

BARNSTABLE COUNTY ASSEMBLY OF DELEGATES

In the Year Nineteen Hundred and Ninety-One

RESOLUTION 91-20

Cape Cod Bay is an extraordinary natural system that represents both economic and environmental value to Cape Cod. Any activity in the Bay is of critical importance to Cape Cod. Therefore, the elected and appointed public officials of Barnstable County support an action plan by our government to protect Barnstable County citizens' vital interest in the integrity of Cape Cod and Massachusetts Bay ecosystems and cause the MWRA to take, at a minimum, certain actions.

Barnstable County acknowledges the extended regulatory and judicial history but Barnstable County does not agree with the MWRA's plan to locate the wastewater outfall in Massachusetts Bay because:

1) This decision does not advance efforts to utilize innovative treatment technologies or to conserve valuable drinking water supplies.

2) Financial investments have been made in transportation of waste, rather than in source reduction and treatment;

3) This decision was based on the merits of the MWRA facility alone and did not consider a bays-wide perspective;

4) Scientific data used for decision-making are too incomplete to justify the assurances that have been offered concerning no significant adverse impact to the marine ecosystem;

5) The siting decision was driven more by socioeconomic factors than by available scientific information.

Now therefore,

BE IT HEREBY RESOLVED by the Barnstable County Assembly of Delegates that:

The government of Barnstable County will take the following actions to protect our citizens' vital interest in the health of Cape Cod and Massachusetts Bay ecosystems as follows:

1. Insist upon the acceleration of secondary treatment of all effluent.
2. Urge EPA Region I to require a Far Field Monitoring Program, sufficient to identify potential ecosystem impacts, as a condition of the National Pollutant Discharge Elimination System (NPDES) Permit.
3. Request that EPA Region I conduct a public hearing on Cape Cod on the MWRA's request for an NPDES Permit.
4. Insist that decisions regarding the MWRA Treatment Facility and its operation incorporate an analysis of the costs and benefits of protecting the integrity of the marine ecosystem.
5. Work in close alliance with the Barnstable County legislative delegation and local governments to accomplish the objectives stated herein.

6. Barnstable County shall instruct the Federal and State Delegation to insist upon the restoration of federal funding to the Boston Harbor clean up project previously allocated.

Barnstable County believes that the MWRA should at a minimum, take the following actions:

1. Conduct a Far Field Monitoring Program.

Cape Cod residents are concerned about the long term impacts of the MWRA discharge on the environmental integrity of Cape Cod Bay and Stellwagen Bank. The monitoring plan to be implemented should include a far field element adequate in scope and magnitude to detect subtle environmental changes to the ecosystem, in particular the shallow inshore areas and Stellwagen Bank, that might occur as a result of the MWRA discharge. Analysis of the data should be reviewed by independent researchers.

2. Agree on what observed trends and/or measured concentrations of contaminants will trigger review and action by the MWRA and the regulatory agencies. This should be done in concert with state and federal regulatory agencies and the scientific community, and should be agreed to before the operation of the outfall. A schedule for taking remedial steps based on observed trends and/or measured concentrations must also be prepared.

Cape Cod residents should be confident that the results of the environmental monitoring program will be used by decisionmakers. There should be a plan that delineates the steps that will be taken if the trend continues and the remedial action(s) that would be implemented to mitigate impacts.

3. Develop a contingency plan that addresses an emergency shutdown of the MWRA waste treatment facility.

Cape Cod residents are concerned that once the MWRA waste treatment facility outfall is in operation, there will be no alternative means of treating and discharging waste should there be any problems with the operation of the facility. Cape Cod residents are concerned that there are no incentives to expedite repairs to the facility in the event of a breakdown, since the attitude is one of "the marine environment can handle it." MWRA should develop a contingency plan that details the actions that will be taken in the event of a malfunction at the facility to bring the facility back on line as rapidly as possible. MWRA should develop incentives to ensure peak performance of the waste treatment facility. This incentives program could result in fewer operational problems in the facility, and reduce the likelihood that the contingency plan would have to be invoked. At a minimum the operations plan should be strictly enforced.

4. Evaluate acceleration of the schedule for secondary treatment of all of the estimated volume of effluent.

The MWRA should review its schedule for bringing full secondary treatment on line, and prepare a report that outlines the feasibility of accelerating the schedule. This assessment should include an evaluation of the most cost-effective means of treating and waste considering the environmental, engineering, and facilities planning issues relevant to the MWRA system.

5. Investigate and implement means of reducing the discharge volume and the level of contaminants in the discharge further back in the treatment system.

MWRA has indicated that they have an aggressive industrial pre-treatment program. MWRA has also been working to eliminate infiltration problems in its collection system to reduce the total volume of flow requiring treatment. MWRA should re-evaluate its goals in these two programs to determine if they can be more aggressive in reducing contaminants and total flow into the system. In addition, MWRA should look at future growth potential in its

member communities, and evaluate whether smaller, independent municipal treatment facilities should be constructed as one means of reducing the total volume of discharge into the marine ecosystem. The MWRA should implement its combined sewer overflow (CSO) facilities plan more quickly than presently planned, as one means of reducing treatment volumes and potentially reduce treatment costs.

6. Conduct a feasibility study of advanced treatment of waste.

Cape Cod residents are concerned that nutrients and toxics from the discharge might pollute Massachusetts and Cape Cod Bays and Stellwagen Bank. MWRA must find a feasibility study on tertiary treatment that includes an analysis of the environmental, engineering, and facilities planning issues. If a contaminant(s) of concern is identified as requiring advanced treatment, the MWRA should delineate the most cost-effective means of treating the waste, including environmental, engineering, and facilities planning issues.

7. Support a Bays-wide environmental status and trends program.

The MWRA should encourage and work with state and federal agencies representatives, the Massachusetts Legislature and the Congress, to develop a Bays-wide environmental status and trends program, in conjunction with the monitoring program. Current and future decisions concerning the use of the marine ecosystem require a better understanding of the functioning of the system than is now available. The cumulative effects of human activities that impact the marine ecosystem need to be assessed and understood.

8. Participate in the development of a comprehensive management program for Massachusetts and Cape Cod Bays.

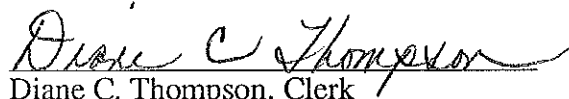
The MWRA should work with the appropriate local, state, and federal agencies to incorporate the information gathered in the status and trends program into management decisions regarding activities that impact the Massachusetts and Cape Cod Bays system. These management efforts might include improvements to the state and/or federal water quality standards.

9. Initiate and maintain a public information program on MWRA activities for the communities surrounding Massachusetts and Cape Cod Bays.

The MWRA should focus some of its efforts on providing information on its activities and programs to citizens in the communities surrounding Massachusetts and Cape Cod Bays.

The foregoing Resolution was adopted by unanimous vote of the Barnstable County Assembly of Delegates representing 91.26% of the population of Barnstable County present and voting at a meeting held on November 20, 1991.

Attest:


Diane C. Thompson, Clerk
Assembly of Delegates

The foregoing Resolution was endorsed by the Barnstable County Board of County Commissioners, November 27 1991.


Victoria H. Lowell

