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Baker-Polito Administration To File Legislation Seeking Water Protection Delegation

Proposal Ensures State Oversight of National Pollutant Discharge Elimination Systems Program

BOSTON – With a commitment to continue strong protection of the waters of the Commonwealth, the Baker-Polito Administration today will file [*An Act to Enable the Commonwealth's Administration of the Massachusetts Pollutant Discharge Elimination System*](#) which supports the Massachusetts Department of Environmental Protection's (MassDEP) efforts to join 46 other states in administering the U.S. Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) for federal water quality protection and announced a budget commitment of \$4.7 million annually for staff, programming and up-to-date monitoring and analysis of water quality data.

"As a state that has a proud history of working to protect and improve water quality, this legislation will ensure that Massachusetts has an active, hands-on role in the National Pollutant Discharge Elimination System program," **said Governor Charlie Baker**. "I am confident that in joining 46 other states, the Massachusetts Department of Environmental Protection will implement a strong, science-based program to protect our natural resources."

"By allowing the Commonwealth to continue its proven-track record of implementing federally delegated programs, including the Safe Drinking Water Act and the Clean Air Act, the Massachusetts Department of Environmental Protection is well positioned to administer this program," **said Lieutenant Governor Karyn Polito**. "With our administration's commitment to technical assistance and municipal outreach, cities and towns across the Commonwealth will have a strong partner in MassDEP to ensure the preservation and protection of our state's environmental resources for all residents."

Under the federal Clean Water Act, the EPA administers numerous water quality programs across the United States, including efforts like NPDES which regulates public and private discharges of

wastewater and stormwater. As states have the option of applying to the EPA for authorization to administer the program at the state level, subject to federal oversight, the legislation to be filed by the Baker-Polito Administration will make changes to the Commonwealth's Clean Waters Act, which is needed for MassDEP to make an application to the EPA.

“By seeking authorization of the National Pollutant Discharge Elimination System program, the Baker-Polito Administration is taking the necessary step to solidify Massachusetts’ ability to integrate decisions it is making in other water programs, and to bring the best science and management approaches to this very important water quality program,” **said Energy and Environmental Affairs Secretary Matthew Beaton.**

Massachusetts, through MassDEP, has a decades-long history of effectively and successfully administering other federal environmental programs in areas of drinking water, hazardous waste, and clean air, as well as other state water programs such as Title 5, wetlands, and water management. In seeking authorization from EPA to administer the NPDES program, MassDEP will continue to promote the use of science-based water monitoring information during permitting decisions and will provide ongoing effective technical assistance to permittees. Furthermore, adding the NPDES program to MassDEP’s portfolio will promote an integrated process in which a single agency can work with cities and towns across the Commonwealth to protect Massachusetts’ water quality as well, if not better, than the EPA while minimizing the number of permit appeals and legal challenges.

MassDEP will also embrace the concept of integrated planning and will work closely with local partners to establish a program that takes a holistic view of clean water requirements and implementation schedules.

“We are looking forward to working with cities, towns, advocates and all partners who are working on water quality issues,” **said MassDEP Commissioner Martin Suuberg.** “Our proposal includes an important commitment to science, to ensure work related to water quality stays up to date and that we are in close contact with those who are working on these issues.”

“As a state that has been authorized to administer the NPDES program for decades, I know what it takes to run this effort,” **said Janet Coit, Director of the Rhode Island Department of Environmental Management.** “I also know the leaders and staff at the MassDEP, and I am confident that Massachusetts will be successful in taking on this water quality endeavor. State agencies are close to the ground, and can work with partners and municipalities to confront and tackle the pollution reduction goals needed to achieve the standards in the Clean Water Act.”

“Moving NPDES authority to the MassDEP will bring it closer to affected communities, which are often faced with major and costly challenges to comply,” **said State Senator Bruce Tarr (R-Gloucester), who sponsored a budget amendment in 2012 to initiate such a change.** “This change will empower greater consideration of local needs and circumstances, and more focused collaboration to address wastewater and stormwater issues in practical, cost-effective ways.”

“I support the work of MassDEP,” **said State Senator Anne Gobi (D-Spencer), Senate Chair of the Joint Committee on Environment, Natural Resources and Agriculture.** “Ensuring greater responsiveness to our cities and towns while protecting our environment is a difficult balancing

act. If this legislation is referred to my committee, I hope to review it closely and schedule a hearing as soon as possible to hear input from communities, as well as my colleagues.”

“I commend the Baker-Polito Administration for taking a pro-active approach in filing this legislation to authorize MassDEP to apply for NPDES delegation,” **said House Minority Leader Bradley H. Jones, Jr. (R-North Reading)**. “Massachusetts officials have a unique understanding of the needs of our communities, and allowing them to play a more direct role in the decision-making process will benefit municipalities across the Commonwealth.”

“Massachusetts has a strong record of developing and implementing innovative environmental programs,” **said State Representative Hannah Kane (R-Shrewsbury)**. “I look forward to the work we can do together on the NPDES program.”

“Protecting our waterbodies is an issue that is very important to me and my district,” **said State Representative Paul A. Schmid (D-Westport)**. “As an advocate of the environment, and Co-Chair of the Joint Committee on the Environment, Natural Resources and Agriculture, I look forward to learning more about how this effort will continue MassDEP’s overall commitment to environmental protection and promoting high water quality standards.”

“As a representative of communities dealing with a number of water-related issues, I welcome the Administration’s efforts to promote thoughtful, integrated management of our water resources at the state level,” **said State Representative John Fernandes (D-Milford)**.

“I’m glad to see the administration taking this step,” **said State Representative Jeffrey Roy (D-Franklin)**. “This proposal gives MassDEP the authority to take a broad look at protecting our water resources and working closely with cities and towns who are partners in this effort.”

“Protecting water quality is essential for our communities,” **said State Representative Peter Durant (R-Spencer)**. “The Baker-Polito Administration’s legislation is further evidence of its commitment to clean water for our cities and towns.”

“This is very good news for Massachusetts, because MassDEP has a well-deserved reputation as both a tough and fair enforcement agency,” **said Geoffrey C. Beckwith, Executive Director of the Massachusetts Municipal Association**. “Because MassDEP works with cities and towns every day, we are confident that this integrated enforcement approach will deliver stronger results for the environment with less bureaucracy, and will provide greater responsiveness to all communities and stakeholders.”

“I applaud the Baker-Polito Administration for taking this step,” **said City of Marlborough Mayor Arthur Vigeant**. “It has put forward a plan for a comprehensive, science-based program that recognizes the value of working with communities to achieve environmental goals.”

“As a Mayor who has worked with MassDEP on a number of challenging environmental issues, I have every confidence that this agency can run a first-class program,” **said City of Gardner Mayor Mark P. Hawke**.

