

# Town missing UMass data needed for wastewater plan

By Matt Belson

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Orleans - More than two years since the deadline passed for receipt of a critical water quality report for the Nauset Estuary, the town of Orleans is claiming University of Massachusetts Dartmouth has failed to live up to its obligations.

A letter sent to the university last Friday states the educational institution is in breach of the contract with the town for not delivering the technical report on the Nauset Estuary that was due June 30, 2005.

The information is needed in order for the town to produce an accurate, detailed comprehensive wastewater management plan, a draft of which is scheduled to go before fall town meeting for a vote of consideration.

Orleans Director of Town Planning George Meserve said the town entered into a contract with UMass in 2001 to do water sampling and marine monitoring of the town's five major sub-embayments including Nauset Estuary, Pleasant Bay, Namskaket, Little Namskaket and Rock Harbor.

The water testing and monitoring is part of the Massachusetts Estuaries Project, a collaborative effort between the Massachusetts Department of Environmental Protection and the university's School of Marine Science and Technology that is evaluating the water quality conditions of 89 estuaries in the Southeastern part of the state over six years.

As part of the contract with Orleans, the data collected over three years and analyzed in the technical reports provided by UMass would be incorporated into the town's Comprehensive Wastewater Management Plan to determine the amount of nitrogen needed to be reduced or eliminated from flowing into the embayments.

Meservey said the town appropriated and spent more than \$350,000 to pay for the water sampling and marine monitoring as called for in the contract with UMass. The technical reports for four of the embayments were received last year, with the Nauset report outstanding. The reports were included in the scope of work for UMass and the town has met all of its financial obligations under the contract, said Meservey.

"We understand that institutions can be late, but 30 months late is affecting our schedule here," said Meservey, and the letter was spurred by the lengthy delay in UMass delivering the technical reports and data to Orleans. "At this stage we need to make them [UMass] more aware of the impact this is having on the town," he added.

In addition to the letter, the town of Orleans, citing a lack of response to earlier requests for data and reports, also filed a Freedom of Information Act Request to Dr. Brian Howes, director of the Coastal Systems Program at UMass Dartmouth's School of Marine Science and Technology, to release "the work products, models, files and related data" for the four Orleans estuaries of Pleasant Bay, Namskaket, Little Namskaket and Rock Harbor.

Augusta McKusick, chairwoman of the Orleans Comprehensive Wastewater Management Plan Steering Committee, said the town, in the beginning, believed the reports would be delivered on time and went forward with hiring a consultant and drafting a comprehensive wastewater management plan.

McKusick said the nutrient data still pending from UMass for Nauset Estuary means the plan is not as complete as the committee would like. Instead of an exact percentage of the amount of nitrogen that needs to be removed from the system, McKusick said a "place holder" number of 50 percent to 55 percent is being used. Without the technical report the plan will be more conservative than may be necessary and McKusick said this could mean more areas of town being connected to a sewer system that could translate to higher costs for the project.

The Wastewater Management Steering Committee last month presented three alternate water treatment plans for Orleans. The committee hopes to have it down to one detailed plan by the May town meeting, where it will make an informational presentation and ask for a special town meeting in the fall to consider the plan.

The first plan would involve sewerage 2,390 lots, treating the sewerage at four sites, one in each of the town's watersheds and disposing of the water at 10 sites. The sludge would be handled at an upgraded tri-town plant. The second plan would sewer 2,180 lots; treat the waste at a new tri-town plant and dispose of it on three sites. Sludge would also be handled at the tri-town plant. Plan number three

would handle 2,550 lots and treat the sewerage at a new plant in South Orleans. Disposal would be at two Brewster golf courses (Cape Cod National and Captains) and excess sludge would go to the plant.

UMass Dartmouth spokesman John Hoey said Wednesday he had not yet reviewed the two letters sent by Orleans and could not comment directly on their contents, but expressed confidence in the university's honoring its contractual commitments.

"It [UMass] has fulfilled and delivered on all of the contractual obligations," said Hoey.

He went on to say the Massachusetts estuaries project is a major undertaking involving multiple agencies and funding sources. Hoey mentioned UMass has already committed \$1 million of its own funding to the project. However, Hoey said projects are being delayed as the university and the Department of Environmental Protection, which provides subsidies and technical assistance to the estuaries project, have yet to sign an interagency service agreement.

A chart provided to The Cape Codder by Hoey shows the draft technical report for the Nauset Estuary [identified as Nauset Marsh], the final reports and response to comments for four embayments still to be completed pending the signing of the agreement between the university and DEP.

"We totally understand everyone's frustration about the pace," said Hoey. "The university has to focus on the quality of the final product."

Meservey said Orleans paid for all of the field work, lab work and analysis associated with the Massachusetts Estuaries Project work that has been completed, and what is missing is the report. He said the town is aware of the ongoing issues between UMass and the DEP.

"That's not our problem," he said, and the contract signed in 2001 was between Orleans and UMass, with the university agreeing to deliver the technical reports in 2005. "We are both public institutions and are accountable for our public dollars. We just want to see the results of our public dollars.