

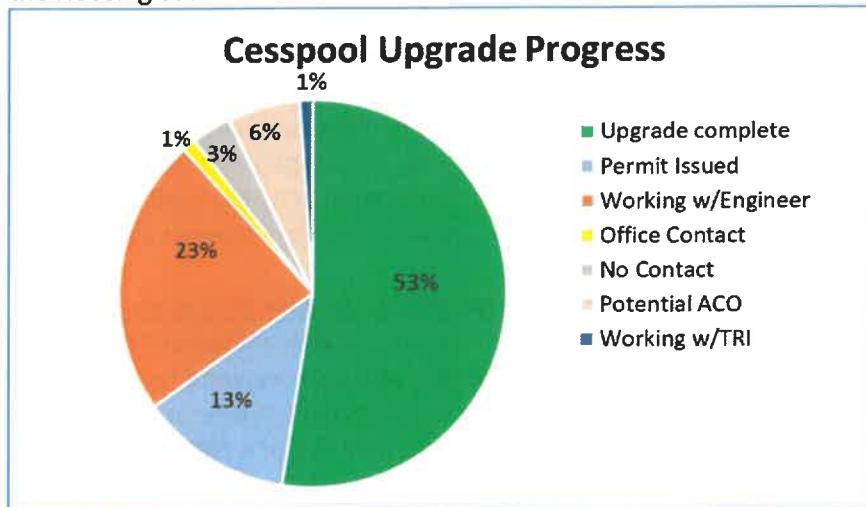
Memo to: Truro Board of Health  
From: Emily Beebe, Truro Health & Conservation Agent  
Date: April 16, 2024  
Re: Water Resources Update April 2024



TOWN OF TRURO  
HEALTH & CONSERVATION DEPARTMENT  
24 Town Hall Road, Truro 02666  
508-349-7004 x119

### Regarding cesspool upgrades to Title 5

To date, 66% of the properties with cesspools have either completed the upgrade process or have permits issued to do so. 24% are working with engineers. Many of these have completed plans and are in the process of hiring an installer. Letters have been sent to these homeowners, so they are aware of the deadline for plans and installation permits. 6% are eligible to enter into an ACO (described below). The remaining 4% of properties that have made no progress will be issued notices of violation filed with the Housing court.



Bucket	Count	Deadline
1	23	Installation by 9/1/2024 or 9 months from date of permit issuance
2	11	Completion of ACO by 6/1/2024
3	44	Plan complete by 5/1/2024, install within 9 months
4	8	12/31/2023



**Regarding Administrative Consent Orders (ACOs).** An ACO is the legal agreement between the Board of Health and a property owner regarding the timing of upgrades or connection to sewer facilities. Draft ACO's must be finalized by June 1, 2024, by BoH approval of a variance to allow the agreement, using GPD value placeholder until the actual cost/gallon multiplier is determined by GHD. The Town and Engineers from GHD were scheduled to meet with the DEP on March 15, and the meeting was rescheduled by the DEP to April 4. At that time, we will review the use of the ACO process, and our Comprehensive Wastewater Management planning strategy.

**Regarding stormwater management**- The proposed Stormwater and Sediment control Bylaw that is on the Special Town Meeting warrant will be indefinitely postponed at the meeting. Further work on a stormwater control bylaw will resume after we have recommendations from the CWMP process.

**Regarding changes to Title 5, and TMDL NSAs – (no new update, April 2024)**

Changes to Title 5 became effective on July 7, 2023 and a new include watershed permit regulations, and new Nitrogen Sensitive Areas (NSA). Watersheds on Cape Cod with an EPA-approved Total Maximum Daily Load (TMDL) are now designated NSAs with timeframes for compliance with approved watershed plans.

It is important to note that Truro does not have a TMDL for nitrogen so the change in regulation has minimal impact on most of Truro. However, a portion of South Truro is in the Wellfleet Harbor Watershed. In October the Massachusetts Department of Environmental Protection (MassDEP), Watershed Planning Program (WPP), announced the approval of the Final Wellfleet Harbor Embayment System Total Maximum Daily Loads (TMDL) For Total Nitrogen by the U.S. Environmental Protection Agency (EPA). You can find a copy of the permit at:

<https://www.mass.gov/doc/final-total-nitrogen-tmdl-for-wellfleet-harbor/download>

East Harbor and the Pamet River are both impaired water bodies, but neither have a TMDL for nitrogen, however, to protect these resources the Town is working proactively, to align our planning process with the new regulations. We have contracted with the engineering firm GHD to prepare our Comprehensive wastewater management plan which will guide our wastewater management activities across town. It is likely that we will be moving into a watershed permit application process within several years.

**Regarding Wastewater Management Planning/ Water Resources discussion with Provincetown:**

Last week I met with GHD staff and officials from the DEP's southeast regional Wastewater office to introduce them to our planning process and familiarize them with the approach we were taking relative to nitrogen reduction. We wanted their feedback about the scope of our project. We reviewed the guidance assumption we have been working under, which is that in the absence of a TMDL for nitrogen, we should be using 25% reduction as our target, as per EPA, and as specified in the Section 208 Area Wide Water Quality Management plan. The DEP supports this as we are not on the docket for a nitrogen TMDL. We described the feasibility study with Provincetown, and our use of the ACO process to bridge possible implementation of the Sewer extension option. The DEP does want us to file an NOI for the section of Truro that is in the Wellfleet Harbor watershed. As far as the Pamet River watershed, the DEP suggested that we could apply for a 604B grant to identify data gaps in the past study work that's been done. They did not think it would be practical to begin modeling of the watershed before the Pamet River restoration work was completed. This information will all be documented in the final CWMP report.

Wastewater Management planning- feasibility discussions with Provincetown are moving toward completion of this phase, and we hope for more information following our 4/25 meeting with the 2-town team.

Work on the water resource plans (Watershed plan and Master Plan) includes development of a planning process. I have been working on that process with Provincetown DPW director Jim Vincent, and we are creating a planning schedule that will include staff meetings with and without consultants, larger meetings that will include the Water and Sewer Board, and at least 2 joint Truro/Provincetown Selectboard meetings with the Water and Sewer Board within 2024. Public outreach will be a significant part of the planning process.