



Water Supply District of Acton

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

TELEPHONE (978) 263-9107

FAX (978) 264-0148

Board of Water Commissioners Meeting Agenda Monday, November 10, 2025 @ 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:
Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/83090075746>

Phone one-tap:
+13092053325,,83090075746# US+13126266799
Join via audio:
+1 309 205 3325 US+1 646 931 3860 US
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
Webinar ID: 830 9007 5746

- Comments from the public
- Approve minutes from the meeting of 10/20
- Appoint one Commissioner to sign warrants while conducting meetings virtually

NEW BUSINESS:

- MassDEP Emergency Declaration
- Discuss District Clerk Appointment

OLD BUSINESS:

- Per- and Polyfluoroalkyl Substances (PFAS)
 - Current sample data, if available
 - Discussion of Additional PFAS Upgrades
- 549 Main Street Public Opening Event
- RFP for Nagog Hill Tank Cell Tower Lease
- Review Powdermill Place Water Connection Agreement

Any agenda item(s) which did not come to the attention of the Board of Water Commissioners 48 hours prior to this meeting and were not reasonably anticipated.

Board of Water Commissioners
Meeting Agenda
Monday, October 20, 2025 @ 7:00 PM

- Comments from the public
- Approve minutes from the meeting of 9/29 and 10/15
- Appoint one Commissioner to sign warrants while conducting meetings virtually

OLD BUSINESS:

- Per- and Polyfluoroalkyl Substances (PFAS)
 - Current sample data, if available
 - Discussion of Additional PFAS Upgrades
- MWRA MetroWest Expansion
- Discussion of Renaming 549 Main Street Property
- 549 Main Street Public Opening Event

NEW BUSINESS:

- Habitat For All Rules & Regulations Public Hearing
- Pine Hill Condominium/Great Road Water Service

Present at Tonight's Meeting:

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

Finance Committee: Ron Parenti

District Manager: Matt Mostoller

Treasurer/Collector: Christine McCarthy

Deputy District Manager: Corey Godfrey

Members of the Public: Brewster Conant Jr, Phoebe Conant, Kim Kastens, Bettina Abe, John Petersen, Lori Cooney, Susan Mitchell-Hardt

Capital Strategic Solutions: Meredith Roberts, Mike Tusino

START OF MINUTES

Mr. Stuntz opened the meeting at 7:01 p.m. and ensured that everyone could hear and be heard.

Comments from the public

Mr. John Petersen thanked Mr. Godfrey for providing an update on the USGS permeability data to the WRAC, and Mr. Petersen added that a new hire in the Acton DPW, Evan White, has a water utility background and could be a future resource to the District.

Approve minutes from the meeting of 9/29 and 10/15

Mr. Rosen motioned to approve the minutes of 9/29/25. Ms. Lin seconded, and the motion was unanimously approved via a roll call vote, Mr. Rosen, Ms. Lin, Mr. Stuntz.

Ms. Lin motioned to approve the minutes of 10/15/25. Mr. Rosen seconded, and the motion was unanimously approved via a roll call vote, Mr. Rosen, Ms. Lin, Mr. Stuntz.

Appoint one Commissioner to sign warrants while conducting meetings virtually

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

Meredith Roberts from Capital Strategic Solutions informed the board of her upcoming departure from Capital Strategic Solutions, and that her colleague Mike Tusino will be taking over the meeting minute responsibilities for the board. Ms. Roberts thanked the board for the opportunity, and she and Mr. Tusino informed the board on how the handoff will be managed.

OLD BUSINESS:

Per- and Polyfluoroalkyl Substances (PFAS)

Current sample data, if available

Mr. Mostoller updated the board on the October PFAS sample results. Center Acton was sampled on October 1st and came in at 19 ppt. Mr. Mostoller noted this is an increase of 1 ppt since September, and is very close to qualifying as a one-month exceedance. Mr. Mostoller informed the board they are taking measures to rest these wells in November.

North and South Acton were sampled on October 8th. North Acton remains at non-detect, while South Acton sampled at 14.8 ppt which is down about 2ppt from the previous month.

Discussion of Additional PFAS Upgrades

Mr. Mostoller informed the board that the two projects continue to make progress. He noted that the media load in dates shared at the October 6th Selectboard meeting have been revised. South Acton's media load in will now begin on November 5th, and Center Acton's will begin on November 24th. They intend to keep South Acton's original start up date unless the media conditioning is slower than expected.

MassDEP will also be on site this week to inspect the Bedrock Wells. Mr. Godfrey and other staff will be onsite to assist with the inspection, and hopefully the wells can be operational by the end of the week.

Last week both plants went through the transfer pump start up, there were some hiccups, but they can run water through both facilities. They continue conducting pressure testing and chlorination. So far testing has been going well.

Mr. Godfrey then updated the board on the updated start up strategy. Once the GAC media is loaded into the vessels at South and Center, they will have a lengthy conditioning process where they run water through the system but not into distribution. Mr. Godfrey explained this is because the GAC has high pH level, and potentially a slight level of arsenic, so they need to rinse the GAC to get it to acceptable levels. This process takes a lot of time and water, and the District is planning to make several adjustments to accommodate this high use.

The District will implement a level 4 outdoor water use restriction at the end of October into November. This is not expected to make a drastic change as most outdoor water use drops off in November anyways. They have also suspended the fall flushing season to conserve water. Additionally, they are waiting for the activation approval of the Bedrock Wells from DEP, which will hopefully allow them to produce more water onsite.

Mr. Godfrey continued that to ensure they can meet demand while conditioning they are reaching out to their neighbors Littleton and Concord to see if they may purchase water for a period of time. The exact period is uncertain, but it could be 5-6 weeks. The Littleton connection is easy to activate with a hydrant-to-hydrant connection, a meter and backflow device. Littleton has higher pressure than the District but does not have as large of an excess of water.

Concord has more excess capacity, but Acton has the higher pressure of the two so a simple connection could flow water from Acton to Concord in the wrong direction. Because of this, a connection with Concord requires a temporary pump system at the town line at Lawsbrook Road. They have arranged to rent a portable booster pump station and

are coordinating its delivery for next week. Electricity to the booster pump will be provided from Concord Municipal Light, as the District chose an electric pump over a diesel pump to reduce pollution and noise for the neighbors. He concluded that they are in good shape to meet demand with all these strategies in place.

Mr. Rosen asked how much the purchase of the preconditioned media is helping with the start-up time? Mr. Godfrey responded that preconditioned media can be either hit or miss as it typically has a lower pH but still requires a week or two of conditioning.

Ms. Lin asked if the billing to Concord and Littleton will be as it goes or a lump sum at the end. Mr. Godfrey responded that he assumes it will be monthly but it may show up as a lump sum invoice. Mr. Mostoller added that these expenses are being explored for SRF eligibility so it would not be as challenging to accommodate in our current budget. Ms. Lin then asked if the water restriction is a definite strategy, which Mr. Mostoller confirmed and explained that even if it has limited effectiveness it demonstrates to their neighbors, they are taking all necessary steps before asking for assistance.

Mr. Ron Parenti asked what impact on the budget buying 6 weeks of water will have. Mr. Godfrey noted it depends on how much they need but could be about \$200,000 to \$300,000.

Mr. Petersen asked how they will inform people about the Level 4 outdoor water use restriction. Mr. Mostoller replied that they shared that info at the Selectboard meeting on October 6th, utilize the WaterSmart portal, send out emails, put it on bills, share it on their social media, and website. They do not anticipate doing a reverse 911 to inform people but may reconsider.

Mr. Petersen asked what the delta pressure between Concord and Acton is especially given that water systems tend to have better longevity at a lower pressure, and what is being done to optimize system pressure. Mr. Mostoller and Mr. Godfrey replied that there is a difference of about 30 psi between Concord and Acton, with Acton at around 95 and Concord at about 66. Mr. Mostoller explained that optimizing pressure has to take into consideration Acton's varied terrain. The South Acton Treatment Plant is at one of the lowest elevations in town, so to get water from there to far ends of distribution, requires a high operating pressure.

MWRA MetroWest Expansion

Mr. Mostoller informed the board that since the last meeting they have been in touch with Maynard and had a successful respondent to the RFQ. This respondent was a little surprising as two of the consultants they expected to hear from chose to combine their

firm's expertise into a single team response. Right now, the Maynard Town Administrator is negotiating the price with that project team, and they are hoping to hear more in November.

Discussion of Renaming 549 Main Street Property

Mr. Stuntz introduced this item, looking to wrap up discussion and come to a decision. Mr. Stuntz called on Mr. Brewster Conant Jr. as he had a new presentation to give before the board. Mr. Mostoller shared Mr. Conant's presentation on the screen.

Mr. Conant gave background to the 549 Main Street Property and explained that a common name would be preferred to the current legal name because it would resonate with the public, highlight the property, and could work better with GPS than the current address. Mr. Conant laid out the possible paths before the board, to do nothing, to replace or repeal the official name registered, or to retain the legal name while adding a common name for public use.

Mr. Conant reviewed a revised list of possible names including the Isaac Davis Trail Protection land, Isaac Davis Trail Water District Land, Conant Water Supply Protection Land, or the Conant Davis Water District Land. Mr. Conant reviewed the 2 preferred names from that list, Isaac Davis Trail Water Supply Protection Land, and the Conant Davis Water District Land as they both capture the many assets of the land and could be abbreviated.

Mr. Conant then reviewed the possibility of naming the meadow and shared aerial photographs of the meadow in 1963 and 2018 to show the effort of Mr. Brewster Conant Sr. in maintaining the meadow. A possible name for the meadow as Brewster's Meadow was again suggested. Mr. Conant then presented how these items may be motioned and voted on in a way that maintains the legal name while giving a common name.

Mr. Stuntz thanked Mr. Conant for his presentation and invited the Commissioners to give comments.

Ms. Lin thanked Mr. Conant for the presentation, and stated she doesn't love the proposed names, and thinks none of them get to the essence of the land. She acknowledged the importance of the Issac Davis Trail but noted that is not the primary function of the land. Additionally calling the land the Conant Davis Water District Land makes it sound like the land belongs to an entity named the Conant Davis Water District.

Ms. Lin continued that she's more inclined to assign a name to the meadow or trail system rather than the land itself, she added that she doesn't believe it's vital that the common name says water supply or water protection.

Mr. Rosen commented that he agrees with Ms. Lin, that he does not favor changing the legal name, and that the suggested motions from the presentation imply certain conditions that the District should not be tied to. Mr. Rosen agreed that he would prefer a common name for the trails, and since the last meeting came up with two options "The Trails at Conant Meadow" or "The Trails at Brewster's Meadow". Mr. Rosen added he is not locked into using the word conservation, protection, or water protection in the name, as he prefers a short name, and a name for the trails or meadow.

Mr. Stuntz commented that the District is not in the business of naming trail systems, and that Acton Conservation Commission does that. Mr. Stuntz agreed with Mr. Rosen that there were too many conditions on how the name would be used in the motion from the presentation, and that none of the names rose above the others. Mr. Stuntz continued that he would prefer to focus on the official opening with the name currently in use. Ms. Lin asked Mr. Stuntz his feelings about naming the meadow. Mr. Stuntz replied that the meadow could be named at a later date.

Mr. Mostoller commented that it is not accurate to say the Conservation Commission has the ability to name the trail, as the District is in control of the land and therefore in control of the name. Mr. Mostoller went on to clarify how the Conservation Commission is responsible for helping to establish and maintain the trail network, but it is owned by the District. Mr. Stuntz clarified that even so, as trails are not part of the normal business of the District, he is in favor of no additional name.

Ms. Lin asked Mr. Mostoller if there are plans for additional signage, to which Mr. Mostoller said no.

Mr. Conant commented that the motions in the presentation were just a suggestion of what might be used, but he is confused as there seemed to be support for naming the meadow at the previous meeting. He added that it would be nice to have a name for the upcoming opening, and affirmed that he cannot make this naming request of the Conservation Commission. Mr. Conant continued that he believed this would be an easy lift as far as naming the meadow.

Mr. Stuntz and Mr. Conant then engaged in a discussion where Mr. Stuntz stated that typically they don't promote Water District land, but the meadow is different. Mr. Conant noted that the primary point of the project was public access, and while the District has other priorities, the public access is not clear in the name.

Ms. Bettina Abe commented that the Acton taxpayers spent about \$1 million for the CR to give them access to the trails, and the trails are going to need signage. As a member of the

Land Stewardship Committee, she said they will need guidance on what to put on kiosks and how to mark and label the land and trails.

Mr. Mostoller replied saying he has been in conversation with staff reviewing the principles of the CR and the Land Management plan. The District is aiming for a minimalist approach without kiosks, but with blazing or posts to mark the trail, and this is ongoing with the Conservation team.

Ms. Kim Kastens commented that she recalls that part of the funding was proposed on the basis that there would be public access to people in the multifamily housing nearby, and the premise of the funding in some part was environmental justice. She noted that not fostering public use doesn't seem consistent with this.

Mr. Mostoller clarified that Mr. Stuntz was referring to the District not usually or generally being in the mindset of public access, but they have been advertising public access for this property. In the lead up to the official opening they have spent money advertising and educating the public on the property and trails, they've notified all abutters within a half mile of the public access, and the District is committed to the public access, but to Mr. Stuntz point, it is not something that is normal for the District to do.

Ms. Kastens replied that even so they should be consistent with the funding sources and give a user friendly historically resonate name while rolling out the welcome mat.

Ms. Lin commented that it seems this isn't something they want to revisit, and that it would be nice to have something to honor and acknowledge the Conant family. It seemed from her perspective that there are issues with a common name for the full property but they could do something for the meadow. It does seem like a missed opportunity if it goes unremarked. Mr. Stuntz agreed that people often think of the meadow more than the property, and that Brewster's Meadow would be appropriate.

Mr. Rosen commented that he would like to refer to part of the property like the trails, or meadow or both, and that Brewster's Meadow is easy and honors someone associated with the land.

Mr. Mostoller noted that in this meeting and the last the emphasis has been on the public amenity of the property which is the trail, and that if they listen to this commentary it seems to be important to highlight that public benefit, and identify how the public interacts with the parcel through the trail rather than the broad water protection aspect. Mr. Rosen agreed with this point that the trail is the primary point of access for the public.

Mr. Stuntz agreed and brought up Mr. Rosen's previous suggestion of "The Trails at Brewster's Meadow". Ms. Lin and Mr. Rosen expressed support for this name for the public

amenities on the property. The board then briefly discussed how to phrase the motion to enact this.

Mr. Rosen motioned that the Acton Water District adopt the name “the Trails at Brewster’s Meadow” to refer to the public amenities located at 549 Main Street. Ms. Lin seconded, and the motion was unanimously approved via a roll call vote, Ms. Lin, Mr. Rosen, Mr. Stuntz.

549 Main Street Public Opening Event

Mr. Mostoller reminded the board about the Public Opening event for 549 Main Street on Tuesday the 28th at 2:00 p.m. The purpose of this event is to further public access, which is a unique requirement of the MVP grant.

Mr. Mostoller has confirmed most of the speakers for the event. The Selectboard will send a representative, as will the ACT and the SVT, the Conant Family, and the District. They are currently working on having the Undersecretary of Environmental Affairs come. Senator Eldridge, and Representative Cataldo are not available but will send staff members to attend. Representative Sena will be in attendance but is unsure if he will speak. They are looking to invite someone from DEP to attend.

Mr. Conant has graciously agreed to lead the tour of the property with our Environmental Analyst, Shawn Case, at the end of the event. The idea is for Mr. Stuntz to give welcoming remarks, then hear from the other speakers, and after the remarks, those who wish can go on a guided hike. Those not interested in hiking will have a period for refreshments and questions. Mr. Mostoller said they will think about how to incorporate the new naming convention into the event.

Mr. Rosen asked what time the Commissioners should arrive, Mr. Mostoller said 1:30 at the treatment plant.

Ms. Lin asked if this is a ‘rain or shine’ event. Mr. Mostoller affirmed it is, as they’ve been offered additional tenting. However, Mr. Mostoller said if they get another nor’easter with heavy rains like recently, they may reschedule.

Mr. Conant asked if this event has been advertised in the Acton Exchange. Mr. Mostoller said he submitted something but was unsure whether it was published. Mr. Conant stated he was working on writing up the history of the property for the event and asked about any mockups or photos that might be provided. Mr. Mostoller and Mr. Conant discussed the mockups for the event, and the write-ups that may be relevant to the webpage (www.actonwater.com/549main) for the trail.

NEW BUSINESS:

Habitat For All Rules & Regulations Public Hearing

Mr. Mostoller reminded the board that last spring there were many questions raised about the Habitat for All zoning change which were proposed at Annual Town Meeting. Mr. Godfrey has been part of a working group with town staff and committees coming up with rules and regulations to support the zoning change. The Planning Board will also hold a hearing tomorrow night at 7:00 p.m. about these rules and regulations. Mr. Godfrey reminded everyone that the intention for this change was to make cluster development by right and to require 60% of the land be designated as resource land. Mr. Godfrey also added that these bylaws include specific rules pertaining to the percentage of wetlands and how existing wetlands qualify. The primary interest of the District is the feasibility of leaching areas serving subdivisions on developable land and not on resource land, and the percentage of land that is considered acceptable for leaching. In the worst-case scenario if 10% cannot be used for leaching, then up to 20% can be used for leaching. This gives developers leeway if the soil is of poor quality but preserves the intention for resource land.

He continues that any land designated as a groundwater protection zone 1 or 2 is prioritized. Areas that fall within the Habitat for Biodiversity Data Layer are designated from the SVT Land Protection Prioritization Model. The District was part of the working group that was discussing the rules and regulation of this bylaw. The public hearing about these rules and regulations will be on Tuesday this week at 7 p.m.

Mr. Rosen asked what developers are allowed to do if a groundwater protection zone 1 or 2 is located on the parcel. Mr. Godfrey explained that there are restrictions on what can be done, and developers have an incentive to put those zones in the resource land as the criteria says they need to dedicate 60% of the parcel to resource land.

Mr. Rosen asked if they need to consider the leaching area and zone 1 in the same common area, or relocate the leach field away. Mr. Godfrey clarified that they are required to keep the leach field out of the resource area, and zone 1 has its pre-existing rules around leach fields, so there is no incentive to put a leach field in zone 1.

Ms. Lin asked if the upcoming meeting with the planning board includes a vote. Mr. Godfrey replied that he believes it's just for public input but they may call a vote depending on the feedback. Mr. Mostoller also clarified the process by which this bylaw was already adopted at town meeting and how these rules and regulations do not require an additional vote at town meeting.

Pine Hill Condominium/Great Road Water Service

Mr. Mostoller shared his screen to display a GIS system map of Acton. Mr. Mostoller reminded the board they have been following this issue for about 10 years regarding this private water source on Great Road. Mr. Mostoller pointed out a gap in the water system on Great Road between the intersection of Concord Road and the intersection of Brook Street and Strawberry Hill Road.

Mr. Mostoller's update regarded the stand-alone public water system in this area at the Pine Hill Condominium Complex. This complex operates its own well and is considered a public water system and is subject to the same regulations as the District. For several years now they have had issues with naturally occurring radioactivity of the water, and other water quality issues that come with a high disposal cost and treatment. For several years now MassDEP has been regulating the system and looking for a solution to improve the public health and safety of these residents.

The District does not have a water main here, and to extend one from Brook St would cost over \$1 million to build. Concord does have a water main in the area, but they have a standing policy to not expand their water service within Acton. Mr. Mostoller and the other parties involved have been having a conversation for about a year now but have made little progress on reaching a solution. Part of these conversations have discussed trading customers between Acton and Concord in the vicinity of Davis Road, which may help them balance their system, but this comes at a cost. MassDEP is trying to use funding to assist, but they're running into limits on how to use those funds.

Mr. Mostoller wanted to bring this to the board's attention as MassDEP has suggested providing grant assistance directly to the District to construct a water main. The challenge would be the process of getting voter approval, public design, and bidding which adds layers of time, cost, and complication. Currently the issue is stuck and they're running into roadblocks, but Mr. Mostoller wanted to put this on the Board's radar in case a potential warrant article comes up.

Mr. Rosen asked if the complex has its own wastewater treatment plant; Mr. Mostoller said they likely have a Title 5 system.

Mr. Stuntz asked how many people the complex serves. Mr. Mostoller estimated that with a 60-unit condo with around 2.5 people per dwelling it would likely be somewhere between 100-120 people.

Mr. Rosen motioned to adjourn the meeting. Ms. Lin seconded, and the motion was unanimously approved via a roll call vote, Mr. Rosen, Ms. Lin, Mr. Stuntz.

Meeting Closed at 8:27 p.m.

DRAFT



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Central Regional Office • 8 New Bond Street, Worcester MA 01608 • 508-792-7650

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Helpe
Commissioner

November 5, 2025

Acton Water District
P.O. Box 953
Acton, MA 01720

Re: City/Town: Acton
PWS Name: Acton Water District
PWSID: 2002000
Emergency Declaration
Enforcement Document #: 00021488

Attn: Christopher Allen, District Manager
via email – chris@actonwater.com

Dear Mr. Allen:

The Massachusetts Department of Environmental Protection ("MassDEP") received a petition (the "petition") from the Acton Water District of the Town of Acton, dated November 5, 2025, requesting an Emergency Declaration under the provisions of the Water Management Act, M.G.L. c. 21G (the "WMA") and the Water Management Act regulations, 310 CMR 36.00. According to the petition, as part of the activation of the new PFAS treatment facilities at the Center and the South Acton Water Treatment Plants, the conditioning of the Granulated Activated Carbon (GAC) will require several weeks and millions of gallons of water. As a result, Acton Water District is seeking permission to activate the emergency interconnection with the towns of Concord and Littleton while these treatment plants are being prepared for activation.

In response to the petition, MassDEP has determined that a State of Water Supply Emergency is impending within the area served. Enclosed please find a Water Supply Emergency Declaration and Unilateral Administrative Order (Enforcement Document No. 00021488) which outlines the conditions under which Acton Water District may activate the emergency interconnections to Concord and Littleton during the emergency.

If you have any questions regarding this letter, please contact James Lyons at (781) 429-8732 or James.C.Lyons@mass.gov.

Sincerely,



Mary Jude Pigsley
Regional Director

This information is available in alternate format. Please contact MassDEP at 617-292-5500.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

Water Supply District of Acton
Water Supply Emergency Declaration
Enforcement Document No. 00021488

Page 2 of 2

ecc: Matt Mostoller, District Manager – matt@actonwater.com
Corey Godfrey, Deputy District Manager – corey@actonwater.com
Town of Acton Board of Health – sball@actonmass.gov
Alan Cathcart, Director of Public Works – ACathcart@concordma.gov
Darin LaFalam, Concord Water & Sewer Superintendent DLafalam@concordma.gov
Nick Lawler, Littleton Electric Light & Water General Manager – Nlawler@lelwd.com
Matt Silverman, Littleton Water & Sewer Superintendent – msilverman@lelwd.com
MassDEP/CERO: MaryJude Pigsley, Paula Caron, Randy Swigor, Paula Caron
MassDEP/Boston: Duane LeVangie (WMA), Kathleen Baskin, Courtney Rainey, Sam Shusterman, Yvette DePeiza (DWP),
MassDEP CERO OGC: Anne Blackman, Rebecca Tobin
Mass-DCR: Anne Carroll, Anne.Carroll@mass.gov
Mass Dept of Public Health: Nalina.Narain2@mass.gov

Y:\DWP Archive\Acton-2002000-EDec-(UAO-CE-25-00021488)-2025-10-08

**COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**In the Matter of
Water Supply District of Acton**

**RE: Acton – Public Water Supply
Water Supply Emergency Declaration
and Order, Enforcement Document No.
00021488**

I. THE PARTIES

1. The Massachusetts Department of Environmental Protection (“MassDEP”) is a duly constituted agency of the Commonwealth of Massachusetts established pursuant to M.G.L. c. 21, § 7. MassDEP has its principal office located at 100 Cambridge Street, Boston, Massachusetts 02114, and its Central Regional Office located at 8 New Bond Street, Worcester, MA 01606.
2. Water Supply District of Acton (the “District”) is a water district established by Chapter 326 of the Acts of 1912 for the purposes of supplying parts of Acton with water. The District’s principal offices are located at 693 Massachusetts Avenue, Acton, Massachusetts. The District’s mailing address for the purposes of this Emergency Declaration is P.O. Box 953, Acton, Massachusetts, 01720-0953.

II. STATEMENT OF FACTS AND LAW

3. On November 5, 2025, MassDEP received a request from the District petitioning for a declaration of a state of water emergency pursuant to M.G.L. c. 21G, § 15 and seeking to open its emergency connections with the Towns of Concord and Littleton beginning November 6, 2025 in the request, the District states that it was seeking the Emergency Declaration because “the Acton Water District is completing construction of two new PFAS Treatment facilities, one at our Center Acton Water Treatment Plant and one at our South Acton Water Treatment Plant. Activation of each of these granular activated carbon (“GAC”) facilities is anticipated to require several weeks of media conditioning and several million gallons of water.”
4. The District operates and maintains a public water system with MassDEP identification number 2002000, with 6,896 service connections serving a population of 20,780 residents in the Town of Acton and some residents in Boxborough and Stow. The District is registered and permitted with the Water Management Act (WMA) Program to withdraw up to 1.94 million gallons per day (MGD) from their wells. The District’s water system currently has 24 active groundwater sources, one raw water pump station, four treatment facilities (Central Acton Water Treatment

Plant (2002000-09T), North Acton Water Treatment Plant (2002000-11T), South Acton Water Treatment Plant (2002000-12T) and Clapp/Whitcomb Water Treatment Plant (2002000-10T)), four storage tanks, and one finish water booster pump station, all feeding a single pressure zone distribution system of approximately 137 miles of water main. This Unilateral Administrative Order (UAO) is in reference to PFAS treatment activation at the South Acton Water Treatment Plant (2002000-12T) that treats Lawsbrook Low Lift well (2002000-03G), Christofferson Well Low Lift Station (2002000-04G), Scribner GP Well #1 (2002000-20G), Scribner GP Well #2 (2002000-21G), Scribner Well #3 (2002000-22G), Scribner GP Well #4 (2002000-23G), Assabet Well 2a Replacement Well (2002000-19G), Assabet Well 1A Replacement Well (2002000-26G) Assabet Well 2 Low Lift Station (2002000-06G) and Assabet Well 3 (2002000-27G) , and the Central Acton Water Treatment Plant (2002000-09T) that treats Conant II GP Well 5 (2002000-18G), Conant Well #1 (2002000-02G), Conant II GP Well 2 (2002000-15G), Conant II GP Well 3 (2002000-16G), Conant I GP Well 4 (2002000-17G) and Conant II GP Well 1 (2002000-14G).

5. Due to the conditioning of the GAC at the two water treatment plants, the District submitted, a written request for an Emergency Declaration on November 5, 2025. Specifically, the District asserts:

“The Acton Water District is completing construction of two new PFAS treatment facilities, one at our Center Acton Water Treatment Plant and one at our South Acton Water Treatment Plant. Activation of each of these granular activated carbon (GAC) facilities is anticipated to require several weeks of media conditioning and several million gallons of water, a luxury that the District does not have. As such, we are making the following plans to ensure public health and safety and are requesting MassDEP to issue a Declaration of a State of Water Supply Emergency.”
6. The District holds a WMA Registration Statement (21400203) and a WMA Permit (9P421400201) to withdraw groundwater located in the Concord River Basin, for a total average annual daily volume of 1.94 million gallons per day (MGD).
7. On November 5, 2025 the District petitioned MassDEP for a Declaration of a State of Water Supply Emergency, pursuant to M.G.L. c. 21G, §§ 15 through 17, and 310 CMR 36.40 through 36.42. The District’s request to activate the emergency interconnections with the towns of Concord and Littleton was made in order to meet water supply demands during treatment plant activation.
8. On November 5, 20205, at the request of District’s written petition, MassDEP determined the need to issue an immediate Declaration of a State of Water Supply Emergency (“Declaration”), pursuant to 310 CMR 36.40(3).

9. Section 15 of the Water Management Act ("WMA"), M.G.L. c. 21G, and the Water Management Regulations at 310 CMR 36.40(1), authorize any public water supplier to petition MassDEP for a Declaration of a State of Water Supply Emergency.
10. Pursuant to M.G.L. c. 21G § 15, and 310 CMR 36.40(2), MassDEP may declare 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 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;
 - c) contamination of the public water supply, the distribution system or storage tanks and inability to meet demand with remaining public water supplies;
 - d) 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
 - e) necessary repair or maintenance of the public water system."
11. Further, in response to a petition for a Declaration of a State of Water Supply Emergency, and pursuant to M.G.L. c. 21G, § 15, and 310 CMR 36.40(5), MassDEP may require the water supplier to submit, for its review and approval, a water supply emergency plan, including provisions for restraining the use of water by whatever means MassDEP deems appropriate and feasible. As established at M.G.L. c. 21G, § 15, the duration of a Declaration of a State of Water Supply Emergency shall be for no more than six months, "unless MassDEP determines that a longer state of water supply emergency is required to protect the public health, safety or welfare."
12. Pursuant to M.G.L. c. 21G, § 17, and 310 CMR 36.41(1), MassDEP may issue orders during a declared state of water supply emergency 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, to require the implementation of specific water conservation measures and to purchase water from another public water system.

III. DETERMINATION AND ORDER

13. For the reasons stated and set forth above and pursuant to M.G.L. c. 21G, § 15, and

310 CMR 36.40(2), MassDEP hereby determines that a water supply emergency exists within the area served by the District and that it endangers the public health, safety or welfare of the persons currently served by the District. As such, MassDEP issues this Declaration of a State of Water Supply Emergency ("Emergency Declaration") and Order.

14. Unless amended, terminated, or extended by MassDEP, this Emergency Declaration shall continue without interruption for six months from the date of issuance and shall expire on May 5, 2026.
15. For the duration of this Emergency Declaration, the District shall:
 - a) Maintain and enforce a mandatory total ban on any nonessential outdoor water use for the duration of this Emergency Declaration. For the purposes of this Emergency Declaration, the term "nonessential outside water use" is defined in 310 CMR 36.03 as meaning "a use that is not required:
 - (a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;
 - (b) by permit, license, statute or regulation;
 - (c) for the production of food, including vegetable gardens, and fiber;
 - (d) for the maintenance of livestock;
 - (e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
 1. plant nurseries as necessary to maintain stock;
 2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;

3. venues used for weddings or similar events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;

(f) for irrigation of public parks before 9:00 A.M. and after 5:00 P.M.,

(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities and athletic associations, before 9:00 A.M. and after 5:00 P.M.,

(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or

(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.”

- b) No later than two (2) days after the date of issuance of this Emergency Declaration, the District shall provide public notice to its customers through the Town Reverse-911 system, if available, or similar communication system, of the issuance of this Emergency Declaration and the ban on all nonessential outdoor water use. The District shall continue to notify customers by any additional means, including but not limited to sign boards, notices on websites and social media, as deemed necessary. If the District has published notice in a local newspaper and/or on the District website or by any other means, then the District shall also submit a copy of the public notice to MassDEP within ten business days of publication of the notice.
- c) For the duration of this Emergency Declaration, MassDEP authorizes the District to install and maintain a hydrant-to-hydrant interconnection with the Town of Concord Water Department and Littleton Water Department, Public Water Supplier Identification Numbers 3067000 & 2158000. The

interconnection shall be equipped with a totalizing flow meter and a backflow preventer. The District shall provide inspections sufficient to ensure the safety of the exposed equipment.

- d) The District shall submit to MassDEP a written progress report every two weeks on the status of the GAC conditioning and anticipated activation of the water treatment plants and any other issues encountered.
 - e) The District shall comply with all terms and conditions of its Water Management Act Permit and Registration which remain unchanged by this Emergency Declaration.
 - f) The District shall maintain records of the volume of water pumped from each emergency interconnection as required under the Regulations during the duration of this Declaration and provide those records to the Department on request.
 - g) The District shall ensure all temporary infrastructure installed at either interconnection location is disinfected and that a coliform bacteria sample is collected and analyzed and submit confirmed absent prior to activation.
16. MassDEP may amend or terminate this Emergency Declaration, on its own initiative or at the request of the District upon a finding that the public health, safety or welfare is no longer endangered by a water supply shortage in all or part of the area to which the Emergency Declaration has been made.
17. Pursuant to 310 CMR 36.42(2)(a), MassDEP may extend this Emergency Declaration, on the Department's own initiative or upon the written request of the District if it determines that a longer state of emergency is required to protect the public health, safety and welfare in any or in part of the area served by the public water supplier.

In The Matter of: Water Supply District of Acton
Enforcement Document # 00021488

Page 7 of 7

18. If the District fails to comply with the provisions of this Emergency Declaration and Order, MassDEP may assess a civil administrative penalty to the PWS, 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 Massachusetts Attorney General to bring an action in the Superior Court to compel compliance with this Emergency Declaration and Order.

Issued By:

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:



Mary Jude Pigsley, Regional Director
Central Regional Office
8 New Bond Street
Worcester, MA 01606

Date:

11/5/25