

Posted 08/16/2024, 1pm

MASSACHUSETTS WATER RESOURCES AUTHORITY

Deer Island
33 Tafts Avenue
Boston, MA 02128



Frederick A. Laskey
Executive Director

Chair: R. Tepper

Vice-Chair: A. Pappastergion

Secretary: B. Peña

Board Members:

P. Flanagan

J. Foti

B. Swett

L. Taverna

H. Vitale

J. Walsh

P. Walsh

J. Wolowicz

BOARD OF DIRECTORS' MEETING

Telephone: (617) 242-6000

Fax: (617) 788-4899

TTY: (617) 788-4971

Date: Tuesday, August 20, 2024

Time: 3:00pm

Location: The meeting will be held virtually, on Webex. The meeting link, event number and password to attend virtually are below.

WebEx meeting link (registration required):

<https://mwra.webex.com/weblink/register/re0ff1ff5a2f62671457e84083ffd12d9>

Event number: 2336 087 6227 Password: 082024

AGENDA

I. WATER POLICY AND OVERSIGHT

A. Approval

1. Emergency Water Supply Agreement with the Town of Wayland

II. ADJOURNMENT

STAFF SUMMARY




TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director
DATE: August 20, 2024
SUBJECT: Emergency Water Supply Agreement-Period One with the Town of Wayland

COMMITTEE: Water Policy & Oversight

 INFORMATION
 X VOTE

Rebecca Weidman, Deputy Chief Operating Officer
Colleen Rizzi, P.E., Director, Env and Regulatory Affairs
Preparer/Title

 for
David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

To authorize the Executive Director, on behalf of the Authority, to execute an Emergency Water Supply Agreement-Period One with the Town of Wayland for a period of up to six months, substantially in the form of agreement attached hereto.

DISCUSSION:

On July 25, 2024, the Town of Wayland Department of Public Works submitted a request to MWRA for emergency withdrawal under MWRA’s Operating Policy OP.05: Emergency Water Supply Withdrawals, which applies to communities outside MWRA’s water service area that are seeking MWRA water on an emergency basis. Under OP.05, MWRA’ Executive Director or Chief Operating Officer has the authority to approve short-term emergency connections for up to a 30-day period. Emergency connections lasting longer than 30 days and up to six-months require MWRA Board of Directors’ approval, and MWRA Advisory Board approval for second and subsequent six-month withdrawal periods. This is the Town’s first emergency withdrawal. Upon approval, long-term emergency connections are subject to the implementation of a six-month Emergency Water Supply Agreement. All emergency connections require a coinciding MassDEP Declaration of State of Water Supply Emergency (“Emergency Declaration”) for the community.

The Town of Wayland (“Town”) has had ongoing water supply problems and began construction of a temporary emergency connection pump station in 2023. The station was completed and tested in 2024. On July 25, 2024, MassDEP issued an Emergency Declaration for Wayland (attached) after discovery of *E. coli* in one of its wells. This Emergency Declaration has since been extended until September 30, 2024, to allow time for the Town to remediate this issue and make repairs to PFAS treatment facilities at another well. Pursuant to OP.05, on July 25, 2024, MWRA approved a short-term emergency connection. In anticipation of a longer-term need, staff are seeking approval from the Board of Directors to extend the connection for up to six months. MassDEP’s Emergency Declaration and MWRA OP.05 require that the Town ban nonessential outdoor water use. While the Town normally has seasonal restrictions on outdoor water use in effect from May 1 to September 30, it has instituted a ban in accordance with the Emergency Declaration and MWRA OP.05.

Emergency Water Supply Approval Criteria and Requirements

MWRA's emergency water use policy sets forth withdrawal criteria and requirements. Compliance with key criteria and requirements associated with the Town's request are as follows:

- The Executive Director or the Chief Operating Officer is authorized to approve the emergency use of MWRA water through an existing or temporary connection to the MWRA or an MWRA water system community by a non-MWRA water system or facility for a period not to exceed 30 calendar days.
- Emergency connections lasting longer than 30 days and up to six months require approval by the MWRA Board of Directors for the first instance, and both Board of Directors and MWRA Advisory Board approval for subsequent withdrawal periods. These long-term emergency connections are subject to an Emergency Water Supply Agreement between the community and MWRA.
- *MassDEP must declare a water supply emergency exists in the requesting community.* MassDEP issued an Emergency Declaration on July 25, 2024, that was in effect until August 15, 2024. On August 1, 2024, the Town requested an extension of the Emergency Declaration, because repairs to the well are taking longer than anticipated and to allow for the rigorous water quality sampling required prior to putting the well back into service. In addition, the Town has requested further emergency use in order to make repairs to PFAS treatment facilities at another one of its wells. MassDEP issued an extension of the Emergency Declaration on August 14, 2024; this Emergency Declaration expires on September 30, 2024.
- *There must be no negative impact on MWRA's system and member communities.* The Town's withdrawal will not have a negative impact on MWRA's system. The emergency connection is located on MWRA's water main at a pumping station designed and constructed by the Town in the event it needed an emergency water supply. The Town completed a hydraulic analysis during design to ensure the emergency pump station would meet water demands and not cause adverse impacts on the Town's distribution system and MWRA vetted the connection and impacts of withdrawal before approving the connection.
- *A long-term plan to remedy supply deficiencies must be developed.* The Town started the process to receive a supplemental water supply from the MWRA water system as a long-term supply. The Town has been coordinating with MWRA to determine an appropriate connection location to the MWRA water system and associated pipe route. The Town is currently working on the design and will begin the environmental review process once the pipeline route and impacts are fully defined.
- *The applicant community does not use MWRA water supply as a chronic emergency backup supply without equitable contribution for the fair asset value of the MWRA waterworks system.* This is the first emergency supply withdrawal period for the Town. Since the first withdrawal period does not represent chronic use of MWRA as a backup water supply, there is no fair asset value contribution associated with it. Should the Town request subsequent emergency withdrawals, those withdrawal periods require asset value contributions as outlined in OP.05.

- *The Community must submit a detailed description of water conservation and water accountability programs undertaken.* The Town implements water conservation and demand management strategies and is working toward meeting the requirements of its 2021 Water Management Act permit to lower unaccounted for water percentages (from 10.6% to 10% or less) and residential water use from 68 to 65 residential gallons per capita per day or less. Strategies include annual leak detection, annual water meter testing, rapid leak repair, tiered water billing, seasonal water bans, and periodic water conservation outreach.

Contents of Emergency Water Supply Agreement

The Agreement limits water withdrawals to a maximum rate of 1.0 million gallons per day (mgd), with an expected withdrawal between 0.6 mgd and 1.0 mgd. The proposed term of the Agreement will be for the period of July 25, 2024, through January 25, 2025, unless terminated sooner because a MassDEP Emergency Declaration is no longer in effect, as well as for other exigent circumstances. Pursuant to the Agreement, all withdrawals must be metered. The Agreement also requires the Town to adhere to all conditions and requirements contained in the MassDEP Emergency Declaration. The Agreement reflects MWRA's charges for emergency withdrawals, including a 10% premium charge added to the MWRA prevailing rate.

Status of Admission Process

The Town is seeking admission to the MWRA water supply system and is getting ready to begin the environmental review process. The Town has coordinated closely with MWRA as it developed connection and pipeline alternatives.

BUDGET/FISCAL IMPACT:

Pursuant to OP.05, water taken for the first emergency withdrawal period is charged at 110% of the MWRA prevailing rate. MWRA will review actual use information to determine and assess the surcharge amounts. The volume of the emergency withdrawals and therefore the amount of revenue MWRA will receive cannot be projected at this time.

ATTACHMENTS:

Draft Wayland Emergency Water Supply Agreement
MassDEP Emergency Declaration

EMERGENCY WATER SUPPLY AGREEMENT – PERIOD ONE
BETWEEN
THE MASSACHUSETTS WATER RESOURCES AUTHORITY
AND
THE TOWN OF WAYLAND

Parties.

This Emergency Water Supply Agreement (“Agreement”) is entered into by and between the Massachusetts Water Resources Authority (“MWRA”), and the Town of Wayland (“Wayland”) hereinafter jointly referred to as the “Parties.” This Agreement documents the agreement and understanding of the Parties regarding the arrangement whereby MWRA will supply water to Wayland through an emergency connection Wayland has with MWRA, and whereby Wayland will purchase a portion of its water supply from the MWRA on an as-needed, emergency basis for a period not exceeding six months, as indicated in paragraph 10 hereof.

Recitals.

- R.1. The MWRA was created by the Massachusetts legislature in December, 1984 to operate, regulate, finance, and modernize the waterworks and sewerage systems servicing the greater metropolitan Boston area. Operating pursuant to the terms of Section 8(d) of its Enabling Act, chapter 372 of the Acts of 1984, as amended (the “Act”), and pursuant to the Policies and Procedures for Emergency Water Supply Connections of its Board of Directors, the MWRA may enter into arrangements to provide emergency supplies of water to any local body of the Commonwealth, provided certain conditions are met.
- R.2. Wayland is a duly constituted municipal corporation of the Commonwealth of Massachusetts.
- R.3. Wayland drinking water is supplied by the following sources: Happy Hollow Wells, Baldwin Pond Wells, Campbell Well, and Chamberlain Well. Wayland has a fifth source called the Meadowview Well, which is offline due to poor water quality. Each of the active sources has their own treatment. Water quality factors have required the removal of one of Wayland’s active sources from service and facility repairs at another source have temporarily impacted Wayland’s ability to meet water demand with its local sources alone.
- R.4. On July 25, 2024, the Town of Wayland Department of Public Works, in an electronic mail communication, requested approval to take emergency water from MWRA due to a positive E. coli result in Wayland’s Chamberlain Well. Concurrently, this well was taken offline.
- R.5. On July 25, 2024 the Massachusetts Department of Environmental Protection (“MassDEP”) issued a Declaration of Water Supply Emergency to Wayland, to remain in effect until September 30, 2024 (or until MassDEP determines that emergency conditions no longer exist, whichever is sooner). The MassDEP Declaration of Water Supply Emergency is included as Attachment A to this Agreement.

- R.6 The MWRA's Policy for Emergency Water Supply Withdrawals, OP#.05 (the "Policy") includes criteria and a process for approving requests for emergency withdrawals.
- R.7 Wayland has applied to the MWRA to use emergency interconnections to the MWRA system through a temporary pump station to supplement Wayland's local water supply sources on an as-needed basis.
- R.8 On July 25, 2024, pursuant to the Policy, MWRA issued a "Short-term Approval" to Wayland for an emergency connection to the MWRA system, which anticipated that the emergency connection would need to be extended for a total period of up to six months.
- R.9 The MWRA has determined that it can supply Wayland with an emergency water supply for a period not exceeding six months under this Agreement without jeopardizing its ability to supply its member communities and without exceeding the safe yield of its water supply system.
- R.10 On ____, 2024, the MWRA Board of Directors authorized the MWRA Executive Director to execute this Agreement with Wayland.
- R.11 Wayland will comply with all applicable legal and regulatory requirements.
- R.12 Pursuant to the Policy, this Agreement is considered "Emergency Water Supply Agreement Period One."

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises contained herein and for other good and valuable consideration, the MWRA and Wayland agree as follows:

1. Wayland may take water from the emergency interconnection at a maximum rate of 1.0 million gallons per day over the term of this Agreement.
2. The transfer of water from the MWRA to Wayland shall not extend beyond a period of term of this Agreement, unless Wayland submits an application for an additional emergency water supply withdrawal and the MWRA's Board of Directors and the MWRA Advisory Board approve the additional emergency water supply withdrawal. Any withdrawals beyond the Agreement term will also require an extension of MassDEP's Water Supply Emergency Declaration. In considering withdrawals beyond the Agreement term, the MWRA will consider Wayland's efforts to reduce consumption, to implement its long-range plans and comply with MassDEP orders, and to implement a water conservation program.
3. During the term of this Agreement, Wayland shall institute and continue all practicable conservation measures including, but not limited to, a water conservation public education program; 100% metering; leak detection surveys and rehabilitation programs; conservation pricing for water services; and a local by-law governing outdoor water use with appropriate enforcement measures such as fines and water shut-off for non-compliance. Wayland shall actively administer and enforce such local by-law.

4. Wayland shall submit to MWRA a report on water use, and the status of the emergency.
5. Wayland shall comply with all the conditions of any MassDEP Declaration of Water Supply Emergency.
6. During the term of this Agreement, the MWRA shall bill Wayland for water usage as metered at a cost of 10% over the prevailing rate (*i.e.*, 110% of the MWRA prevailing rate) as mandated by Attachment A to the Policy.
7. The Parties agree that the emergency withdrawal authorized under this Agreement is not appropriate for or intended to provide a permanent water supply to Wayland. Any request by Wayland for a permanent partial water supply from MWRA shall require full consideration of all alternatives, including effective water conservation and leak detection, and shall be subject to all approvals required under Section 8(d) of the Act, MWRA policies, and under applicable state law and regulations.
8. The MWRA provides potable water in compliance with federal and state drinking water standards at the revenue meters of its waterworks communities. The Parties agree that MWRA assumes no liability for the compliance of water delivered pursuant to this Agreement with those state and federal drinking water standards once the water has entered the Wayland water distribution system.
9. Any dispute arising between the MWRA and Wayland under the terms of this Agreement shall be resolved in accordance with the dispute resolution process set forth at 360 C.M.R. 1.00.
10. The term of this Agreement shall commence on July 25, 2024, the day in which Wayland could begin to take water (“Start Date”) through and including January 25, 2025, the six-month anniversary of the Start Date, unless terminated sooner pursuant to the terms of this paragraph. During the term, MWRA may unilaterally terminate this Agreement in its sole discretion and at any time due to: (1) a MassDEP Declaration of Water Supply Emergency for Wayland is no longer in effect; (2) unforeseen circumstances such as inadequate supply and insufficient hydraulic capacity; and (3) any other conditions related to the safe supply of existing users and operational requirements of the MWRA’s waterworks system.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on this _____ day of _____, 2024 by their duly authorized representatives.

MASSACHUSETTS WATER
RESOURCES AUTHORITY

By:

Frederick A. Laskey
Executive Director

TOWN OF WAYLAND

By:

Michael McCall
Town Manager

DRAFT

Attachment A
MassDEP Declaration of Water Supply Emergency

DRAFT



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 150 Presidential Way Woburn, MA 01801 • 978-694-3200

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

July 25, 2024

VIA EMAIL: mmccall@wayland.ma.us

Michale McCall, Town Manager
Town of Wayland
Town Hall
41 Cochituate Road
Wayland MA, 01778

City/Town: Wayland
PWS Name: Wayland Water Division

PWSID: 3315000
Emergency Declaration
UAO No. **00018674**

Dear Mr. Millette:

The Massachusetts Department of Environmental Protection (“MassDEP”) received an emailed petition from the Town of Wayland (“Wayland”), dated July 25, 2024, requesting an Emergency Declaration under the provisions of the Water Management Act, M.G.L. c. 21G, §15 (the “petition”). According to the petition, due to an E. Coli positive result in one of the sources without approved 4-log disinfection, the source is now offline. Wayland states:

With the Chamberlain Well offline, our system demands are expected to exceed our ability to supply water even with the current outdoor water use restrictions that are in place (nonessential outdoor water use is currently prohibited except for Tuesday and Thursday evenings).

MassDEP issues the attached Declaration of State of Water Supply Emergency, UAO No. 00018674. If you have any questions regarding this letter, please contact me at (978) 694-3225.

Sincerely,

Eric Worrall July 25, 2024

Eric S. Worrall
Regional Director

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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ecc: Don Millette, Water Superintendent Town of Wayland, dmillette@wayland.ma.us
Nicholas Iarussi, Primary Treatment Operator, niarussi@wayland.ma.us
Thomas Holder, DPW Director, tholder@waylandma.us
Town of Wayland Board of Health, jjunghanns@wayland.ma.us, health@wayland.ma.us
Duane LeVangie, MassDEP/Boston Office
Heidi M. Zisch, MassDEP OGC
Duane Levangie, MassDEP
Rebecca Weidman, MWRA, Rebecca.weidman@mwra.com
Colleen Rizzi, MWRA, colleen.rizzi@mwra.com

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use restrictions that are in place (nonessential outdoor water use is currently prohibited except for Tuesday and Thursday evenings). ...

5. The Water Management Act, M.G.L. c. 21G, § 15 and the Water Management Act Regulations, specifically the provisions of 310 CMR 36.40 (1), authorize any water system to petition MassDEP for a Declaration of a State of Water Supply Emergency if it finds that there exists or impends a water supply shortage of a dimension which endangers the public health, safety or welfare.
6. Pursuant to M.G.L. c.21G, § 15, and the Water Management Act Regulations at 310 CMR 36.40(2), MassDEP may declare a state of water emergency if it finds that there exists or impends a water supply shortage of a dimension which endangers the public health, safety or welfare. Further, in response to a petition for a Declaration of a State of Water Supply Emergency and pursuant to this statutory section, MassDEP may require the water supplier to submit for its review an approval a plan for restraining the use of water by whatever means it deems appropriate and feasible. The statute limits any Declaration of a State of Water Supply Emergency to no more than six months in aggregate in any twelve-month period, unless MassDEP determines that a longer state of emergency is required to protect public health.
7. Furthermore, the Water Management Regulations at 310 CMR 36.40(2) provides:

Upon receiving a petition for a declaration of a state of water supply emergency, the Department may declare an emergency if it finds that there exists or impends a water supply shortage of a dimension which endangers the public health, safety or welfare, due to circumstances including, but not limited to:

 - (a) demand for water exceeds the availability of water;
 - (b) mechanical failure or similar type of emergency, including inability to maintain storage tanks, loss of power, loss of pumping capacity, loss of storage capabilities, or major breaks or leaks; contamination of the public water supply, ... and inability to meet demand with remaining public water supplies;
 - (c) inadequate source of water, inadequate distribution system capacity, inadequate storage capacity or drought including seasonal water shortages which repeatedly affect the same public water system; or
 - (d) necessary repair or maintenance of the public water system.
8. Pursuant to the Water Management Act M.G.L. c.21G, § 17, MassDEP may issue orders during a state of emergency declared under M.G.L c.21G, § 15 to, among other things, establish priorities for the distribution of any water or quantity of water use, to permit any person engaged in the operation of the water supply system to cease the distribution of water, to distribute water to certain users as specified by MassDEP, and to require the implementation of specific water conservation measures.

Determination and Order

9. For the reasons set forth above and pursuant to the Water Management Act, M.G.L. c.21G, § 15, MassDEP hereby determines that a water supply emergency exists and that it endangers the public health, safety or welfare of the citizens of the Town. Unless extended by MassDEP, this Emergency Declaration shall remain in effect until August 15, 2024, or until such time as MassDEP determines that emergency conditions no longer exist, whichever is sooner.
10. By issuing this Emergency Declaration, MassDEP hereby grants the PWS authority to obtain water from the MWRA (PWS ID 6000000) through its interconnection subject to the following conditions:
 - a. The Town shall maintain records of any water pumped from these sources as required under the Regulations during the duration of this Declaration and provide those records to the Department on request.
 - b. The Town shall comply with the requirements of the MWRA governing emergency use of connections with an MWRA community.
11. Effective immediately, the Town shall ban all non-essential outside water use which shall remain in place for the duration of this Emergency Declaration. For purposes of this Emergency Declaration, the term “nonessential outside water use” is defined to include those uses that do not have health or safety impacts, are not required by regulation, and are not needed to meet the core functions of a business or other organization. The Town shall have the authority to enforce these regulations through the assessment of penalties or the imposition of fines.
12. Within two (2) days of the date of issuance of this Emergency Declaration, the Town shall provide updated public notice to its consumers through the Town’s Reverse-911 system of the issuance of this Emergency Declaration and the ban on all non-essential outdoor water use. The Town shall provide MassDEP with the written text of said notice by July 26, 2024. The Town shall continue to notify customers by any additional means, including but not limited to sign boards, notices on web site and social media, as deemed necessary. If the Town has published notice in a local newspaper and/or on the Town’s website or by any other means, then the Town shall also submit a copy of the public notice to MassDEP within ten (10) business days of publication of the notice.
13. On or before August 1, 2024, the Town shall submit to MassDEP a written report documenting all efforts taken by the Town to implement and enforce the ban on nonessential outside water use required herein, including all actions taken by the Town to inform the public of the ban and to enforce the ban, including the assessment of penalties

or imposition of fines. The report shall describe water use trends over the period of the emergency and describe progress and the status of all other conservation programs being implemented by the Town. The Town shall submit copies of all materials and notices prepared to inform the public of the need to conserve water and comply with the ban on nonessential outside water use.

14. The Town shall comply with all the remaining terms and conditions of its MassDEP Permit No. WMA 9P4-3-14-315.01 that remain unchanged by this Emergency Declaration.
15. If the Town fails to comply with the provisions of this Emergency Declaration, MassDEP may assess a civil administrative penalty as provided in M.G.L. c.21A, § 16 and M.G.L. c.21G, § 14. MassDEP may also seek civil judicial penalties as provided in M.G.L. c.21G, § 14. Each day of continued violation shall constitute a separate offense. In addition, MassDEP may ask the Attorney General to bring an action in the superior court to compel compliance with this Declaration.

Appeal Rights

16. Respondent is hereby notified that it has a right to an adjudicatory hearing on this Order. Pursuant to M.G.L. c. 21G, § 12 and 310 CMR 36.40(1) and effective twenty-one days after the Order is received by the Respondent, Respondent shall be deemed to have waived its right to an adjudicatory hearing on this order unless Respondent files with MassDEP (i.e. MassDEP receives), a written notice of claim for an adjudicatory appeal that clearly and concisely states every point of fact and law Respondent intends to raise as grounds for the appeal, the relief sought, and any additional information required by applicable law. The request must be mailed to:

Commonwealth of Massachusetts
MassDEP-Office of Appeals and Dispute Resolution
One Winter Street
Boston, MA 02211
Email: caseadmin.oadr@mass.gov

And a copy sent to:

Heidi M. Zisch, Counsel
MassDEP-Office of General Counsel
Northeast Regional Office
150 Presidential Way
Woburn MA, 01801
Email: Heidi.Zisch@mass.gov

The appeal must be accompanied by a valid check made payable to Commonwealth of Massachusetts in the amount of \$100.00 for the required filing fee. The filing fee must be mailed to:

Commonwealth of Massachusetts
MassDEP-Office of Appeals and Dispute Resolution
P.O. Box 4062
Boston, MA 02211

The filing fee is not required if the appellant is a city, town, county, or district of the Commonwealth of Massachusetts or a municipal housing authority.

Failure to pay the filing fee as required is grounds for dismissal of the request for hearing.

Waiver of filing fee: Upon a showing of undue financial hardship, MassDEP may waive the adjudicatory hearing filing fee. A person who believes that payment of the \$100.00 filing fee would be an undue financial hardship must file, together with the request for adjudicatory hearing as provided above, an affidavit setting forth the facts the appellant believes constitute the undue financial hardship.

Issued by the Department of Environmental Protection this 25th day of July 2024.

By *Eric Worrall* July 25, 2024
Eric S. Worrall, Regional Director



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 150 Presidential Way Woburn, MA 01801 • 978-694-3200

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

August 14, 2024

VIA EMAIL: dmillette@wayland.ma.us

Don Millette, Water Superintendent
Wayland Water Division
66 River Road
Wayland MA, 01778

City/Town: Wayland
PWS Name: Wayland Water Division
PWSID: 3315000
Emergency Declaration – Extension 1
UAO No. **00018674**

Dear Mr. Millette:

On July 25, 2024, the Massachusetts Department of Environmental Protection (“MassDEP”) issued an Emergency Declaration to the Town of Wayland (“Wayland”) under the provisions of the Water Management Act, M.G.L. c. 21G, §15 (the “WMA”) and the regulations enacted thereunder at 310 CMR 36.40 (the “regulations”). Following receipt of a Petition by Wayland pursuant to the statute and the regulations, the Emergency Declaration was issued due to an E. Coli positive result in the Chamberlain Well source that does not have approved 4-log disinfection and the source was taken offline, which resulted in system demands exceeding Wayland’s ability to supply water even with the current outdoor water use restrictions that are in place (nonessential outdoor water use is currently prohibited except for Tuesday and Thursday evenings). Paragraph 9 of the Emergency Declaration states that “...[u]nless extended by MassDEP, this Emergency Declaration shall remain in effect until August 15, 2024, or until such time as MassDEP determines that emergency conditions no longer exist, whichever is sooner.”

On August 1, 2024, Wayland requested in writing an extension to the Emergency Declaration August 15, 2024, deadline to September 30, 2024. Wayland states:

Currently, the Chamberlain well is undergoing cleaning and redevelopment under a contract with Maher Services. The vertical shaft turbine pump was removed from the well casing on 7/31/24. The well cleaning equipment is being set up today (8/1/24). The well is expected to be offline for another two to three weeks while the well is cleaned and the pump and motor are inspected for deficiencies. We will need to continue to use the Emergency MWRA connection until the well is reinstalled, samples are collected and we are granted permission to reactivate the Chamberlain Well by MassDEP.

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.

TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

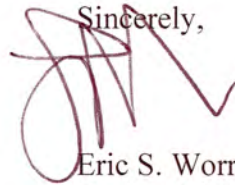
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In addition, Wayland identified compounding issues regarding necessary repairs and maintenance activities at the Happy Hollow Water Treatment Plant that are needed to maintain proper storage tank levels within the Reeves Hill Water Storage Tank; these are expected to take additional time.

MassDEP hereby approves an extension of the Declaration of State of Water Supply Emergency, UAO No. 00018674 until September 30, 2024, or until such time as MassDEP determines that emergency conditions no longer exist, whichever is sooner as per the WMA and 310 CMR 36.42(2). All other provisions of the Order shall remain in full force and effect.

If you have any questions regarding this letter, please contact me at (978) 694-3225.

Sincerely,



Eric S. Worrall
Regional Director

ecc: Nicholas Iarussi, Primary Treatment Operator, niarussi@wayland.ma.us
Thomas Holder, DPW Director, tholder@waylandma.us
Town of Wayland Board of Health, jjunghanns@wayland.ma.us, health@wayland.ma.us
MassDEP Boston DWP, Program.Director-dwp@mass.gov
Duane LeVangie, MassDEP/Boston Office
Heidi M. Zisch, MassDEP OGC
Rebecca Weidman, MWRA, Rebecca.Weidman@mwra.com
Colleen Rizzi, MWRA, Colleen.Rizzi@mwra.com

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