

Town Hall
Town Clerk,
Treasurer &
Town Accountant
978-386-2424



TOWN OF ASHBY
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Ashby, Mass. 01431
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Board of Selectmen &
Town Administrator
978-386-2501
Town Collector &
Board of Assessors
978-386-2427

March 4, 2015

Newton W. Tedder
US Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code OEPO6-4
Boston, MA 02109-3912



Dear Mr. Tedder:

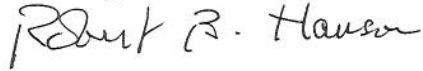
The Town of Ashby is in receipt of notice that we may be subject to the upcoming (2016) MS4 permit requirement. We would respectfully request that EPA exercise its authority to grant an MS4 waiver for our Town.

Our waiver request is predicated upon the following considerations:

- The “automatically designed” MS4 “urbanized area” for Ashby contains, according to DEP’s projection, a population of only 362 persons (and, inexplicably for an “urban” area, a fairly large cemetery). We believe that an accurate count of residents within the suggested “urbanized area” would actually produce an even lower population figure.
- There is no stormwater collection system *per se* within the “urbanized area” – or, for that matter, anywhere within the municipality. Obviously, since Ashby does not have a collection system, there is no further connection to any adjacent MS4 system.
- Given the very low population, in conjunction with the limited road mileage and the minimal extent of impervious surfaces within the subject area, the stormwater-related pollution generated within that “urbanized area” is *de minimus*.
- We have reviewed the Draft MS4 General Permit, and find that Long Island Sound is the only watershed with an approved TMDL that lists the Town of Ashby as a contributor. Ashby, in the full geographic picture, would be an infinitesimal contributor to such pollution. In any case, Ashby’s drainage actually heads north, not south.
- We have reviewed the 2012 303(d) list for all mention of Ashby, and find no listed body of water lying within the “urbanized area,” nor any connection between any of the listed bodies of water and the “urbanized area.”

Thank you for your consideration of our request. Please advise if we can provide any clarification of our appeal, or provide any further information that may assist in your review.

Yours truly,

A handwritten signature in black ink that reads "Robert B. Hanson". The signature is written in a cursive style with a large, stylized "R" and "H".

Robert B. Hanson
Town Administrator