



Water Supply District of Acton

693 MASSACHUSETTS AVENUE
P.O. BOX 953
ACTON, MASSACHUSETTS 01720

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Board of Water Commissioners

Meeting Agenda

Monday, June 28, 2021 @ 7:00 PM

Due to the COVID-19 Pandemic, meetings are being held virtually via Zoom

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81024925593>

Or One tap mobile :

US: +13017158592,,81024925593# or +13126266799,,81024925593#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or
+1 669 900 6833

Webinar ID: 810 2492 5593

International numbers available: <https://us02web.zoom.us/j/81024925593>

- Comments from Citizens
- Approve minutes from meeting of 6/14
- Appoint one Commissioner to approve warrants while conducting meetings virtually

OLD BUSINESS:

- Per- and Poly-Fluoroalkyl Substances (PFAS)
 - Notice of Non-compliance from MA Department of Environmental Protection (MA DEP)
 - Current sample data, if available
 - Any updates or discussion from the PFAS Working Group
- Update on proposed solar arrays off Lawsbrook Road & Knox Trail

NEW BUSINESS:

- Annual Consumer Confidence Report (CCR) for Calendar Year 2020
- Meeting schedule for July-December 2021

Board of Water Commissioners
Meeting Minutes
Acton Water District
693 Massachusetts Avenue, Acton, MA
Monday, June 14, 2021

AGENDA

- A. Comments from Citizens
- B. Approve minutes from meeting of 5/24/2021
- C. Appoint one Commissioner to approve warrants while conducting meetings virtually

D. OLD BUSINESS:

- 1. Update on Per- and Poly-Fluoroalkyl Substances (PFAS).
 - Current sample data, if available
 - Any updates or discussion from PFAS Working Group
- 2. Update on the Central Acton Water Treatment Plant (CAWTP) Construction Project.
- 3. Update from Meeting with Owner of Associated Environmental Systems (AES) and Counsel at 8 Post Office Square.

E. NEW BUSINESS:

- 1. Results of System-Wide Leak Detection Survey Conducted in April/May of 2021.

Present at Tonight's Meeting:

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

District Manager: Chris Allen

District Treasurer: Mary Jo Bates

District Counsel: Mary Bassett

Environmental Manager: Matthew Mostoller

Commissioners Secretary: Lynn Protasowicki

Finance Committee: Chuck Bradley

Citizens:

Kim Kastens

Ron Parenti

Victoria Selesnik

Due to the Covid-19 stay-at-home order by Governor Charles Baker, the Board of Water Commissioners meeting was not held at the Acton Water District Office, instead the meeting was held via Zoom Webinar. The meeting was called to order at 7:00 PM on Monday, June 14, 2021 by Mr. Barry Rosen.

A. Comments from Citizens

Kim Kastens thanked Chris and Matt for doing the interview with Acton TV. Prior to meeting starting, the Commissioners were discussing the spaghetti plot that Ron Parenti sent them. Kim asked if they could share that tonight. This spaghetti plot shows rain fall over a 12 month period since 2013.

B. Approve Minutes from Meeting of 5/24

Mr. Stuntz motioned to approve the minutes of May 24, 2021. Ms. Amir-Lin seconded the motion, and it was unanimously approved by a roll call vote: Ms. Amir-Lin, Mr. Stuntz, and Mr. Rosen.

C. Appoint One Commissioner to Approve Warrants While Conducting Meetings Virtually

Mr. Rosen motioned to appoint Mr. Stuntz as the Commissioner to approve warrants while conducting meetings virtually. Ms. Amir-Lin seconded the motion, and it was unanimously approved by a roll call vote: Ms. Amir-Lin, Mr. Stuntz, and Mr. Rosen.

E. OLD BUSINESS:

1. Update on Per- and Poly-Fluoroalkyl Substances (PFAS).

- Current sample data, if available
- Any updates or discussion from PFAS Working Group

Mr. Mostoller spoke and said the District has three out of four samples back from the month of May. The Clapp Whitcomb facility continues to be non-detect; the South Acton Water Treatment Plant was at 16.1 Parts Per Trillion (PPT), the Conant I well was at 15.5 PPT, and the North Acton Water Treatment Plant sample is still pending. Today was the due date for that and hopefully we will receive results within the next couple days. We will then update the information on the District's website.

Barry Rosen: Is the NAWTP on or off-line? Mr. Allen stated that it is currently online. We changed the pumping scheme. We shut down the Kennedy I well. Kennedy II is contributing at 75% capacity. And the Marshall well which is currently below 10 PPT and has been raised to 100% and is pumping at 45 gallons per minute. The thought is the lower concentration at Marshall well will have an impact on the finished water from the plant. The NAWTP is contributing at approximately 65% of its typical capacity.

Mr. Allen mentioned that there have been two meetings with the PFAS working group. The next meeting is Thursday, June 17th. Right now just we are getting everyone's ideas on the table. No input for the Board yet. It's a good diverse group.

Enclosed in tonight's packets to the Commissioners is an email from Vicki Selesnick. Mr. Allen has been in contact with her. Ms. Selesnick mentioned that she is a member of the sensitive subgroup, as she is 6 months pregnant. She is asking the Board to reimburse homeowners who have had to make financial adjustments to account for the unsafe PFAS levels.

Barry Rosen: referred to a European report regarding PFAS calculations and their total safe levels for pregnant women of 360 nanograms per week for a 100 pound individual which is a fraction of an ounce per week of total PFAS. They concluded that water was not a major contributor to PFAS. He noted from this report that fish meat, fruit, fruit products, eggs and egg products contributed the most to PFAS in humans and that the EC study committee felt that water was not much of an issue.

Mr. Rosen informed Ms. Selesnick of the International Bottled Water Association – they establish limits and not every bottled water producer belongs to them. Their standard is 5 PPT for single PFAS and for more than one PFAS it is 10 PPT. [<https://bottledwater.org/bottled-water-pfas/>]

Erika Amir-Lin asked Ms. Selesnick what she felt an appropriate solution would look like to you given her situation and a good path going forward for you and your family? Ms. Selesnick stated that for short term is continuing to purchase bottled water. She wants to use her tap but would like to get some sort of response if there were any steps to reimburse or give discounts in order to have safe water. Ms. Amir-Lin asked Vicki what reimbursement or discount is she looking for? Vicki responded that ideally she would like to receive a percentage of her bottle water sales. Ms. Amir-Lin asked her what her thoughts were on if there was availability to a public water filling station would she be interested in that. Vicki stated she would consider it as long as the water was deemed safe.

Steve Stuntz: pleased to hear the numbers reported today from Matt that our PFAS levels are substantially below 20 PPT. He stated that our responsibility is safety for everybody. We are pushing hard on getting that level as low as it can go. We are looking at the next proposal to reduce PFAS in North Acton and it's

a \$5M expenditure to bring it down. We need to start looking at ways to satisfy smaller groups of populations rather than spending large amount of money total treatment in the entire system. Mr. Allen stated that we have discussed providing alternate drinking water supply in our working group. We haven't come to a consensus, but it has been a high point of discussion.

Mr. Stuntz: if individuals wanted to use Brita filter – what is the effect if people used Brita and what it would do to PFAS? Ms. Amir- Lin stated that Brita filters are not certified to remove PFAS. Mr. Stuntz wonders if there is anything out there that is certified to remove PFAS for the homeowner. Mr. Mostoller stated that the certified agencies don't meet the 20 ppt. It is a misnomer and hopefully that will be changing soon. He cautions everyone around using that terminology "certified".

Ron Parenti: possible treatment strategies and if they have been interacting with neighboring towns and what they plan to do for mediation? Mr. Allen stated that some neighboring towns have constructed systems (i.e. Hudson, Devens, Ayer, and Westfield). All have a responsible party (PRP) to help pay for these new systems in these towns. Mr. Mostoller stated that all these towns were in excess of 70 PPT and had point sources that were contributing to the PFAS concentrations in their sources.

Mr. Allen mentioned that the working group is looking into a water filling station so we may have more information to provide to the Board on June 28th.

Mr. Rosen invited Vicki to attend the June 28th meeting and at that point we should have more insight for her.

2. Update on the Central Acton Water Treatment Plant (CAWTP) Construction Project.

Mr. Allen provided an update on the Central Acton Water Treatment Plant construction project.

He stated that progress has been made with utilities. National Grid is scheduled to complete the gas installation; EverSource has provided an invoice to Waterline for their work and has allowed the contractor to install the pad mount transformer for main power to the plant. There still remains the automatic transfer switch which has a ship date of August 19th. Waterline has expressed some concern about that component. Waterline has decided to put a temporary service in the plant which will provide main power but will not allow back up power to main circuit and that would be contingent upon the automatic transfer switch. They are working on developing that plan. There will be no additional cost to District. Estimate it to be \$25k at no charge to the District. They still want the plant up and running in August. The plant is currently about 75% complete.

Contract 2 is pretty much completed with exception of the Conant I Well being tied into the raw water transmission line to the new plant. The paving is completed per specifications. The contractor needs to clean up some things at 8 Post Office Square and will be supplied a punch list by the engineer.

3. Update from meeting with owner of Associated Environmental Systems (AES) and Counsel at 8 Post Office Square.

Mr. Allen provided an update from the meeting with the owner of Associated Environmental Systems and their Counsel at 8 Post Office Square. He stated that he and Counselor Bassett met with them on site. We walked the work area and observed their concerns. There is a misunderstanding regarding the term "Restoration". Mr. Allen stated that he considers restoration as a disturbed area, such as where you would dig a road up to put a new pipe in and then repave it. The owner considers restoration as curb to curb paving, sidewalk restoration, along with multiple things that weren't in the scope. He expressed concern of restoration of his parking lot. We discussed his desire to have the private right of way paved fully and some additional curbing. He was planning on doing it just prior to our project breaking ground.

The thought is that the additional work would be best put on Waterline's subcontractor for paving and restoration and there may be additional scope that would be paid by the association. He will keep Mr. Peter in the loop and the lawyers will no longer need to be involved going forward.

E. NEW BUSINESS:

1. Results of System-Wide Leak Detection Survey Conducted in April/May of 2021.

Mr. Allen provided an update on the results of the system-wide leak detection survey that was conducted in April/May of 2021. He stated that this is something that we do bi-annually. There was a list of leaks found and currently all have been fixed. He noted that they found a couple more leaks since the survey was done but those have been repaired.

3 Bromfield Street – hydrant leak (main valve that leaks) – repaired on 5/6

16 Washington Drive – main leak – repaired

56 Charter Road – service leak – repaired

301 Central Street – service leak – repaired

Other New Business:

WLMAC – Mr. Rosen had a meeting with Bill Mullin, District Moderator. He stated that we will leave the filling of the WLMAC positions off the agenda until we get a handle on the PFAS situation.

Mr. Stuntz motioned to adjourn the open meeting at 8:10 PM. Ms. Amir-Lin seconded the motion and it was unanimously approved by a roll call vote: Ms. Amir-Lin, Mr. Stuntz, and Mr. Rosen.



Massachusetts Department of Environmental Protection
 Bureau of Water Resources – Drinking Water Program
**PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS) MAXIMUM CONTAMINANT LEVEL (MCL)
 NOTICE OF NONCOMPLIANCE (NON)**
With Violation Response/Compliance Schedule Approval (CSA) Form
 M.G.L. c. 21A, § 16, 310 CMR 5.00

Attention: Public Water Supplier

A General Information

The Water Supply District of Acton	CITY/TOWN: ACTON
Chair of Water Commissioners	PWS ID #: 2002000
PO BOX 953	CLASS: COM
Acton, MA 01720	ENF DOC#: NONCSA-CE-21-5D00011579
Email: chris@actonwater.com	

B Location Where Noncompliance Occurred

Acton Water Supply District, 693 Mass Ave Acton, MA 01720
 Sample Location – North Acton Water Treatment Plant (blend)

C Description of Violations under M.G.L. c. 111, §§159-160 and 310 CMR 22.00

The Department of Environmental Protection (MassDEP) Drinking Water Program has determined that you are in violation of the Per- and Polyfluoroalkyl Substances (PFAS) Rule for the following checked contaminant(s) and monitoring period(s):

Table 1- PFAS 6

Contaminant	Monitoring Period(s)	PFAS6 Quarterly Average (ng/L)	PFAS6 MCL (ng/L)
<input checked="" type="checkbox"/> Per- and Polyfluoroalkyl Substances - PFAS6 (sum of the concentrations of PFOS, PFOA, PFHxS, PFNA, PFHpA and PFDA)	Jan – Mar 2021	21	20

Below is a description of the regulation(s) you have violated.

PFAS6 - MAXIMUM CONTAMINANT LEVEL

- Your public water system violated the maximum contaminant level (MCL) specified in 310 CMR 22.07G(3)(d) for PFAS6 and monitoring period(s) listed in Table 1 above.

D Action to Be Taken, and the Deadline for Taking Such Action

Within 30 days of the date of this NON, submit to MassDEP for its review and approval a written proposal setting forth how and when you propose to come into compliance with the requirements cited in Section C of this NON, by **completing and submitting the attached PFAS Response/Compliance Schedule Approval Form (“compliance plan”) and conducting all required public notice**. To return to compliance, you must implement the compliance plan, including the schedule for completing the activities proposed, as approved by MassDEP. If you determine that you need additional time to complete and submit the compliance plan, you may request an extension **before** the submission deadline by contacting Robert Bostwick at 508-849-4036 or by email at Robert.Bostwick@mass.gov.

E Important Information

If you, the Supplier of Water, fail to take any action MassDEP now wants you to take by the prescribed deadline, or if you otherwise fail to remain in compliance in the future with the applicable requirements, you could be subject to legal action, including, but not limited to, criminal prosecution, court-imposed civil penalties, or civil administrative penalties assessed by MassDEP. A civil administrative penalty may be assessed for every day from now on that you are in noncompliance with the requirements specified above. MassDEP reserves its right to exercise the full extent of its legal authority to obtain compliance with all applicable requirements.

Date: June 11, 2021



Robert A. Bostwick
Section Chief, Drinking Water Program
Central Regional Office
MassDEP Bureau of Water Resources

Enclosures:
NONCSA Response Form

cc: Boston DWP
BOH – ABH, Sheryl Ball sball@acton-ma.gov
PWS –Superintendent, Christopher Allen chris@actonwater.com

File Name: Ayer-2019000-WQ-ENF(NONCSA-CE-21-5D00011579)-2021-06-11



**Massachusetts Department of Environmental Protection
Bureau of Water Resources – Drinking Water Program
PFAS VIOLATION RESPONSE
AND COMPLIANCE SCHEDULE APPROVAL (CSA) FORM
M.G.L. c. 21A, §16, 310 CMR 5.00**

Failure to complete and return this form, and failure to take the actions required to return to compliance, could result in serious legal consequences.

INSTRUCTIONS: Within 30 days of the date of this NON, please complete and submit this form and supporting documentation to MassDEP at the address specified at the bottom of this form to obtain MassDEP approval of your system’s proposed plan for returning to compliance with the requirements cited in your Notice of Noncompliance (NON).

A General Information

The Water Supply District of Acton
Chair of Water Commissioners
PO BOX 953
Acton, MA 01720
Email: chris@actonwater.com

CITY/TOWN: AYER
PWS ID #: 2002000
CLASS: COM
ENF DOC#: NONCSA-CE-21-5D00011579

B Corrective Actions required under M.G.L. c. 111, §§ 159-160 and 310 CMR 22.00

PWS: Please check all boxes below that apply.

PFAS6 - MAXIMUM CONTAMINANT LEVEL

My system violated the maximum contaminant level (MCL) for PFAS6 in the monitoring period(s) identified in the NON. I have completed the sections below to address the MCL violation(s) cited in the NON.

Within 30 days of the date of this NON, my system will submit to MassDEP a **short-term corrective action plan** to reduce the PFAS6 level to below the MCL. Short term actions may include: discontinuing use of a source, blending the source with elevated PFAS6 with other source(s), optimization of existing treatment processes, and/or obtaining water from an interconnection with another PWS. My system will implement the short-term corrective action plan as soon as feasible and submit a long-term corrective action plan (see below).

Within 30 days of the date of this NON, if short-term actions cannot reduce PFAS6 levels below the MCL, then my system will:

- Submit a short-term corrective action plan that includes an interim proposal to provide an alternative source of water for sensitive subgroups served by my system (pregnant or nursing women, infants, and people diagnosed by their health care provider to have a compromised immune system) for drinking and cooking. Such alternative measures may include, but not be limited to, providing bottled water, vending machines, or water bill rebates for customers who purchase bottled water; AND
- Implement the short-term corrective action plan as soon as feasible; AND
- Submit an explanation as to why there are no feasible short-term measures to reduce PFAS6 levels below the MCL; AND
- Submit a long-term corrective action plan (see below).

Within 60 days of the date of this NON, my system will submit to MassDEP a **long-term corrective action plan** to reduce the PFAS6 level to reliably and consistently below the MCL. Long-term actions may include: the construction of an interconnection with another PWS, construction of a new treatment facility, the addition of PFAS6 treatment to an existing water treatment facility, and/or the installation of a new well. The long-term corrective action plan will be stamped by a Massachusetts Registered Professional Engineer with expertise in Drinking Water. The plan shall include an alternatives analysis including a feasibility evaluation, effectiveness determination, cost estimate, and implementation schedule. My system will implement the recommended actions set forth in the plan as approved by MassDEP in accordance with a schedule approved by MassDEP.

- My system provided **public notice** of each violation that requires Tier 2 public notice in accordance with 310 CMR 22.16(3) and (5) and submitted to the local Board of Health and MassDEP a certification that it has fully complied with the public notice regulations in accordance with 310 CMR 22.15(3)(b). **A copy of the public notice and certification are attached.** My system will **repeat** the public notice and certification every three months as long as the violation(s) persist(s) unless MassDEP determines in writing that appropriate circumstances warrant a different repeat frequency.
- My system will include in its next **Consumer Confidence Report (CCR)** the following information: an explanation on each MCL violation required by 310 CMR 22.16A(4)(k).

C Request for Compliance Plan Approval

- My Proposed Compliance Plan must be submitted with this Violation Response Compliance Schedule Form by the date specified in Section D of the NON.
- My Proposed Compliance Plan must include a schedule for coming into compliance with each violation cited in the NON for which the system is required to complete in Section B above.
- At a minimum, my Proposed Compliance Plan must address all applicable elements listed in Section B above.
- My Proposed Compliance Plan must be implemented as approved.

D Water Commissioner, Owner, Owner Representative or Other Responsible Party

I certify that I am duly authorized to complete and submit this form on behalf of the public water system identified above and that the information contained herein is true, accurate and complete to the best of my knowledge and belief. I understand that MassDEP may assess civil administrative penalties in accordance with M.G.L. c. 21A, §16, and 310 CMR 5.00 on any Supplier of Water that fails to comply with the provisions and schedule set forth in a MassDEP-approved Compliance Plan.

Signature: _____

Date: _____

Print Name: _____

Title: _____

Phone #: _____

Email Address: _____

Please return this form and all attachments to:

**MassDEP/DWP
8 New Bond Street
Worcester, MA 01606**

**Attn: Paula Caron
Paula.Caron@mass.gov**