



## Joint WAC/WSCAC Meeting

Location: Held virtually

May 10, 2022 – 10 am

### WAC Members in Bold in Attendance:

**Wayne Chouinard** (Chair, Town of Arlington), **Kannan Vembu** (Vice-Chair), **Adrianna Cillo** (BWSC), **Craig Allen**, **Dan Winograd**, George Atallah, **James Guiod** (AB), Karen Lachmayr, **Martin Pillsbury**, Mary Adelstein, **Philip Ashcroft**, **Stephen Greene**, **Taber Keally** (NepRWA)

### WSCAC Members in Bold in Attendance:

**Jerry Eves**, WSCAC Chair

**Michael Baram**

**Whitney Beals**

**William Copithorne**, Town of Arlington

**Steven Daunais**, Tata & Howard

Andrea Donlon, CT River Conservancy

**Bill Fadden**, OARS

**James Guiod** – MWRA Advisory Board

**Bill Kiley**, BWSC

**Paul Lauenstein**, NepRWA

Martha Morgan, Nashua River Watershed

**Martin Pillsbury**, MAPC

**Janet Rothrock**, League of Women Voters

**Bruce Spencer**

### Non-Members in Attendance

Lexi Dewey, WSCAC staff

Andreae Downs, WAC staff

Mandy Hart, WSCAC staff

Valerie Moran, MWRA Director of Waterworks

Matthew Dam, MWRA TRAC Director

Michael O'Keefe, MWRA

Katie Ronan, MWRA

Denis Ellis-Hibbett, MWRA

Devon Winkler, MWRA

Sally Carroll: MWRA

David Duest, MWRA

Lucner Charlestra, MWRA

Rebecca Weidman, MWRA

Adelina Huo

Griffin Tighe, Rep. Hogan's office

Lou Taverna, Chair Advisory Board

Stephen Estes-Smargiassi, MWRA

Alexa Sterling, EPA

Heather Miller, general counsel, Charles River Watershed Assoc.

Jim Barsanti, MassDEP

Cathy Coniaris, MassDEP, OMSAP

Loretta Fernandez, Northeastern University, OMSAP

Immaculate Mchome, Senator Eldridge's Office

Juliet Simpson, MIT Sea Grant and MWRA

OMSAP

Debra Darby, Tetra Tech

David White, Save the Alewife Brook

John DiModica, Noresco

Andreae welcomed WAC and WSCAC members as well as presenters and guests. She then asked for introductions.

Andreae took attendance of WAC members and asked for vote to approve the April minutes. All WAC members present voted in favor and the minutes were approved.

Lexi called for a vote on the draft WSCAC March and April minutes while taking attendance of WSCAC members. No questions were asked on the draft minutes, so Lexi then asked for a motion to approve. Both the March and April WSCAC minutes were approved with Bill Copithorne abstaining.

All non-members present were asked to introduce themselves by name and affiliation.

### **Stephen Estes-Smargiassi – MWRA Briefs**

At the last WSCAC meeting there was a discussion on the Lead and Copper rule, and since then, there were changes to MWRA's lead and copper rule sample protocols. MWRA sampled in 5 communities in the spring that had had elevated levels of lead last fall. They are sampling this spring, because under the sampling agreement with regulators, if a community tests high in the fall, they are required to re-test in the spring as opposed to their annual once-per-year testing. Once they test in the normal range, then they can go back to once-per-year sampling. Since the 5 communities re-tested were in the normal range this spring, no major community efforts were required.

EPA has imposed some of the future changes in the revised LCR on MWRA starting now. There are a number of things that communities need to start "piloting," including quicker reporting by communities that were above the lead action level. These are subset of the changes that all systems will need to do after October of 2024. The changes the MWRA communities will need to do now include: For homes above the lead action level, communities need to do some investigatory monitoring referred to as "find and fix."

- Communities will need to work with home owners to do sampling try to determine why lead levels are elevated in their home plumbing.
- MWRA will monitor around homes within the distribution system to find out if the distribution system is contributing in any way to lead levels.
- MWRA typically does testing four times per year in accordance with Optimum Water Parameter Water Quality Monitoring.
- When a home is found to be above the normal level, MWRA would need to go and do sampling nearby to demonstrate that local changes in water quality might or might not be contributing to those elevated lead levels.

The MWRA has not so far found evidence that their distribution system has been contributing to the contamination. MWRA will be holding a lead forum with the Advisory Board on May 19, 2022. They will then discuss new sampling requirements for the Metro Boston communities and the requirement that communities complete an inventory of all water service lines. Of course, we continue to urge replacing any lead service lines that are contributing to the issue.

Some MWRA staff are attending the MassDEP award ceremony for continued excellence at Devon Commons today.

The Quabbin Reservoir is full and has been spilling since February and is within normal operation. Other parts of the state, like the Southeast, Cape and Islands are drier.

People may notice some construction activity at the Wachusett Dam Lower Gatehouse.

Valerie Moran, MWRA Director of Waterworks: Renovations are being done to the Lower Gate House including replacement of doors and windows for lead abatement. It will take about 20 weeks for this work.

Estes-Smargiassi: Water demand is slightly higher which could be attributed in part to Wellesley and Burlington taking more water due to PFAS contamination in some of their public drinking water wells.

The MWRA going to be studying scenarios for water system expansion, with funds from the Legislature. There will be two system expansion studies, one looking at the Ipswich River Basin communities, the other looking at the South Shore communities. The studies will examine MWRA's capacity to supply water to those two areas of the system and also how delivery might be accomplished should any community in those areas express interest in purchasing water from MWRA. Becky Weidman and her team will be heading up that work. The MWRA is coordinating with the North Shore Resiliency Task Force and Martin Pillsbury at MAPC.

### **James Guiod Advisory Board update.**

Advisory Board staff are in the final steps of putting together comments and recommendations to the MWRA financial staff. Details will be provided at the May 19<sup>th</sup> Advisory Board meeting.

The second half of the May 19<sup>th</sup> meeting will be the MWRA Lead & Copper workshop. James noted the ongoing discussion on water system expansion, and the possibility of waiving the entrance fee. This discussion will continue into the summer, and there is no anticipated vote on that yet. There is an information packet on this topic on the Advisory Board website.

### **PFAS Interagency Task Force discussion:**

**Water:** PFAS hasn't been found at the Quabbin. WSCAC has a different focus than WAC when looking at the PFAS Interagency Task Force report. Members will be discussing whether the committee wants to comment on any of the recommendations in the report. The committee will also be looking at which towns may be affected by PFAS contamination near the MWRA service area, and which may be interested in joining the MWRA water system. The Town of Hopkinton just voted in support of joining the MWRA, and there will probably be others.

Lexi noted that the MWRA Enabling Act allows communities affected by public drinking water contamination can request admission to join the MWRA.

Lexi said WSCAC members have voiced support additional funding for detection and remediation through MassDEP programs and loans. The committee is also supportive of the work of the Department of Public Health to raise public awareness and provide outreach to the many small communities around the state. Members have voiced support on the importance of phasing out PFAS in consumer products. The conversation is ongoing within the committee.

**Wastewater:** Andreae reflected on the report's findings: PFAS is pervasive, so wastewater in the MWRA system does have PFAS, and the effluent and biosolids have PFAS.

The report notes that the highest concentrations found to date are near factories that produce or use PFAS and in areas where AFFF (firefighting foam) were commonly used.

State agencies, DEP, EPA and DPH are all taking action. Need to see what legislation is being drafted. The report listened to WAC and others by recommending that PFAS be regulated as a class, since substitutions may be equally harmful. The report also acknowledges that various methods of "destroying" PFAS may just be changing their composition to a PFAS that can't be detected—as there are 9,000+ compounds and currently only 29 can be detected using an EPA-approved method.

### **MWRA: Matthew Dam, Director of TRAC:**

TRAC is investigating wastewater streams within the collection system that may have PFAS. TRAC is honing in on industry types that are more likely to have PFAS, but will be sampling all of them. The

Office of Technical Assistance can assist industry to find the source of detected PFAS and eliminate it from their processes.

MWRA is doing this in preparation for new NPDES permit requirements that will be included in our new Clinton and Deer Island permits. The draft general permit that will be issued for Clinton requires PFAS sampling (influent, effluent, biosolids, and Significant Industrial Users).

In wastewater monitoring, MWRA is testing for 20 different PFAS. Drinking water supply tests for six. The Clinton permit requires monitoring for 16. MWRA can only sample for the PFAS that are detected using standardized sampling methods. So far, only 29 PFAS compounds are detectable using EPA-approved analytical methods.

Q: “Of the 29 PFAS tested, are these understood to be the lion’s share of the contamination or at least an approximate idea of their percentage of the total?”

Not necessarily.

Q: How will the recommendations of the PFAS Interagency Task Force impact MWRA.

The Task Force recommends looking for other PFAS in drinking water beyond the current 6 included in the Drinking Water Regulations. MWRA does not believe this would impact our drinking water source given the location and the well-protected watershed of our source water. Sampling of additional PFAS compounds will likely impact community systems outside of MWRA’s service area, particularly those that have already detected PFAS in their source water. Depending on what sampling detects, there may be need for additional treatment or source switching (system expansion).

MWRA supports policies focused on source identity and control.

Q: You mentioned that there wasn’t a problem at the Quabbin, but the elementary school located in West Salem lost their wells to PFAS. As wells in neighboring towns get sampled, they are finding PFAS. Finding the location of car and house fires may help locate hotspots. Neighboring towns near schools don’t want to test because they don’t want to be held responsible. Problem on this watershed is the middle branch of Swift River.

A: AFFF use does impact wells and public water supplies. The Task Force discussed this. But the Quabbin is well protected.

Q: Are PFAS mostly in wastewater effluent or in biosolids?

A: MWRA is still testing to determine PFAS concentrations in effluent and biosolids.

Q: Is it possible that some PFAS are destroyed in the biosolids production, when they are dried, perhaps?

A: The known methods for PFAS destruction happen at much higher temperatures than the pellet plant reaches, so that scenario is unlikely. If the biosolids were then burned at the high temperatures of pyrolysis, the PFAS may be destroyed. There are concerns that pyrolysis and incineration may aerosolize PFAS- more research in this area is needed.

Q: that’s also not economically feasible

Q: holding industries accountable is vital. Until held accountable, the public is going to pick up the tab and suffer the consequences. Sharon voted at town meeting to spend \$15 million to filter half of the water supply that has a PFAS problem. That should be paid for by the people who produced PFAS, rather than the public.

Q: There are already efforts in place to hold companies creating and using PFAS accountable.

Griffin Tighe—Legislation:

The legislators on the PFAS task force are planning to implement all of the report's legislative recommendations. Already, the House budget includes an additional \$8m for DEP to work on PFAS. Looking for more funds in ARPA and the infrastructure BIL. They look forward to a more in-depth conversation on PFAS later. Need better funding for diagnostic testing.

Q: If there were a class action lawsuit, it would publicize the issue. Most people don't know what PFAS is or how bad it is. She asks if a lawsuit is a viable solution, or better funding for diagnostics and disposal, as well as holding companies accountable.

A: Several states' attorneys general have sued to recover costs. He is not aware of any class action lawsuits, but it is plausible.

Q this may be a "wake up call for the companies. Maybe they will do something."

### **WSCAC Briefs:**

WSCAC's last meeting of this fiscal year is on June 14<sup>th</sup>, and we are hoping to have it in person at the Blue Meadow Conference Center. Any WAC members or anyone that wants to attend may join the in-person meeting. .

Lexi will be drafting comments on the PFAS report and looking for members' suggestions and feedback over the next few weeks.

The Drought Management Task Force met last week. Members recommended a Level I drought notification for the Southeast and the Cape and Islands. The Secretary of EOEEA has not yet issued a decision yet. We will forward it when we receive it.

Hopkinton voted in favor in joining MWRA. We will be monitoring that process.

Lexi took several pictures of the repaired Quabbin Park Cemetery office building. It has a new slate roof, copper gutters, and new trim. It is done in time for the Memorial Day celebration. The Friends of Quabbin have offered to help pay for an assessment by a professional stone mason of DCR's damaged keystone bridge. The Ware River Public Access Plan was due to MassDEP on April 30, but has not yet been released yet by DCR Commissioner Stephanie Cooper.

The Sudbury Public Access Plan should be completed by the end of June.

### **WAC Director's report--attached**

Andreae will also be drafting comments on the PFAS report and looking for members' suggestions and feedback.

# Director's Report May 2022

Advisory Board 4/21--all slides available [here](#)

## Report of the Executive Director

Next month's meeting will be packed. Elections to MWRA Board, Budget vote, system expansion, lead & copper forum for communities. Also looking to move away from Zoom-only meetings. ExComm is starting to work on hybrid model. This is 50th year of the Clean Water Act.

Looking at a field trip--tricky to pull off in COVID. Last year, tried to go to Deer Island, but a downpour stopped that. Not sure buses will be doable this year. Maybe a boat?

## Preview of Advisory Board's Comments & Recommendations on the MWRA's Proposed FY23 CEB and CIP – James Guiod, Director of Finance

Reflect current state of AB feedback, today's discussion will inform the final comments. Full presentation next month. FY23 increase 3.42%. Not balanced, water is up more.

**Personnel expenses**--normal. But low # of FTE--not keeping up with past years, much less ideal staffing level (slide). Because of that, expect increased overtime.

MWRA expecting not to fill all the positions, and will tweak.

AB recommendation to study staffing & compensation

**Rate stabilization**--particularly on the water side. Rate stabilization on sewer side is high--mostly sewer. None on water side. Money is available to stabilize rates on the water side. Asked if can do that, but when you add funds to rate stabilization, the water rate increases in the double-digits.

**Pension** requirements by 2040. Right now, MWRA is scheduled to pay off in 2030. (slide). Harder in the out years if you underfund now. Could extend deadline to 2040...but may extend the pain. 88% funded and MWRA is stronger there than other systems. Notes fiscal uncertainties.

AB considering recommendations:

1. Explore ways to use water stabilization towards water utility pension costs. Might be more predictable and sustainable.
2. Offsetting water utility pension costs by reallocating OPEB
3. Long-term, look at legislation to enable the PERAC to grant MWRA and other nearly-funded agencies to use a **rolling** fully funded date--going to run a simulation.
4. Expect changes before the final comments come out. (aka "spring revisits")

## CIP

Entering final year of the cap. How has the pandemic affected the cap? How will we evaluate it and accommodate it in the new cap? Unlikely to have recommendations in this budget

Areas of interest:

- Debt service assistance
- Vacancy rate
- Rate stabilization

- Pension
- Spring revisits

## E. Proposed Language for Modifications to MWRA Policy # OP.10 – Waiver of the Entrance Fee

The ExComm approved this, but it was a split vote.



# Motion

*Within five years from adoption by the MWRA Board of Directors...  
...communities outside the MWRA service area seeking entrance into the MWRA water system, who are dealing with water quality/public health concerns (such as PFAS levels, restoration/protection of a depleted River Basin), or for the opportunity for increased economic development within the community and Commonwealth),...*

*shall be eligible for an entrance fee waiver...*

*...provided that any costs associated with connecting to the MWRA's water system are not to be funded or paid by MWRA, and the amount of new water sold shall not exceed 20 MGD.*

Note that limits amount of water. Packet available [here](#):

Includes marginal cost of more water supply and bond counsel opinion

Why now?

Always evolving.

1. Paid up front
2. Paid over 20 years with interest
3. Paid over 25 years interest-free with 3-year grace

Water issues are on the front burner:

1. ARPA, infrastructure investment Act, state budget surpluses
2. PFAS in local water systems
3. State funds for MWRA to look at expansion feasibility (Ipswich River basin, south shore)--partly because of AB pressure to look at water regionally

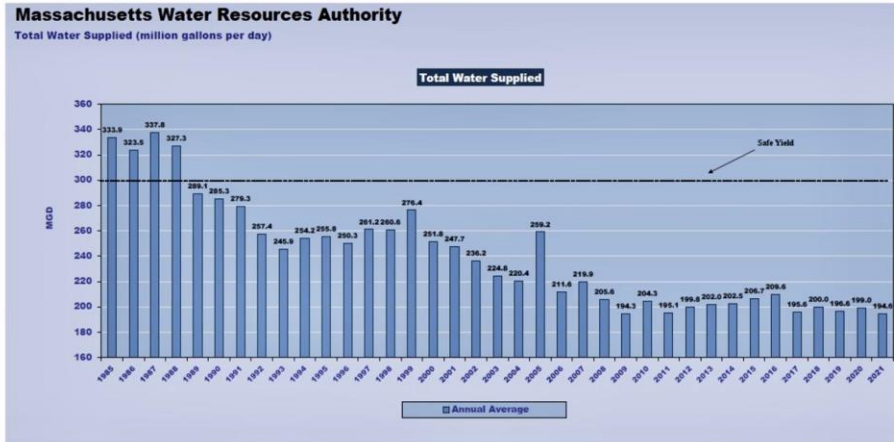
MWRA has plenty of water to sell





# Critical Questions to Address

## Do we have water to sell?



Quabbin has been spilling 210 mgd since February. Well below safe yield

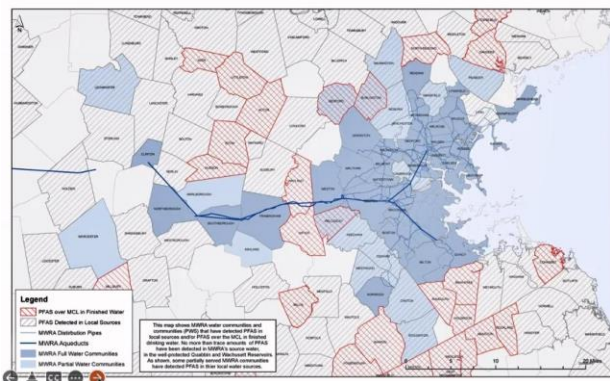
Several nearby communities that need more water--PFAS impacts.



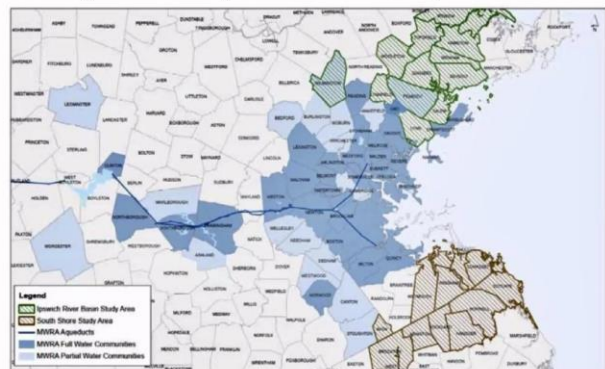
# Critical Questions to Address

## Are there communities who have expressed interest or could potentially need MWRA water?

### PFAS Detections



### System Expansion Study Areas







# How Does This Benefit Water Communities?

Short Term Impact of a New 5 mgd Community	
Total decrease in community rates (in one fiscal year)	Additional entrance fee revenue (in one fiscal year, beginning in fourth year)
\$7,782,172	\$963,319

Short Term Impact of a New 10 mgd Community	
Total decrease in community rates (in one fiscal year)	Additional entrance fee revenue (in one fiscal year, beginning in fourth year)
\$15,139,638	\$1,828,935

Long Term Impact of a New 5 mgd Community	
Total decrease in community rates (over 25 years)	Additional entrance fee revenue (over 25 years)
\$194,554,300	\$24,080,975

Long Term Impact of a New 10 mgd Community	
Total decrease in community rates (over 25 years)	Additional entrance fee revenue (over 25 years)
\$378,490,950	\$45,233,375



Also want to get before communities as an option before they commit to a new water treatment plant.

Q: Is this fair to partial water communities? Have been paying high entrance fees and high rates. (Susan Herman, Stoughton)

## Draft Advisory Board FY23 Operating Budget

\$599K budget--a .7% increase. Attempted not to fill 4th position, and instead plow those funds into website improvements. Also digitized all financial records so can toss the paper copies.

Second largest line item is rent--that will disappear when move to Chelsea.

Fourth position is in budget, looking at job description and at filling it.

## NPDES Permit – Clinton & Deer Island

AB comments are on co-permittees. In “lock-step” with MWRA. Say that they don’t believe co-permittees belong in any permit. Reaching out to environmental law firms...

## CLF Lawsuit/CSO Program

Joe mentioned the WAC and AB letters on the CRWA and MyRWA letter in the Globe and further advocacy around water quality.

Variance was extended.

## Operations Committee – John Sanchez

Got presentation ([here](#)) on what towns need to do when an SSO under the sewage reporting law.

Local assistance update--on sewer side in phase 11 & 12. Phase 13 is 0% loan only. 15 communities have used all of Phase 12, and a 19 have used some of it.

Authorizing Phase 14 at same level as Phase 12. Also making motion to make Phase 13 (loan only) optional to access grants in Phase 14.

Extending Phase 2 of local water assistance two years.

NEXT MEETING: May 19th--Lead and Copper forum and new rules coming up soon. 10 am.