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FOR IMMEDIATE RELEASE

Senate Votes to Aid Communities in Water Protection

(Boston, MA) – The Senate voted today to aid community efforts to clean up excess nutrients from inadequately treated waste water. The legislation amends the Commonwealth’s Clean Water State Revolving Fund by allowing communities to qualify for zero percent interest financing on projects to reduce nutrient enrichment of surface or drinking waters.

Excess nutrients – phosphorus in fresh water and nitrogen in salt water – act as fertilizer for algae and other plants, adversely effecting Massachusetts’ waterways. The excess plant life poses both an environmental and economic threat affecting the health of the waterways, as well as the viability of industries such as commercial fishing and tourism. Persistent increases in such nutrients also threaten our precious groundwater sources.

“Especially in these fiscally trying times, it is critical that we find ways to help our communities keep our residents and our water resources healthy,” Senator Steven A. Baddour (D-Methuen) said. “This legislation will enable communities to move forward in ensuring that their waste water treatment is as effective as possible.”

The legislation authorizes, by a local vote, a community that has a Department of Environmental Protection (DEP) approved Comprehensive Wastewater Management Plan (CWMP) to construct and maintain a wastewater treatment system for nutrient reduction and drinking water protection.

"This Massachusetts Clean Water Act addresses one of the biggest remaining environmental problems in Massachusetts," continued Senator Baddour, sponsor of the legislation. "Passage of this legislation will mean we finally have the tools to restore and protect rivers, bays and estuaries across the Commonwealth. This legislation gives cities and towns exactly the financial and planning support they need to address their vast wastewater obligations."

In order to qualify for zero percent interest financing, the project must appear on the DEP's Intended Use Plan between 2009 and 2019, and it must be consistent with any regional wastewater management plan.

The municipality also can not be subject to a DEP or U.S. Environmental Protection Agency enforcement action arising from nutrients, and must have adopted land use controls to ensure that the wastewater project will not result in an increase in wastewater flows beyond what is authorized under zoning and Title V.

The Legislation also:

- Requires or disallows, based on the CWMP, individual homes to connect to the sewer;
- Limits the total flow capacity of a property connecting to the sewer to the capacity at the time of connection;
- Allows the community to grant connections to properties served by failed septic systems, and for "public good" projects and public buildings;
- And, extends the period of time that a community may borrow and assess betterments for a duration of 50 years or the useful life of the wastewater system.

This bill will now go to the House of Representatives.

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