

Board of Water Commissioners

Meeting Agenda

Monday, April 29, 2024 @ 7:00 PM

AGENDA

- Comments from the public
- Approve minutes from the meeting of 3/25/24
- Appoint one Commissioner to sign warrants while conducting meetings virtually

OLD BUSINESS:

- Per- and Polyfluoroalkyl Substances (PFAS)
- Current sample data, if available
- Discussion of PFAS Upgrades
- Approve recommendation to award VFD contract for CAWTP PFAS Upgrades (DWSRF #12517) to Flow Tech, Inc. of South Windsor, CT for \$135,769
- Bottled Water Rebate Update
- US EPA Final PFAS Regulation
- US EPA Lead & Copper Rule Improvements

NEW BUSINESS:

- Discussion of Outdoor Water Use Restrictions for 2024
- 3rd Quarter Financial Update

EXECUTIVE SESSION: -- To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the District. To consider the purchase, exchange, lease of real property as an open meeting may have a detrimental effect on the negotiating position of the District.

Present at Tonight's Meeting:

Commissioners: Erika Amir Lin (Chair), Barry Rosen, Stephen Stuntz

Member of the Finance Committee: John Petersen

District Manager: Matt Mostoller

District Treasurer: Christine McCarthy

District Counsel: Mary Bassett, Spencer Holland

Environmental Manager: Alexandra Wahlstrom

Members of the Public: Ron Parenti, Kim Kastens, Diane Baum

START OF MINUTES

Ms. Amir Lin opened the meeting at 7:01 pm.

Comments from the public

No comments from the public.

Approve minutes from the meeting of 3/25/24

Mr. Stuntz motioned to approve the minutes of the 3/25/24 meeting. Mr. Rosen seconded, and it was unanimously approved via a roll call vote, Mr. Rosen, Mr. Stuntz, Ms. Amir Lin.

Appoint one Commissioner to sign warrants while conducting meetings virtually

Mr. Stuntz motioned to appoint Mr. Rosen to sign warrants until the next regularly scheduled meeting. Ms. Amir Lin seconded, and it was unanimously approved via a roll call vote, Mr. Stuntz, Mr. Rosen, Ms. Amir Lin.

OLD BUSINESS:

Per- and Polyfluoroalkyl Substances (PFAS)

Current sample data, if available

Mr. Mostoller provided the commissioners with an update on PFAS sample data from the end of March and beginning of April. Updated sample data was sent out on public channels on April 18th, along with information on federal regulation updates. On March 27th North Acton sampled at 16.1 ppt. On April 5th North Acton sampled at 20.7 ppt. Mr. Mostoller noted that the April sample has a higher flow rate and did not have one of the wells in the circuit taken offline. North Acton continues to prepare for activation of the PFAS treatment system.

On April 5th South Acton sampled at 14.7 ppt. Center Acton was sampled on April 24th, and sample results are not yet available. Center and South Acton are both currently online, while North Acton is preparing for start-up.

Discussion of PFAS Upgrades

Mr. Mostoller provided the update on the North Acton project which continues to make progress. North Acton is reaching a point where the water quality coming off the GAC filters is approaching criteria for appropriate pH. North Acton is being run intermittently to meet these water quality criteria. This week they plan to complete the automation to be able to

fully operate the system. The North Acton Project still needs to collect data and go through DEP approval, but it is very close to being functional.

Center Acton continues to move along and the Board will be asked to approve the VFD contract this evening. They expect to evaluate other bids for the project over the coming weeks.

The bid opening date for the South Acton project was delayed due to last-minute structural changes. They did have a kickoff meeting for the fabrication of the GAC vessels for both projects, and the vendor is eager to begin work. Designs will be submitted within the next 30 days and no issues are foreseen by the vendor.

Approve recommendation to award VFD contract for CAWTP PFAS Upgrades (DWSRF #12517) to Flow Tech, Inc. of South Windsor, CT for \$135,769

Mr. Stuntz motioned to approve the recommendation to award the VFD contract for CAWTP PFAS Upgrades (DWSRF #12517) to Flow Tech, Inc. of South Windsor, CT for \$135,769. Mr. Rosen seconded, and it was unanimously approved via a roll call vote, Mr. Stuntz, Mr. Rosen, Ms. Amir Lin.

Bottled Water Rebate Update

Ms. McCarthy provided the board with an update on the Bottled Water Rebate for the most recently completed quarter. Highlights include that in March the total rebate was \$7,515. There were a total of 168 rebates, and \$855 went to tenants. The program added six new participants but removed three.

Mr. Rosen noted how stable the program participation has been. Ms. Amir Lin noted that when PFAS upgrades have been made, likely sometime around next year, the board will have to plan how to sunset this program. The board then briefly discussed the PFAS upgrades and the relevant wells and flow rates.

US EPA Final PFAS Regulation

Ms. Wahlstrom & Mr. Mostoller updated the board on recent EPA PFAS regulations. On April 10th the EPA released the drinking water standards for PFOA and PFOS. Ms. Wahlstrom noted there were not many changes from the proposed rule from last year. Ms. Wahlstrom noted that it did establish an individual MCL of 4.0 and made some changes to the hazard index. Upon review of the regulation and the situation in Acton, PFOS and PFOA are driving our treatment needs, and the District should have no issues meeting new hazard index guidelines. The primary effect for the District will be how often the treatment media in the PFAS treatment systems will have to be changed out. They believe the current

PFAS treatment projects will meet these new guidelines with a more frequent media change. Information on the regulation change has been posted to the District website. Ms. Wahlstrom also reviewed the EPA memorandum on CERCLA responsibility for public water suppliers, which was as the District anticipated.

Mr. Mostoller highlighted the role that MassDEP could play in the enforcement of these guidelines and reminded the board of DEP's discretion to alter the enforcement by requiring more stringent expectations for monitoring and compliance than the federal rule. DEP will have to revise their own rules to accommodate the new federal guidelines.

The Board then discussed the CERCLA update for public water systems. Mr. Parenti asked if the sample data currently collected provides data on PFOA and PFOS individually, to which Mr. Mostoller responded yes. Mr. Mostoller was asked if PFOA and PFOS are currently below the new guidelines. Mr. Mostoller responded both PFOA and PFOS are currently in excess of 4 ppt at Center and South Acton, while PFOA is currently in excess of 4 ppt at North Acton.

The Board continued to discuss the possibility for DEP to alter guidelines after review of the new federal regulations.

US EPA Lead & Copper Rule Improvements

Ms. Wahlstrom provided an update on the service line inventory. Phase 1 ran from March 13th through the 28th. They worked with New England Stormwater for seven days and completed 66 out of 77 locations. 11 locations were not completed due to external factors like tree roots or septic systems. This phase mostly focused on areas of unknown service line material and the majority found were copper. Restoration work has been largely successful, however heavy rains did cause some delay and settling. Some patchwork restoration still needs to be completed. The inventory has paused before starting phase 2, which will begin mid-May, and will work in high traffic areas with a full crew first before moving to side streets in June.

The Board was pleased with the progress being made on this project, and noted it's been well organized and moving very quickly. Mr. Mostoller commented on the pace with the help of the contractor, and how labor intensive the project has been for staff.

The Board and Mr. Mostoller then briefly discussed the prospect of hiring more contractors for different aspects of this project.

NEW BUSINESS:

Discussion of Outdoor Water Use Restrictions for 2024

Mr. Mostoller informed the Board that on May 1st this week the District's seasonal outdoor water use restrictions will activate. The District is still awaiting the renewed Water Management Act Permit which will require them to default to a 2 day a week restriction on outdoor water use.

Mr. Mostoller asked the Board to consider if the District should put the 2 day a week restriction in place, knowing the upcoming permit will require that, or if the District should continue with the 1 day a week program currently in place. Mr. Mostoller added that because of persistent rain last year the aquifers are in good condition, and that in his opinion it would be prudent to start the 2 day a week restriction and then back off to the 1 day a week if need be.

The Board then opened discussion on this item. Mr. Stuntz agreed with Mr. Mostoller's assessment and recommendation. Mr. Rosen also agreed with the assessment but added that because customers might not be aware of increased water rates, going from 1 day to 2 day outdoor restrictions may surprise some customers once they receive their bill. Mr. Rosen stated that if the District switches to a 2 day restriction, the customers should be reminded of the rate increases.

Ms. Amir Lin agreed with the other commissioners and Mr. Mostoller that starting with the 2 day restriction makes sense so customers can adjust to the upcoming permit.

Mr. Rosen motioned to begin on May 1, 2024, the outdoor water program allowing 2 days per week. Mr. Stuntz seconded, and it was unanimously approved via a roll call vote, Mr. Stuntz, Mr. Rosen, Ms. Amir Lin.

Mr. Mostoller thanked the Board, and reviewed how the changes will be implemented and communicated. He assured Mr. Rosen that messaging can also include information on the rate increases.

3rd Quarter Financial Update

Ms. McCarthy shared a summary of the 3rd Quarter Financial Update with the Board. Many of the expenses were in line with her expectations. One item of note was that revenue was showing a small deficit but there is a chance that this will not come to fruition. Ms. McCarthy explained the lack of demand fees is hurting the revenue.

Mr. Stuntz asked if there are any permits that are behind which may cause the lack in demand fees. Mr. Mostoller responded that there are no such projects or permits on the horizon. Mr. Mostoller and the Board then discussed demand fees for work near Kelley's Corner, and how that project will rely only on existing service and will not open until late 2024 or even 2025.

Ms. Amir Lin asked Ms. McCarthy about the projections for power rates since they proved difficult last year. Ms. McCarthy summarized the projected power costs but added that one complication is that they are not receiving the solar invoices on time, and they are arriving with a three-month lag. Ms. McCarthy elaborated on the delays, and that they recently had a larger 'catch up' bill as previous billing was incorrect. The Board then continued a brief discussion of this item before wrapping up.

EXECUTIVE SESSION:

Ms. Amir Lin motioned to close the regular open meeting currently in session, and have the Commissioners enter an executive session pursuant to General Law chapter 30A section 21a6 to consider the purchase, taking or value of real property, and to not reconvene in open session.

Mr. Rosen seconded the motion, and it was unanimously approved via a roll call vote, Mr. Rosen, Mr. Stuntz, Ms. Amir Lin.

OPEN MEETING CLOSED AT 7:42 PM.