

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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March 11, 2021

Michael Hale
Director of Public Works
City of Gloucester
28 Poplar Street
Gloucester, MA 1930

Re: Gloucester
Administrative Consent Order
ACOP-NE-09-1N002
Termination

Dear Mr. Hale:

On April 6, 2009, the City of Gloucester and MassDEP entered into the above referenced Administrative Consent Order with Penalty (ACOP). The ACOP required the City to implement Combined Sewer Overflow (CSO) flow monitoring at CSO Outfall 002 along with improvements of the CSO structure in accordance with the Supplemental System Optimization Plan (SSOP) approved by MassDEP on July 9, 2008. The ACOP also required the City to design and construct phased improvements to the City's Water Pollution Control Facility (WPCF) to be completed by August 1, 2013.

On November 12, 2020, MassDEP staff, along with USEPA staff, met virtually with you and your consultant to review the status of the City's compliance work. During the meeting, William Ross, of New England Civil Engineering, presented detailed information on the compliance components of the ACOP and the City's Modified Consent Decree Civil Action No. 89-2206-WGY. On January 11, 2021, MassDEP received your January 4, 2021, letter requesting that MassDEP terminate ACOP-NE-09-1N002, affirming that the City has fully complied with the requirements of the ACOP. The letter also states the City has agreed to provide three more years of CSO flow monitoring and reporting at CSOs 002, 004, 005-1, 006A and 009, along with CSO activation notices to MassDEP, USEPA and the City's Board of Health via email within 12-hours of any CSO activation commencing.

On January 12, 2021, Governor Baker signed into law new legislation requiring more stringent CSO notifications. The City's CSO flow monitoring program noted above will have to be

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

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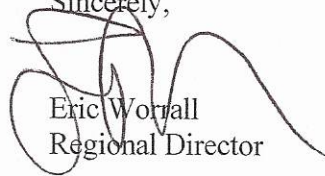
Mr. Michael Hale
February 8, 2021
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reassessed once MassDEP regulations are finalized and may involve more stringent measures. Until then, the City's commitment to continued CSO monitoring will be in place.

MassDEP has reviewed the information provided by the City, and the letter requesting termination of the ACOP, and concurs that the City has fully complied with the requirements of the ACOP, and accordingly, hereby terminates ACOP-NE-09-1N002.

If you have any questions regarding this matter, please contact Joseph Nerden via email at Joseph.Nerden@Mass.gov or at (978) 694-3239. Please be advised that during the current pandemic most MassDEP staff are working remotely and email is the best means of making contact.

Sincerely,



Eric Worrall
Regional Director

JN/KB/EW

Cc: Heidi Zisch, MassDEP Counsel
Jeff Kopf, EPA Counsel