mitchell, Mayor

May 18, 2021

Chairperson Kathryn Duff  
Planning Board  
133 William Street, Room 303  
City of New Bedford, MA 02740

Subject: 2020 EPA MS4 Permit Modification Compliance Requirement  
City Stormwater Regulatory Revisions  
Inter-Departmental Review and Acceptance

Dear Chairperson Duff:

The 2016 Environmental Protection Agency's (EPA's) Municipal Separate Storm Sewer System (MS4) Permit had a ruling for modifications in 2020 that became effective January 6, 2021. This version of the MS4 Permit has a mandate that Municipalities revise their existing stormwater ordinance and/or regulatory mechanism to include new language specifically pertaining to the design of on-site stormwater retainage and total suspended solids removal.

The City memorialized a Stormwater Ordinance (Chapter 16, Article VIII) and accompanying Stormwater Rules and Regulations (SMRRs) in 2017. In accordance with the existing Ordinance and SMRRs, the revisions for compliance with the 2020 MS4 modifications only require updates to the existing SMRRs and not the Ordinance.

The Department of Public Infrastructure (DPI) is proposing revisions to the SMRRs to include these EPA mandated revisions. In addition, during DPI's review of the existing SMRR, additional revisions are proposed to improve cohesiveness and clarity based on our use and enforcement of the current regulations. These clarification revisions include such changes as document formatting, the addition of a table of contents and grammatical corrections.

The City must memorialize these revisions of the SMRRs by June 30, 2021 to maintain compliance with EPA. In accordance with the existing SMRRs ("Sec. 1.4. Revisions"), the DPI Commissioner is required to provide a draft copy of proposed revisions to the Conservation Commission, Department of Inspectional Services, the Office of the City Solicitor, and the Planning Board at least 45 calendar days prior to holding a public hearing. You are receiving this letter and attached SMRRs revision for review because you are the Department Head of one of the above referenced City Departments.

Please review this revision of the SMRRs and provide any comments to DPI, attention Dennis Souza at [Dennis.Souza@NewBedford-ma.gov](mailto:Dennis.Souza@NewBedford-ma.gov) no later than June 11, 2021 so that we can meet our annual reporting mandate by the EPA. If we do not receive comments back by June 11, 2021, we will presume that the proposed revisions are acceptable to you and we will proceed with updating the SMRRs per EPA's requirement.

Chairperson Kathryn Duff  
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Attached, please find a copy of the complete SMRRs inclusive of DPI's proposed revisions. To assist your review, we have also attached a Revision Summary Table that summarizes the proposed changes to the SMRRs.

Should you have any comments, feedback or questions regarding the SMRRs or the proposed revisions, please contact Dennis Souza in the Engineering Divisions at (508) 979-1556.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Ponte', with a stylized flourish at the end.

Jamie Ponte  
Commissioner, DPI

Cc: Shawn Syde, City Engineer  
Justin Chicca, Wastewater Superintendent  
Dennis Souza, Civil Engineer (DPI)  
Jennifer Carloni, Director of City Planning