Town of Rockland

Sewer Commission

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January 9, 2024

Ms. Rebecca Tepper, Secretary
Executive Office of Energy and Environmental Affairs
Tori Kim, Director
MEPA Office c/o Mr. Alexander Strysky
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: EOEEA #11085R Redevelopment of the former Naval Air Station South Weymouth
MEPA NPC (Notice of Project Change, December 14, 2023)

ROCKLAND BOARD of SEWER COMMISSIONERS' PUBLIC COMMENTS

Dear Secretary Tepper and Director Kim,

My name is Charles Heshion, Chairman of the Rockland Board of Sewer Commissioners. The Rockland Board of Sewer Commissioners respectfully submits our unified public comment to voice our concerns with the recently submitted MEPA filing with regard to the Notice of Change, South Weymouth Naval Air Station Redevelopment Project, dated December 14, 2023. (Proponents)

We recognize that the successful development of this property will be a boon to the economic life for all communities involved; however everyone must be made aware of the condition, capabilities, and current capacity issues surrounding the Rockland Wastewater Treatment System and its supporting infrastructure.

As presented on **page 78, section 7.2.3**, the project, as proposed, will place an unreasonable and unrealistic burden on Rockland's Wastewater Treatment Facility. The WWTF is over sixty-two (62) years old and, as documented in a recent Facility Assessment (Wright-Pierce Engineering 2020), is in dire need of an immediate upgrade. **(Attachment 01)**

To claim that this project's wastewater needs can be met with Inflow & Infiltration (I&I) reduction is not realistic, and it appears that the "Proponents" have taken a "leap" regarding sending new flow to the Rockland system by depending on creating adequate capacity via I&I reduction.

As stated on **page 116, section 10.4.2**, the Proponent has only agreed, at this point, to fund **($15,000)** for **(20)** hours of preliminary discussion with the Rockland Sewer Commissioners and their Engineering Consultants. The discussions should focus on realistic remedial options other than I&I removal and will take at least two or three years to investigate, study and resolve.

The attached engineering reports, studies, data and tables will verify and support that, since 2019, Rockland has funded and conducted several in-depth investigations into their current facility, flow capacity, thirteen (13) pump stations and system infrastructure. Rockland's team of Engineering Consultants and all engineering studies support the fact that there is simply not enough cost effective I&I that can be removed from the Rockland sewer system to satisfy the SWNAS project. In fact, Rockland is struggling to find enough I&I to satisfy existing demand and wait-listed projects already scheduled. (1.10 MGD proposed).

The SWNAS project, as proposed, is seeking to add another 400,000 GPD. This flow amount does not include the I&I removal requirements for Rockland to meet the EPA Compliance Order (2022) of 11:1, or the MADEP regulatory basic requirement as stated in **§314 CMR 12.04, 4 (d)**, which is a minimum of 4:1 I&I removal for new flow exceeding 15,000 GPD into the Rockland sewer system.

Applying these numbers to the EPA's 11:1 flow removal requirement would mean the Proponent must identify and remediate 4.40 MGD (million-gallons-per-day) of I&I before being allowed to connect into the Rockland sewer system. With the MADEP minimum applied, 1.60 MGD would need to be identified and remediated from the Rockland system.

The attached Metering Study, completed in June 2022, found 915,000 GPD of base infiltration in the Rockland system that may be cost effective to remediate **(Attachment 17)**. Inflow removal as stated later in this letter shall not be included because it is mostly associated within the boundaries of private properties.

Frankly, the only possible working option is the Proponents back-up plan to send the new "Rockland" related flow to Abington/Brockton. Should the Proponents choose not to move forward with that option, then the only other practical option is to partner with Rockland and implement a new decentralized Wastewater Treatment Facility and Groundwater discharge.

CURRENT FACILITY/SYSTEM SITUATION

The Rockland Wastewater Treatment Facility operates under a NPDES Medium Wastewater Treatment Facility General Permit No. MAG-590000. **(Attachment 2)**

It is important to point out that the Rockland Sewer Department/System is an independent enterprise and does not receive tax dollar support from the Town. It is funded only by the user fees it charges and the revenue(s) collected from new connections.

The Rockland Wastewater Treatment Facility went on-line in 1962 with a Maximum Treatment Design Capacity of 2.50 MGD. Ninety percent (90%) of the current operational treatment equipment consists of the original components which have undergone numerous repairs to keep operational.

The Rockland WWTF was issued a NPDES Permit with a "not to exceed" maximum discharge of 2.50 MGD into French Stream which is a USEPA designated impaired waterway. This waterway flows into what is known as the North River Watershed with a final discharge into the Massachusetts coastal waters. Rockland has been told by both the MADEP and the EPA that additional discharge to the French Stream waterway will not be allowed or approved.

It is well documented that Rockland has a significant problem with its aging Wastewater Treatment System and a long history of permit flow violations. Rockland has been cited three (3) times; once by the MADEP in 1998 and twice by the USEPA with an Administrative Order in 2006, Docket No. 06-33 for repeated permit violations for flow exceedances, and again in 2022, Docket No. CWA-AO-R01-FY22-05 Findings of Violation and Order for Compliance for the continued exceedances of its NPDES permitted flow limits. **(Attachments 03 & 04)**

Discharge monitoring reports submitted to the EPA by the Town indicate that Rockland has (exceeded) the monthly flow limitation in its NPDES Permit 38 months over the past five (5) years, a violation rate of 63%.

At a meeting held on May 5, 2022, with the Chairman of the Rockland Board of Sewer Commissioners, Rockland Town Administrator, Asst. Town Administrator, Chairman of the Rockland Board of Selectmen, Rockland Town Counsel, representatives of the MADEP, EPA and their legal Counsel, these repeated and historically well documented problems were discussed at length prior to the issuance of the second Administrative Order (2022).

At that meeting, and in response to Rockland Town Counsel's statement "*we know Rockland has an I&I problem*", Ms. Karen McGuire, Director of EPA Enforcement and Compliance, Region One, replied "*Rockland does not just have an I&I problem, Rockland has a very serious over-capacity situation.*"

The 2022 Administrative Order contains very strict and clear language that Rockland must make every effort to bring the current situation under control. In subsequent meetings with representatives of the EPA, they have told Rockland that, "*the EPA expects Rockland to demonstrate a continuous effort to reduce their wastewater flow and develop a steady history of regular flow compliance.*" In September 2023, the Rockland Board of Sewer Commissioners issued a letter of commitment to the EPA describing what measures from the CWMP it plans on implementing, along with a schedule to address those items. **(Attachment 05)**

To be proactive, and in anticipation of the second EPA Administrative Order (2022), the Rockland Board of Sewer Commissioners issued a New Connection Moratorium in July 2021. It has since been modified in October 2023 to further control un-checked new development resulting in additional wastewater flows. Additional flow would only increase the likelihood of more SSO's in the future. **(Attachments 06 & 07)**

Since 2006, the USEPA has mandated that Rockland remove eleven (11) gallons for every one (1) gallon added to the wastewater system (11:1 ratio). Even if Rockland went with the State guideline of four (4) to one (1) minimum (4:1 ratio) inflow & infiltration removal **(314 CMR 12.04.4(d)**, the flow from this proposed project, as it stands now, will result in a significant increase to an already over-burdened system, and it goes against the EPA's order for Rockland to demonstrate a continuous flow reduction.

ROCKLANDS CURRENT FLOW DEMAND/REQUIREMENTS

As of December 1, 2023, Rockland has three (3) new connection requests that were approved prior to the first moratorium (2021); that additional flow has yet to be registered and is not included in our recent flow discharge numbers. This additional flow will add approximately 12,980 GPD to our current over-capacity situation.

When you calculate in the EPA mandated eleven-to-one ratio (11:1) for removal and apply it to those three (3) previously approved connections, Rockland must eliminate approximately 142,780 GPD to be in EPA compliance. Recent I&I repair work completed in June 2023 removed exactly 113,850 GPD from the system, which now leaves a balance of 28,917 GPD of flow which must be removed.

Our current project waiting list also has two (2) additional connection requests which have been approved, pending available capacity. These 2 projects will add an additional 1,980 GPD in capacity and will require 21,780 GPD (11:1 Ratio) of I&I to be removed. This brings Rockland's current required flow removal number to 50,697 GPD.

We also have five (5) large projects which include two (2) 40 B housing developments that have other town board approvals and are waiting for Board of Sewer Commissioners approval to move onto our waiting list. These 5 projects will add 90,310 GPD to the system, requiring an additional 993,410 GPD (11:1 ratio) to be removed before they can be approved for connection.

For Rockland to meet its EPA 11:1 removal requirement, approximately 1,044,107 (MGD) must be removed from our wastewater system. All of these projects are "shovel ready" and are waiting to start, pending the hope of available capacity. **(Attachment 08)**

To suggest adding an estimated 400,000 GPD of additional flow from the South Weymouth Naval Air Station Redevelopment Project, even with using the State minimum of a 4:1 removal ratio, this will add 1.60 MGD, to the Town of Rockland's current needs of 1.10 MGD. This is unreasonable without adding a secondary WWTF. This request does not offer the Town of Rockland any additional capacity (500,000 GPD) for other new projects that are currently in the planning stage.

As of December 1, 2023, the Rockland WWTF twelve (12) month daily rolling discharge average, which the EPA has deemed we use, is 2.61 MGD with a permit limit of 2.50 MGD. As stated above, this is without the addition of the approved new flow requests currently waiting to connect to the Rockland Sewer System.

It should be noted that, since 2018, Rockland has experienced and reported four (4) Sanitary Sewer Overflows (SSO), November 2018, December 2019, January 2023 and March 2023. The most recent event, March 2023, forced the publicized closure of the Scituate/Marshfield recreational clam flats. Additional flow only increases the likelihood of more closures. **(Attachments 09, 10, 11 & 12)**

Comprehensive Facility Assessment

In 2019, the Rockland Board of Sewer Commissioners contracted with Wright-Pierce Engineering to conduct a Comprehensive Facility Assessment of its WWTF, located at 587R Summer Street, Rockland, Massachusetts. **(Attachment 01)**

This report was an extensive evaluation of structural integrity, mechanical operation, equipment analysis and overall facility degradation due to age. The recommendation warned of potential catastrophic system/equipment failures and urged that Rockland undertake an immediate overall facility upgrade. Recent discussions have settled on a ten-year, 4 stage overall facility upgrade starting with the EPA mandated implementation of a $15,000,000 tertiary phosphorous treatment process; Section 25 of the 2022 EPA Administrative Order **(Attachment 03)**. The proposed upgrades will not give Rockland additional wastewater flow capacity.

This facility assessment did not review or consider the 55 miles of infrastructure pipelines, or the thirteen (13) original pump stations. Since the issuance of the 2019 Facility Assessment report, (2) pump stations have each undergone $90,000 in repairs.

Comprehensive Wastewater Management Plan (CWMP)

In 2021, the Rockland Board of Sewer Commissioners contracted with Wright-Pierce Engineering to conduct and prepare a Comprehensive Wastewater Management Plan (CWMP) **(Attachment 13)**. In 2022, that scope of work was amended per the 2022 EPA Administrative Order to evaluate other wastewater treatment and disposal options.

Phase 2 & 3 of the CWMP investigated alternative disposal options which included off-loading to other municipalities, MWRA connection, on-site storage and Groundwater disposal methods.

At a meeting of the MWRA Advisory Board, held in December of 2022, the MWRA made it very clear to the Town of Weymouth in a taped statement, that *"Right now, we (MWRA) have no extra capacity for additional wastewater from the South Shore and cannot accept wastewater from additional communities into their system."*

The CWMP Phase 3 report identified six (6) areas in Rockland as potential ground water discharge sites. One of the sites identified was 42 acres on the then Open Space portion of the base property, all on the Rockland side; the subject of this MEPA filing. The CWMP (Phase 3, section 3) estimated a potential range of 2.75 to 7.2 MGD depending on the discharge rate, which includes hypothetical rain event calculations. Cost estimates were also provided in the CWMP report.

Wright-Pierce held a meeting at the Rockland Wastewater Treatment Facility on January 24, 2023, with invited representatives and property owners from the six (6) identified sites in question. Four (4) of those representatives rejected the proposed ground water discharge possibilities, one of which was the representative of the South Weymouth Naval Air Station (the Proponent). The site identified on the SWNAS/Brookfield property was promptly rejected by the Base Representative and we were told clearly that it was not an option, nor was the possibility of a secondary treatment facility on the property. This statement limits the Proponents options to a secondary treatment facility off site.

Based on the feedback from that meeting and the supporting **response by D-17 on page 207, (Attachment 14)** we find it hard to accept the unrealistic proposals related to I&I remediation contained on **page 78, section 7.2.3** Rockland System, in the Notice of Change filing.

INFLOW and INFILTRATION

It is important to point out that the Proponent (Tetra-Tech) used Peak Inflow and Infiltration numbers for this filing which are estimates with theoretical rainfall included and **therefore NOT indicative of realistic actual numbers**. Estimates must be based on the actuals for any conclusion.

Base rates are defined as the actual flow on dry days which is the realistic system average operating parameter. Therefore, the Proponents statement that Rockland has an estimated 1.22 MGD of Infiltration and 1.89 MGD of Inflow **are highly over exaggerated**.

Page 78, section 7.2.3 refers to reports/studies released by the Rockland Board of Sewer Commissioners and their Engineering Consultant Weston-Sampson (Metering Study, June 2023), indicating that Rockland's wastewater system realistically has a base infiltration of 915,000 MGD and a base inflow rate of 1.52 MGD; **not the amounts stated in the Proponents filed Notice of Change**.

The base inflow amount (1.52 MGD) is primarily from the numerous sump pumps and roof drains around town, necessary due to the high water table. **For this MEPA Filing, the inflow should not be considered as part of the "solution" because the sources are on private property**. Removal of inflow amounts and sources will be evaluated as part of our 2022 Administrative Order, but any solution will not be at the expense of the Rockland residents who are already burdened with high taxes and rising water/sewer rates in a very difficult economic period.

Tetra-Tech, Project Engineers (Proponent) have concluded that it is feasible to remove a significant portion of the base infiltration to satisfy their project's flow demand.

The Rockland Board of Sewer Commissioners and our team of Engineering Consultants, Veolia, Weston-Sampson and Wright-Pierce, do not concur with their hypothesis that I&I removal is a viable/realistic remedial solution based on past history.

A recent Sewer System Evaluation Study (SSES) conducted by AECOM, September 9, 2021, **(Attachment 15)** indicated the potential of 220,000 GPD of I&I was cost effective for repair. The summary can be found on **page 27** of the 2021 report.

Intensive camera investigation and subsequent repairs comprised of grouting, lining and sealing of manholes was completed by Weston-Sampson Engineers on June 9, 2023, which resulted in a confirmed 113,850 GPD, roughly 51%, actually eliminated. It should be recognized that the 2022 EPA Administrative Order requires Rockland to verify all I&I removal and include the data in our semi-annual submittals. **(Attachment 16)**

The AECOM Study, Weston-Sampson investigation and repairs cost Rockland exactly $600,000 to complete.

METERING STUDY

A Metering Study was also conducted by Weston-Sampson in June 2023 at a cost of $150,000. Fifteen (15) flow meters, three (3) ground water gauges and one (1) rain gauge were installed within and around the town's wastewater collection system. These instruments were calibrated and the data was entered

into a computer modeling program which divided the town into fifteen (15) zones, identifying potential I&I amounts per zone. **(Attachment 17)**

The study indicated that in zones 6 and 11 there could be 256,800 GPD of base infiltration. In October 2023, Weston-Sampson conducted camera investigation and manhole evaluation of those two (2) zones. The data from the investigation, received in December of 2023, revealed that in actuality, approximately 80,000 GPD MAY be cost effective to remove (31%). Past history has indicated that a realistic removal number will be in the vicinity of 33,000 GPD. We have decided not to repair at this time and rather investigate two more areas, zones 9 & 13, which have an estimated base infiltration amount of 237,214 GPD with the goal of combining the amounts to make the infiltration removal cost effective.

It is our hope that in the best case scenario, by combining the four zones mentioned (6, 9, 11 & 13), we will be able to achieve a combined infiltration removal of 90,000 – 120,000 GPD of base infiltration. Unfortunately, due to our current funding constraints, Rockland can only afford to work on two (2) zones for I&I investigation each fiscal year, which is reflected in our I&I Control Plan. **(Attachment 18)**

Using the above historical results/data, and applying it to our 2022 Metering Study, the estimate for total base infiltration (not the SWNAS Base) of 915,000 GPD, as well as, consultation with our Engineering Team from Weston-Sampson, Veolia North America and Wright-Pierce, we conclude that the best results **may yield** a possible 367,000 GPD of I&I recovery. This amount is not sufficient to satisfy the Proponents project (est. 400,000 GPD) or give the Town of Rockland the sufficient extra capacity (500,000 GPD) it requires to maintain their future growth. It will also go against the 2022 EPA Administrative Order for Rockland to demonstrate continuous flow reductions in their wastewater.

SUMMARY

The Rockland Sewer Department's current demand for new connections, along with the needed flows to accommodate other future projects on the Sewer Departments Waiting List, are found in **Attachment 08.** Those projects are important to the Rockland Sewer Department revenue source and must be given priority over the Proponent's project need. The Proponent's request is an additional burden to the current wastewater flow needs of Rockland.

The best description of the current Rockland Wastewater Treatment Facility and its thirteen (13) Pump Stations and their immediate needs are found in detail with a projected cost analysis in the Phase III, sections 5 & 6 of the Wright-Pierce Comprehensive Wastewater Management Plan (CWMP) **Attachment 13.** This document clearly details Rockland's requirement/need to maintain its Sewer System for the next two decades along with the investigation of potential treatment options.

The planned 4 stage facility upgrade to Rockland's Wastewater Treatment Facility **will not increase the flow capacity of the plant** or increase its NPDES Permit discharge limits.

Sewer System Evaluation Studies conducted by AECOM Engineering going back as far as 2008 are available on the Rockland Sewer Department website. The most recent (2021) is in **Attachment 15.**

The most current data with regard to inflow & infiltration investigations, repairs and Rocklands future plans to address this matter, are best detailed in the Weston-Sampson summary reports found in **Attachments 16, 17 & 18.**

The Proponent's estimate of adding 400,000 GPD of wastewater flow to the Rockland Sewer System is grossly underestimated. Their estimates do not include, or take into consideration, Rockland's requirement by the EPA for 11:1 I&I removal for new connections to the sewer system, or the MADEP minimum requirement in **§314 CMR 12.04, 4 (d)** of 4:1 I&I removal for new connections exceeding 15,000 GPD.

A detail of historical operational capacity, capabilities, past failures and the Town's future direction for its wastewater system is contained in the various attachments of this report. Many are only mentioned to show Rockland's on-going struggle with wastewater flow management, clearly indicating that this is not a new problem for the Town of Rockland.

All referenced attachments are available on the Rockland Sewer Department website; rocklandsewer@rockland-ma.gov

There is a significant amount of additional supporting data available on demand.

CONCLUSION

The Rockland Sewer Department has not been given realistic numbers or even a guarantee on the maximum number of residential (# of bathrooms for Title V), Industrial, commercial or retail units for adequate planning purposes. For example, the 400,000 GPD of wastewater flow that is being proposed by the Developer is for 3,636 one-bedroom residential units on the Rockland property, with no option for growth. There are no additional estimates given for future municipal support with regard to Fire, Police, and Administration, etc., or capacity for the planned growth by the Town of Rockland independent of the Proponents planned development.

Any suggestion(s) and/or conclusion(s) that Inflow and Infiltration (I&I) removal in any form as part of the solution to the projects wastewater flow requirements are unacceptable, unrealistic and cannot be supported with any available data.

We would also like to reference **page 207**, in the Notice of Change, South Weymouth Naval Air Station Redevelopment Report 12-14-2023 , regarding a wastewater comment by DEP-17 more specifically the **"Response"** which states; **(Attachment 14)**

> *"Geotechnical analysis of the Base considering the existing PFAS Plume and the Navy's Groundwater Treatment Proposal restricts potential groundwater discharge."*

This statement also raises the potential for PFAS contamination entering the waste-stream. Tighter EPA mandates for wastewater treatment of PFAS are now in Rocklands NPDES permit and the current EPA Administrative Order to address and treat starting in 2025.

Conversation should focus on the creation of a Secondary Treatment Facility and a potential partnership with other communities abutting Rockland who may not be on sewer now or may need extra wastewater capacity in the near future.

The Rockland Board of Sewer Commissioners respectfully requests that you reject the current plans, statements, conclusions and hypotheses regarding I&I remediation contained on **page 78, section 7.2.3 and on page 116 section 10.4.2,** in **the Notice of Change, South Weymouth Naval Air Station Redevelopment Project dated December 14, 2023. (SWNAS EOEEA # 11085R)**

The Rockland Board of Sewer Commissioners is happy and willing to hold open public discussions to help find a viable resolution to the wastewater dilemma for the SWNAS/Rockland property. We are willing to put our full effort into these discussions, but they must contain viable wastewater options with realistic supporting data and ideas provided by all parties for these talks to be successful.

Those discussions should not take place until the MEPA Certificate is issued, and the Proponent has had an opportunity to review and formulate a realistic remediation plan for the additional Rockland wastewater flows from the project, its impact to Rocklands planned future growth, current Wastewater Treatment Facility and the capacity/infrastructure of that system.

Respectfully,

Rockland Board of Sewer Commissioners

Mr. Charles Heshion, Chairman

Ms. Sherri Vallie, Commissioner

Mr. Dan DuRoss, Commissioner

cc: Rockland Sewer Department

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ATTACHMENTS and SUPPORTING DOCUMENTS

ROCKLAND SEWER COMMISSIONS SWNAS MEPA PUBLIC OPINION & SUPPORTING DOCUMENTATION

All listed attachments are available in detail on the ROCKLAND SEWER DEPARTMENT website.

rocklandsewer@rockland-ma.gov.

ATTACHMENT 01	WRIGHT-PIERCE COMPREHENSIVE FACILITY ASSESSMENT	12-18-2020
ATTACHMENT 02	MASSACHUSETTS GENERAL NPDES PERMIT	02-28-2023
ATTACHMENT 03	USEPA 2006 ADMINISTRATIVE ORDER	09-29 2006
ATTACHMENT 04	USEPA 2022 ADMINISTRATIVE ORDER FINDING OF VIOLATIONS	07-14-2022
ATTACHMENT 05	SEWER COMMISSION LETTER OF COMMITMENT	10-09-2023
ATTACHMENT 06	2021 NEW SEWER CONNECTION MORATORIUM	07-01-2021
ATTACHMENT 07	2023 AMMENDED NEW SEWER CONNECTION MORATORIUM	10-01-2023
ATTACHMENT 08	ROCKLAND NEW CONNECTION PROJECT LIST	12-01-2023
ATTACHMENT 09	SANITARY SEWER OVERFLOW (SSO)	11-27-2018
ATTACHMENT 10	SANITARY SEWER OVERFLOW (SSO)	12-15-2019
ATTACHMENT 11	SANITARY SEWER OVERFLOW (SSO)	01-26-2023
ATTACHMENT 12	SANITARY SEWER OVERFLOW (SSO)	03-15-2023
ATTACHMENT 13	WRIGHT-PIERCE FINAL CWMP	10-19-2023
ATTACHMENT 14	PAGE 207, SWNAS REDEVELOPMENT PROJECT FILING *Contained on page 207 in the referenced MEPA filing 12-14-23*	12-14-2023
ATTACHMENT 15	AECOM SEWER SYSTEM EVALUATION STUDY (SSES)	09-09-2021
ATTACHMENT 16	WESTON-SAMPSON I&I REHABILITATION SUMMARY	06-09-2023
ATTACHMENT 17	WESTON-SAMPSON METERING STUDY FINAL REPORT	09-11-2023
ATTACHMENT 18	INFLOW AND INFILTRATION CONTROL PLAN	12-12-2022