

JOSEPH P. KENNEDY III
4TH DISTRICT, MASSACHUSETTS

COMMITTEE ON FOREIGN AFFAIRS
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October 17, 2014

The Honorable Gina McCarthy, Administrator
Environmental Protection Agency
U.S. EPA Headquarters – William J. Clinton Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator McCarthy:

I am writing regarding the draft 2014 Massachusetts Small MS4 General Permit now open for public comment. It is my understanding EPA Region I will mandate stringent nitrogen reduction in the Taunton River Estuary. While I am a strong supporter of improved wastewater treatment to fully protect drinking water and ecological resources, this mandate would place enormous costs on implementation. I have been contacted by multiple municipalities in my district that are also committed to ensuring clean water systems but are concerned about the data collection methods employed for setting these nitrogen limits.

These municipalities highlighted concerns that independent scientific studies have expressed about the reliability of the scientific methods that the EPA employs. Earlier this month EPA Headquarters received a formal request for an independent Science Advisory Board (SAB) review of the procedures the agency employs in the creation of nutrient criteria for Massachusetts estuaries (Attachment). The EPA recently granted a similar SAB review request regarding the methods EPA Region 3 uses to set nutrient requirements for streams in Pennsylvania. That review resulted in revisions to the methods and enhanced the public's confidence that the EPA uses the most appropriate and reliable methods to set new nutrient requirements. It is my hope that the EPA will consider moving forward with the requested independent SAB review of the methods used to justify the nitrogen reduction requirements for Taunton Estuary communities.

The need for clean water and reliable wastewater treatment is a paramount concern for Massachusetts's communities. Properly focused expenditures based on scientific assessments are a key

component to ensuring that precious local resources are well spent and that the ecological benefits of those activities are realized. An independent SAB review of Region's latest methods for setting nutrient requirements for the Taunton estuary would help to ensure that those goals are achieved.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Kennedy", with a stylized flourish at the end.

Joseph P. Kennedy
Member of Congress

Attachments

cc: Christopher Zarba, U.S. EPA Science Advisory Board
Mayor Thomas C. Hoyer, Jr., City of Taunton
Mayor William Flanagan, City of Fall River