



Comments to the Massachusetts Department of Environmental Protection on 314 CMR 16.00, Notification Requirements to Promote Public Awareness of Sewage Pollution

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Thank you for the opportunity to offer comments on behalf of Environment Massachusetts Research & Policy Center. We are a statewide environmental advocacy organization working to protect clean air, clean water, and open spaces.

Our rivers, streams, and beaches are some of the best parts of living here in Massachusetts. These are the places where we swim, fish, kayak, or just spend a lazy summer day with our families. Our waterways also provide important habitat for wildlife.

We believe all of our beaches and rivers should be safe for swimming, pretty much all of the time. Despite significant progress over the last few decades, sewage pollution in our waterways is still a widespread problem. The latest edition of our report, *Safe for Swimming*, shows that 264 beaches in Massachusetts tested positive for potentially unsafe levels of fecal contamination on at least one day in 2020. Sources of this pollution include overflows from combined sewer systems as well as discharges from sanitary sewers.

The sewage notification bill signed into law in January is an important step to raise public awareness of sewage pollution. We believe that more public awareness will lead to more support for solutions, including the infrastructure investments we need to reduce and ultimately end sewage overflows.

We appreciate DEP's work over the last few months to draft the regulations that will implement this law and to seek input from a wide range of stakeholders. It's important to get the details of these regulations right, to provide citizens with a full, accurate, and up-to-date picture of the health of their local waterways.

The main point I'd like to make is this: Sewage is sewage. Regardless of the exact process by which sewage ends up in our waterways, the potential outcome is unsafe water quality that can harm our health. People have the right to know what's in their local waterways, and these

regulations should impose the same requirements for public notification when there's a sewage spill, regardless of the specific type of discharge.

In particular, DEP should not exempt so-called "blended sewage" discharges from the public notification requirements that apply to other types of sewage overflows. If "blended" or partially treated sewage is released into waterways, local residents and stakeholders should receive the same types of notifications they would in the event of a combined sewer overflow.

DEP should also require notification plans for sanitary sewer overflows, similar to the notification plans required for combined sewer overflows.

Finally, we support steps to increase public awareness of the problem of sewage pollution and make the data collected as a result of this law more widely available. We encourage DEP to include local watershed groups among the list of entities to be notified in the event of a discharge, and provide full access to back-end data on the statewide website.

Thanks again for the opportunity to offer our testimony. I have enclosed a copy of our *Safe for Swimming* report for reference. You may contact me with any questions at ben@environmentmassachusetts.org or 914-420-9706.