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May 4, 2021

RE: Updates to MADEP's Stormwater Standards and Handbook

The Stormwater Equipment Manufacturers Association (SWEMA) represents stormwater technology manufacturers as well as affiliated associate and professional members. Our members strongly support stormwater management strategies and regulations that incorporate advances in stormwater science, encourage innovation, and successfully protect and restore receiving waters at an affordable cost for our communities. We understand that MADEP is currently in the process of making updates/changes to the existing stormwater standards and handbook with one of the major overarching goals being to bring the standards and handbook in closer agreement with the requirements of the new MS4 permit for Massachusetts.

We feel strongly that the communities making up the Commonwealth would benefit greatly from updated guidance on the vetting and use of innovative manufactured treatment devices (MTDs) for stormwater management. Given the many urban areas across the Commonwealth, the use of MTDs is common, but a lot has changed since MADEP published the existing guidance on this subject. The available types of MTDs has grown more diverse, many highly effective practices have been developed, and test standards and best practices have been refined considerably. Also, the defunding of the MASTEP initiative has left a major void since the stormwater handbook specifically references this now obsolete resource.

As it currently stands, conservation commissions are tasked with approving MTDs proposed for use on many projects in Massachusetts without clear or current insight into how best to do so. Our membership is currently participating in the development of a national MTD verification program known as Stormwater Testing and Evaluation for Products and Practices (STEPP) and encourages MADEP to consider this program as a viable way of providing trusted performance verification data for MTDs to decision makers and end users across the Commonwealth. The STEPP program already has the support of USEPA, The National Municipal Stormwater Alliance (NMSA), MTD providers, and regulatory programs across North America. The STEPP program is planning to utilize the nationally recognized New Jersey Department of Environmental Protection's MTD Certification Program as well as the Washington Department of Ecology's TAPE Field Program. Until the program is fully operation the NJDEP and TAPE programs can be directly referenced for credible MTD performance and design information. These programs, and the data resulting from them are already accepted by dozens of other regulatory programs. In fact, ME, NH, VT, RI, NY and CTDOT all utilize data resulting from these programs in vetting MTDs currently.



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We would be happy to speak with you in more detail as desired, but most importantly, we want to emphasize the need for updated and accurate guidance on MTD use in Massachusetts.

Please contact SWEMA with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jay Holtz".

Jay Holtz
SWEMA GARC Chairman