



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

Memo to: Truro Board of Health  
From: Emily Beebe, Truro Health & Conservation Agent  
Date: August 12, 2022  
Re: Water Resources Update August 2022

**Regarding cesspool upgrades to Title 5**

The correspondence package for with individuals has been mailed. As proposed, two separate letters have been sent: Letter A was sent to those who have contacted our office or have scheduled soil testing through a professional designer. Letter B was sent by certified mail to those who have not yet contacted our office, and thus do not appear on the path to compliance.

The complete correspondence package includes: a list of all licensed septic installers; information on septic system upgrade financing and an FAQ about the Barnstable County loan program; a short primer on why we are requiring the upgrade of cesspools, and an email discussion we had with a homeowner.

**FINANCING:**

We have met with Brian and Angela from the Barnstable County Health department septic loan department to investigate how the Town might cover the cost of interest for any Truro resident that wishes to use their septic loan program to reduce the homeowner's costs. The County is open to this, and has let us know that they have applied for an EPA grant that would allow them to issue loans at 0% interest based on income eligibility, and other loans at a sliding scale of interest from 1% to 5%. We will meet again in 2 weeks and review the number of applications Truro has in their system, and further discuss our offer to pay the loan interest.

We have also reached out to Seamen's bank and the lower Cape CDP about developing other streams of financial support for property owners and will report back to the BoH on those developments.

**Regarding Administrative Consent Orders (ACO's)**

Several draft ACO's have been developed, following review of the process by Town Counsel. The draft ACO's will be mailed to the property owners in the next 2-4 weeks, and we will schedule in office meetings with the owners to discuss the terms of their agreements. Once we have an understanding that can proceed, we will schedule a hearing with the Board to discuss the situation triggering the ACO. **ACO process example:** we have several individuals with extenuating circumstances that will delay implementation of compliance measures; we also have properties that are ideal candidates to be considered for connection to a Provincetown sewer expansion. Executing a compliance agreement (the ACO) will be done to facilitate compliance during the planning process and will allow us to place properties "on hold" until wastewater planning options have been more clearly defined.

**Regarding the Massachusetts Estuaries project (MEP)**

We have met with Dr. Brian Howes about completing the MEP study for the Pamet Harbor/Pamet River and have requested an estimate from SMAST for completion of this project. It is unclear at this time, if a full MEP study will be required by DEP to establish a nitrogen target for the Pamet, or if the 604(b)-report generated by the preliminary study that was completed by SMAST and the DEP in 2010 is sufficient. Meanwhile, we will be prepared to pursue this project if needed.

A meeting of the Town Administration and representatives from both the Southeast and Boston offices of the Massachusetts Department of Environmental Protection (DEP) was held Last week, to discuss the upcoming regulatory changes to Title 5. The DEP staff provided an overview of the proposed regulatory framework and discussed what this will mean for Truro. (please see attached materials)

Until a nitrogen removal target is assigned, we will use the 25% removal assigned by the EPA for an untargeted estuary watersheds. This could be addressed with a BoH regulation requiring IA systems within the Pamet River watershed.

The question of the East Harbor watershed may be addressed as the Comprehensive wastewater planning process unfolds.

#### **Regarding stormwater management**

H&C staff attended a tutorial with the Cape Cod Commission (CCC) regarding a mobile phone app for gathering field data. The app was deployed by staff, and they have developed a plan for updating the catch basin data layer on our assessor's maps. They are truthing in the field and simultaneously gathering the specific locations of country drainage and any outfalls. Photos are uploaded with this app, and the CCC will be able to graphically update our information about our drainage systems and the locations of any direct outfalls.

#### **Regarding Pond water quality:**

We have created a Pond FAQ for our web page

Pilgrim/Village Pond is regularly tested by the APCC cyanobacteria bacteria monitoring program and has been determined "acceptable" at this time.

#### **Regarding Private well water quality:**

The scope for the well protection pilot project has been developed. We are in the process of obtaining estimates for the project. The funding for this project will likely be the 2023 Annual Town Meeting. The Town currently accepts well water samples from our kits on Wednesday mornings from 8-9:30 and brings them to the Barnstable County water quality lab for analysis. This will continue thru Labor Day.

#### **Regarding MA DOT:**

This topic was discussed during our meeting with DEP, and will be addressed in an upcoming meeting with them.



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### **Regarding cesspool upgrades to Title 5**

The third correspondence package to property owners with cesspools has been mailed. As proposed, two separate letters have been sent: Letter A was sent by regular mail to those who have contacted our office or have already contracted with a professional designer; Letter B was sent by certified mail to those who have not yet contacted our office, and thus do not appear on the path to compliance.

The complete correspondence package to both groups includes: a list of all licensed septic installers; information on septic system upgrade financing and an FAQ about the Barnstable County loan program; a short primer on why we are requiring the upgrade of cesspools, and an email discussion we had with a homeowner.

### **FINANCING:**

We have met with Brian Baumgartel and Angela DoCarmo from the Barnstable County Health department septic loan program to investigate how the Town might cover the cost of interest for any Truro resident that wishes to use their septic loan program to reduce the homeowner's costs. The County is open to this and has let us know that they have applied for an EPA grant that would allow them to issue loans at 0% interest based on income eligibility, and other loans at a sliding scale of interest from 1% to 5%. We will meet again in 2 weeks and review the number of applications Truro has in their system, and further discuss our offer to pay the loan interest.

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# Proposed Regulatory Framework: Truro

Will Truro have automatic Natural Resource Area NSA designations?  
How does the proposed regulatory framework impact the Town of Truro?

Is Truro within an area that has an EPA approved and EEA certified 208 Plan?

Yes! Truro is on Cape Cod. The 15 Cape Cod Towns are within an area with an EPA approved and EEA certified 208 Plan.

Does Truro have a watershed that drains to an estuary with an EPA approved TMDL?

Currently, no, but Truro contains one watershed that has a documented impairment ready for TMDL issuance: Wellfleet Harbor. If the TMDL is issued before promulgation of the regulation, the Wellfleet Harbor Watershed will be designated as a Natural Resource Area NSA upon promulgation of the regulations.

What does Natural Resource Area NSA designation mean for The Town of Truro?

Unless the Town obtains a Watershed Permit for a specific Watershed, all properties with septic systems will have to upgrade their Title 5 system with a Best Available Nitrogen Reducing Technology Septic System in 5 years from promulgation of the regulations.

# Proposed Regulatory Framework: Truro

Other considerations for how the regulatory framework can impact Truro.

Are there estuaries other than Wellfleet Harbor that could be designated?

Pannet River/Harbor has not been assessed for impairment and can be designated in the future if identified to be impaired through a scientific evaluation (MEP-like process). Many towns in similar situations are proactive in planning as an evaluation may not be performed by MassDEP in the near future.

Will the TMDL for Wellfleet Harbor or Pannet Harbor need to be issued before MassDEP designates the Wellfleet Harbor Watershed as a NSA?

MassDEP can use the MEP report as the scientific evaluation or proving degradation or future approved TMDL to designate the Wellfleet Harbor Watershed as a Natural Resource Area NSA. The designation would occur through a public process.

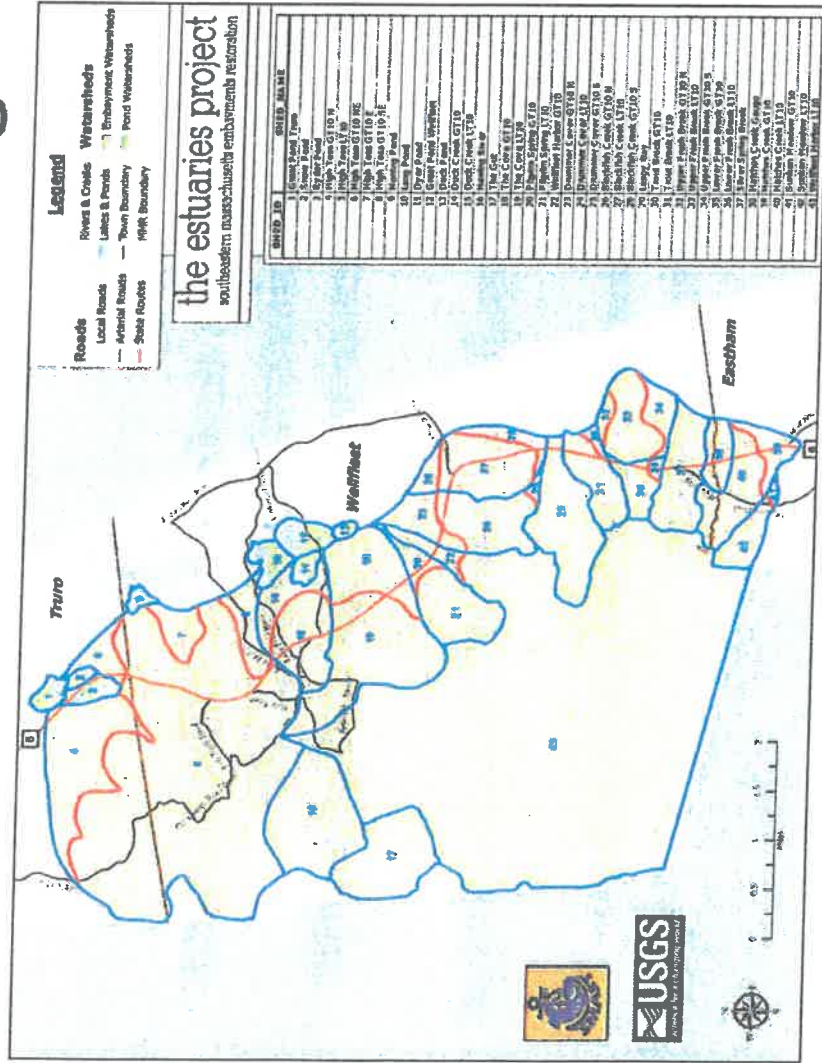
What is the NSA designation public process?

The public process consists of a 60-day public notice period of MassDEP's determination to designate the watershed. A public hearing can be held if deemed necessary after the 60-day public comment period. MassDEP will also provide a map of the watershed area.

What happens after designation?

Unless the Town receives a Watershed Permit for an exemption, after designation, all properties with septic systems will have to upgrade their Title 5 system with a Best Available Nitrogen Reducing Technology Septic System in 5 years from the date of designation

# Watershed Management Plan Update



Pamet River Watershed (CCC, 2017)

MEP Report Wellfleet Harbor Delineations, (SMAST, 2017)



## SRF's Community Septic Management Program (CSMP) Loan Model

- The Massachusetts Clean Water Trust (Trust) dedicates \$5 million a year to offer 2% interest rate loans to communities to fund their CSMP programs that provide loans to homeowners to replace their failed septic systems.
- Over the past 5 years the CSMP has made 29 loans totaling \$14.2 million at an average loan amount of \$450,000. Additionally, the CWSRF has financed Barnstable County's septic loan program, which now operates as its own revolving fund.