



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

May 7, 2025

Joseph Duggan
SEMASS Partnership
141 Cranberry Highway
West Wareham, MA 02576

RE: Water Management Act Permit Renewal
Town: Rochester
Permittee: SEMASS Partnership
Facility Location: 141 Cranberry Highway
West Wareham, MA 02576
WMA Permit ID: 9P2-4-24-250.03
Action: DRAFT WMA Permit Renewal

Dear Mr. Duggan:

This DRAFT renewed permit reflects updated permit requirements. Please find the following attached documents:

- Findings of Fact in Support of the DRAFT Permit Decision.
- DRAFT Water Management Act Permit for withdrawals by SEMASS Partnership in the Buzzards Bay Basin.

Pursuant to 310 CMR 36.27(6)(8) of the revised Water Management Act Regulations promulgated on January 20, 2023, the Department of Environmental Protection (MassDEP) will now publish notice in the Environmental Monitor that a DRAFT Permit is available for review and comment for 30 days from the May 7, 2025 publication in the Environmental Monitor. Notice of the comment period will also be sent to all registrants, permittees and those having non-consumptive use statements within the Buzzards Bay Basin. MassDEP expects to issue the final permit within 30 days of the close of the comment period.

The signature on this cover letter indicates formal issuance of the attached document.

If you have any questions regarding the permit, please contact Andrew Brołowski at andrew.brolowski@mass.gov or me at (617) 780-1962 or via e-mail at duane.levangie@mass.gov.

Sincerely,



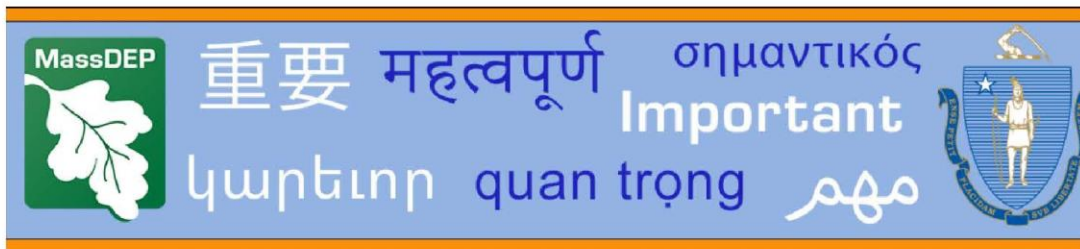
Duane LeVangie
Water Management Program Chief
Bureau of Water Resources

Attachments: Appendix A: Functional Equivalence with the RGPCD Performance Standard
Appendix B: Functional Equivalence with the 10% UAW Performance Standard

ecc: Brian Harrington, MassDEP SERO
Lydia Olson, Mass Rivers Alliance
Duane LeVangie, MassDEP BWR

massgov.sharepoint.com/W:\DWP Archive\SERO\Rochester-4250007-SEMASS -
DRAFT WMA Renewal-5-7-2025

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Rochester-4250007-SEMASS-DRAFT WMA Renewal-5-7-2025



Communication for Non-English-Speaking Parties

This document is important and should be translated immediately.

If you need this document translated, please contact MassDEP's Director of Environmental Justice at the telephone number listed below.

Español Spanish

Este documento es importante y debe ser traducido inmediatamente. Si necesita traducir este documento, póngase en contacto con el Director de Justicia Ambiental de MassDEP (MassDEP's Director of Environmental Justice) en el número de teléfono que figura más abajo.

Português Portuguese

Este documento é importante e deve ser traduzido imediatamente. Se você precisar traduzir este documento, entre em contato com o Diretor de Justiça Ambiental do MassDEP no número de telefone listado abaixo.

繁體中文 Chinese Traditional

本文檔很重要，需要即刻進行翻譯。
如需對本文檔進行翻譯，請透過如下列示電話號碼與 MassDEP 的環境司法總監聯絡。

简体中文 Chinese Simplified

这份文件非常重要，需要立即翻译。
如果您需要翻译这份文件，请通过下方电话与 MassDEP 环境司法主任联系。

Ayisyen Kreyòl Haitian Creole

Dokiman sa a enpòtan epi yo ta dwe tradui l imedyatman. Si w bezwen tradui dokiman sa a, tanpri kontakte Direktè. Jistis Anviwònmanal MassDEP a nan nimewo telefòn ki endike anba a.

Việt Vietnamese

Tài liệu này và quan trọng và phải được dịch ngay. Nếu quý vị cần bản dịch của tài liệu này, vui lòng liên hệ với Giám Đốc Phòng Công Lý Môi Trường của MassDEP theo số điện thoại được liệt kê bên dưới.

ប្រទេសកម្ពុជា Khmer/Cambodian

ឯកសារនេះមានសារៈសំខាន់
ហើយគួរត្រូវបានបកប្រែភ្លាមៗ។
ប្រសិនបើអ្នកត្រូវការអោយឯកសារនេះបកប្រែ
សូមទាក់ទងនាយកផ្នែកយុត្តិធម៌បរិស្ថានរបស់
MassDEP តាមរយៈលេខទូរស័ព្ទដែលបានរាយដូចខាងក្រោម។

Kriolu Kabuverdianu Cape Verdean

Es dokumentu sta important i tenki ser tradusidu imediatamenti. Se nho ta presisa ke es dokumentu sta tradisidu, por favor kontata O Diretor di Justisia di Environman di DEP ku es numero di telefoni menxionadu di baixo.

Русский Russian

Это чрезвычайно важный документ, и он должен быть немедленно переведен. Если вам нужен перевод этого документа, обратитесь к директору Департамента экологического правосудия MassDEP (MassDEP's Director of Environmental Justice) по телефону, указанному ниже.

العربية Arabic

هذه الوثيقة مهمة وتجب ترجمتها على الفور.
إذا كنت بحاجة إلى ترجمة هذه الوثيقة، فيرجى الاتصال بمدير العدالة البيئية في MassDEP على رقم الهاتف المذكور أدناه.

한국어 Korean

이 문서는 중대하므로 즉시 번역되어야 합니다.
본 문서 번역이 필요하신 경우, 매사추세츠 환경보호부의 "환경정의" 담당자 분께 문의하십시오. 전화번호는 아래와 같습니다.

հայերեն Armenian

Այս փաստաթուղթը կարևոր է, և պետք է անհապաղ թարգմանել այն:
Եթե Ձեզ անհրաժեշտ է թարգմանել այս փաստաթուղթը, դիմեք Մասաչուսեթսի շրջակա միջավայրի պահպանության նախարարության (MassDEP) Բնապահպանական հարցերով արդարադատության ղեկավարին (Director of Environmental Justice)՝ ստորև նշված հեռախոսահամարով

فارسی Farsi Persian

این نوشتار بسیار مهمی است و باید فوراً ترجمه شود.
اگر نیاز به ترجمه این نوشتار دارید لطفاً با مدیر عدالت محیط زیستی MassDEP در شماره تلفن ذکر شده زیر تماس بگیرید.

Français French

Ce document est important et doit être traduit immédiatement. Si vous avez besoin d'une traduction de ce document, veuillez contacter le directeur de la justice environnementale du MassDEP au numéro de téléphone indiqué ci-dessous.

Deutsch German

Dieses Dokument ist wichtig und muss sofort übersetzt werden. Wenn Sie eine Übersetzung dieses Dokuments benötigen, wenden Sie sich bitte an MassDEP's Director of Environmental Justice (Direktor für Umweltgerechtigkeit in Massachusetts) unter der unten angegebenen Telefonnummer.

Ελληνική Greek

Το έγγραφο αυτό είναι πολύ σημαντικό και πρέπει να μεταφραστεί αμέσως. Αν χρειάζεστε μετάφραση του εγγράφου αυτού, παρακαλώ επικοινωνήστε με τον Διευθυντή του Τμήματος Περιβαλλοντικής Δικαιοσύνης της Μασαχουσέτης στον αριθμό τηλεφώνου που αναγράφεται παρακάτω

Italiano Italian

Questo documento è importante e deve essere tradotto immediatamente. Se hai bisogno di tradurre questo documento, contatta il Direttore della Giustizia Ambientale di MassDEP al numero di telefono sotto indicato.

Język Polski Polish

Ten dokument jest ważny i powinien zostać niezwłocznie przetłumaczony. Jeśli potrzebne jest tłumaczenie tego dokumentu, należy skontaktować się z dyrektorem ds. sprawiedliwości środowiskowej MassDEP pod numerem telefonu podanym poniżej.

हिन्दी Hindi

यह दस्तावेज महत्वपूर्ण है और इसका अनुवाद तुरंत किया जाना चाहिए। यदि आपको इस दस्तावेज का अनुवाद कराने की जरूरत है, तो कृपया नीचे दिए गए टेलीफोन नंबर पर MassDEP के पर्यावरणीय न्याय निदेशक से संपर्क करें।



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Findings of Fact in Support of DRAFT Permit Decision Town of SEMASS Partnership Water Management Act Permit # 9P2-4-24-250.03

The Massachusetts Department of Environmental Protection (“MassDEP” or “the Department”) makes the following *Findings of Fact* in support of the attached renewed Water Management Act (WMA) Permit #9P2-4-24-250.03 and herewith includes reasons for issuing the permit and for conditions of approval imposed, as required by M.G.L. c. 21G, § 11. The issuance of this permit is in response to the timely filing of a water withdrawal permit renewal application by SEMASS Partnership (SEMASS).

SEMASS Partnership’s Water Withdrawal History

SEMASS does not hold a registration for water withdrawals. The Company’s original Permit # 9P2-4-24-250.01), effective September 11, 1992, authorized SEMASS to withdraw from five groundwater points (**Table 1**) which collectively allocated a total of 74.13 million gallons per year (MGY) for all four periods and applied daily maximum withdrawals to each point. A new Permit (# 9P2-4-24-250.03) issued on October 7, 1998, voided the original permit based on the request by the Company to increase withdrawal volumes due to higher operational demands. The 1998 permit increased authorized annual withdrawals to 120.45 MGY for the latter part of Period 2, and all of Periods Three and Four, kept daily withdrawal rate maximums the same, implemented changes in Special Condition 3 to streamflow and water level monitoring conditions and locations at West Brook and Rocky Gutter Brook and Slocum Gibbs Reservoir, and required maximizing reuse and metering of stormwater and wastewater, with reused volumes to be reported in the annual submittal to the Department.

A 5-year permit review dated February 24, 2003, kept constant the annual and daily maximum withdrawal volumes, established February 14, 2004 in Special Condition 5 as the future date for the cessation of Potable Well B as a source of process water, required Department notification once an alternative approach for process water had been developed to phase out use of Potable Well B for process water, and implemented a 291,000 gallons per day combined withdrawal rate from the “Industrial Wells” to “trigger” performance of the 1999 streamflow and water level monitoring work plan.

Another Permit Modification and 5-year review dated October 16, 2007, included acknowledgement of SEMASS to replace Potable Well B process water use with a well for industrial water and acknowledgement that SEMASS would not require a WMA permit amendment to add the replacement well provided volumes withdrawn remain below the threshold volume, removal of Special Condition 5 due to annual reports showing below threshold production from the new well (E Well), and removal of Special Condition 3 due to two (2) consecutive years of reported withdrawal rates below the trigger value and no reports of impact to resource areas, with a caveat for its reinstatement should these conditions change.

TABLE 1: AUTHORIZED PERMITTED AND OTHER FACILITY WITHDRAWAL POINTS

SOURCE ID*:	SOURCE NAME	ARF NAME	USE	PERMITTED
4250007-01G	POTABLE WELL B	4250007	PWS	X
4250007-02G ¹	POTABLE WELL A	4250008 (O Well)	Industrial /Emergency PWS	X
WM4282-01G	INDUSTRIAL WELL B ²	B Well (D Well)	Industrial	X
WM4282-02G	INDUSTRIAL WELL A	A Well	Industrial	X
WM4282-03G	INDUSTRIAL WELL C	C Well	Industrial	X
NA	NA	E Well ³	Industrial	
NA	NA	STORMWATER BASIN #1	Industrial	
NA	NA	STORMWATER BASIN #2	Industrial	
NA	NA	STORMWATER BASIN #3	Industrial	

NOTES: *G = Groundwater source; NA = Not Applicable; PWS = Public Water Supply; and, ARF =Annual Report Form. All withdrawal points located in Rochester, at the SEMASS Facility.

¹ = Reported as an inactivated drinking water supply and converted to Industrial use with ARF name “O Well”. February 6, 2024 Drinking Water Program approved as emergency water supply source & PWS Source ID renamed from former Source ID 4250008-01G.

² = Replaced abandoned B Well, renamed as “ Industrial Well D”, input as “D Well” on ARF form.

³ = Below “threshold” well installed in 2008 replacing former use of Potable Well B for process water.

The Permit Extensions

The WMA Permit has an expiration date of May 31, 2011. In 2010, the Permit Extension Act extended the expiration date of the permit for two years by Section 173 of Chapter 240 of the Acts of 2010. In 2012, the Permit Extension Act was amended by Chapter 238 of the Acts of 2012, and the permit expiration date was then extended an additional two years to 30 May 31, 2015. In May 2015, SEMASS Partnership filed a permit renewal application within the filing deadline. Pursuant to M.G.L. c. 30A, section 13, and 310 CMR 36.18(7), your current withdrawal permit will continue in force and effect until the Department issues a decision on your permit renewal application. Consistent with 310 CMR 36.17(1) and the Governor’s COVID-19 Order No. 42, the expiration date for this permit going forward in the Buzzards Bay Basin will be September 4, 2032.

The Water Management Act (M.G.L. §21G)

The Water Management Act (Act) requires that MassDEP issue permits that balance a variety of factors including without limitation:

- impact of the withdrawal on other sources of water,
- water availability within the Safe Yield of the source,
- reasonable protection of existing water uses, land values, investments, and enterprises,
- proposed use of the water and other existing or projected uses of water from the water source,
- municipal and Massachusetts Water Resources Commission (WRC) water resource management plans,
- reasonable conservation consistent with efficient water use,
- reasonable protection of public drinking water supplies, water quality, wastewater treatment capacity, waste assimilation capacity, groundwater recharge areas, navigation, hydropower resources, water-based recreation, wetland habitat, fish and wildlife, agriculture, floodplains, and,
- reasonable economic development and job creation.

Water Management Regulation Revisions

In 2010 the Executive Office of Energy and Environmental Affairs (EEA) convened the Sustainable Water Management Initiative (SWMI) for the purpose of incorporating best available science into the management of the Commonwealth's water resources. SWMI was a multi-year process that included a wide range of stakeholders and support from the Departments of Environmental Protection, Fish and Game and, Conservation and Recreation. In November 2012 the Massachusetts Sustainable Water Management Initiative Framework Summary was released.

[MA Sustainable Water Management Initiative \(Framework Summary, November 2012\)](#)

On January 20, 2023, the Department adopted revised Water Management Regulations at 310 CMR 36.00 that incorporate elements of the SWMI framework and the Water Conservation Standards adopted by the Massachusetts Water Resource Commission (WRC). The regulations reflect a carefully developed balance to protect the health of Massachusetts' water bodies while meeting the needs of businesses and communities for water.

Without limitation, the Department has incorporated the following into Water Management permitting:

- safe yield determinations for the major river basins based on a new methodology developed through SWMI (see the Safe Yield in the Buzzards Bay Basin section of this document). For more information on the Safe Yield methodology, refer to the November 2012 SWMI Framework Summary and Appendices,
- Water supply protection measures for public water supplies including Zone II delineations for groundwater sources, and wellhead and surface water protection measures as required by Massachusetts Drinking Water Regulations (310 CMR 22.00),
- water conservation and performance standards reviewed and approved by the WRC in July 2018 ([Massachusetts Water Conservation Standards](#)) and,
- environmental protections developed through SWMI, including without limitation:
 1. protection for Coldwater fish resources,
 2. minimization of withdrawal impacts in areas stressed by groundwater use, and,
 3. mitigation of the impacts of increasing withdrawals.

Safe Yield in the Buzzards Bay Basin

This DRAFT permit has been issued in accordance with Safe Yield methodology adopted by MassDEP on November 7, 2014, and described in the Regulations at 310 CMR 36.13. As of the date of issuance of this permit, the safe yield for the Buzzards Bay Basin water source is 148.4 million gallons per day (MGD), and total allocated withdrawals are 82.36 MGD with this permit reducing allocated withdrawal by 0.04 MGD. The maximum withdrawals that will be authorized in this permit, and all other permits currently under review by the Department within the Buzzards Bay Basin, will be within the remaining safe yield and may be further conditioned as outlined in the regulations.

Findings of Fact for Permit Conditions in SEMASS Partnership's Water Management Act Permit

The Findings of Fact for the special conditions included in the permit generally describe the rationale and background for each special condition in the WMA Permit. This summary of permit special conditions is not intended to, and should not be construed as, modifying any of the permit special conditions. In the event of any ambiguity between this summary and the actual permit conditions, the permit language shall control.

SPECIAL CONDITIONS

Special Condition 1, Authorized Annual Average Withdrawal Volume

Table 2 shows SEMASS's reported daily withdrawal volumes for the past five years, which indicate the annual authorized average daily withdrawal volume of 0.33 MGD has not been exceeded, with an average daily use of 0.18 MGD and a peak annual average daily volume of 0.19 MGD in 2020.

**TABLE 2:
PERMITTED AND ACTUAL ANNUAL AVERAGE DAILY WITHDRAWAL RATES (MGD)**

YEAR	PERMITTED AUTHORIZED AVERAGE DAILY RATE	ACTUAL AVERAGE DAILY WITHDRAWAL RATE
2019	0.33	0.17
2020		0.19
2021		0.18
2022		0.18
2023		0.17

SEMASS's permit reduces their authorized average daily withdrawal volume from 0.33 MGD to 0.29 MGD, their baseline value, thereby not requiring mitigation measures and providing for a total annual authorized withdrawal volume of 105.85 million gallons for 365 days (See Mitigation section below).

Special Condition 2, Maximum Authorized Annual Withdrawal Volume exceedance of maximum daily rates listed in Permit Special Condition 2 require approval from the Department.

Special Condition 3, Water Conservation Requirements outlines SEMASS's water conservation requirement. SEMASS shall continue to use stormwater and landfill leachate as process water and to reuse process water to the maximum extent possible.

SEMASS's response to the Department's Order To Complete indicated additional water conservation measures implemented subsequent to their 2007 WMA Permit.

General Permit Requirements (formerly Special Condition #4) outlines the general conditions applicable to all WMA permittees.

The Department's Findings of Fact and summary of permit conditions are not intended to, and should not be construed as, modifying any of the permit conditions. In the event of any conflict or ambiguity between the Findings of Fact and the permit, the permit language shall control.

Coldwater Fishery Resources

The Water Management Regulations revised and promulgated in November 2014 also require WMA permits to address protection of Coldwater Fishery Resources (CFR). Coldwater Fish Resource protection is not a condition of this Permit because SEMASS' withdrawals do not impact any waters that the Massachusetts Division of Fisheries and Wildlife has identified as supporting coldwater fish at this time.

Minimization

Permittees with groundwater sources in subbasins¹ having an August Net Groundwater Depletion (NGD²) of 25% or greater are required to develop a plan to minimize the impacts of their withdrawals. SEMASS's withdrawal points are in subbasin #22050 which has an August NGD of -0.1%. Based on the August NGD, the WMA Permit will not require SEMASS to implement a minimization plan.

Mitigation

The WMA regulations revised and promulgated in November 2014 require WMA permits to address mitigation of withdrawals above the baseline volumes. Water Management Act permittees whose total authorized volume exceeds their baseline volume are required to develop and implement a plan to mitigate the impact of their withdrawals above their baseline volume by adjustment through the calculating of the volume of wastewater returned to the basin.

WMA regulations, 310 CMR 36.03, define baseline to mean the volume of water withdrawn during calendar year 2005 plus 5%, or the average annual volume withdrawn from 2003 through 2005 plus 5%, whichever is greater provided that:

1. baseline cannot be less than a permittee's registered volume,
2. baseline cannot be greater than the permittee's authorized volume for 2005, and
3. if, during the period from 2003 to 2005, the permittee's withdrawals from the water source were interrupted due to contamination of the source or construction of a treatment plant, the Department will use best available data to establish a baseline volume from the water source.

SEMASS's baseline volume is 0.29 MGD because they had no registered volume, their maximum withdrawal volume occurring in 2005 plus 5% was 0.29 MGD and, their permitted authorized volume at that time was 0.33 MGD. Therefore, mitigation is not required since their renewed permit authorized withdrawal volume is 0.29 MGD.

¹ Subbasins used for WMA permitting are the 1,395 subbasins delineated by the U.S. Geological Survey in *Indicators of Streamflow Alteration, Habitat Fragmentation, Impervious Cover, and Water Quality for Massachusetts Stream Basins* (Weiskel et al., 2010, USGS SIR 2009-5272).

² The Water Management Regulations, 310 CMR 36.03, define August net groundwater depletion (NGD) to mean the unimpeded median flow for August minus 2000-2004 groundwater returns described by U.S. Geological Survey in *Indicators of Streamflow Alteration, Habitat Fragmentation, impervious Cover and Water Quality for Massachusetts Stream Basins*.



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Commissioner

DRAFT WATER WITHDRAWAL PERMIT

M.G.L. c. 21G

This permit is issued pursuant to the Massachusetts Water Management Act (WMA) for the sole purpose of authorizing the withdrawal of a volume of water as stated below and subject to the following special and general conditions. This permit conveys no right in or to any property beyond the right to withdraw the volume of water for which it is issued.

PERMIT NUMBER: 9P2-4-24-250.03

BASIN: BUZZARDS BAY

PERMITTEE: SEMASS Partnership
141 Cranberry Highway
West Wareham, MA 02576

EFFECTIVE DATE: [Month Day], 2025

EXPIRATION DATE: September 4, 2032

USE: Industrial use & Public Water Supply (PWS)

DAYS OF OPERATION: 365

LOCATIONS:

TABLE 1: WITHDRAWAL POINT IDENTIFICATION

SOURCE NAME	SOURCE ID
Potable Well B	4250007-01G
Industrial Well O	4250007-02G
Industrial Well D	WM4282-01G
Industrial Well A	WM4282-02G
Industrial Well C	WM4282-03G

SPECIAL CONDITIONS

1. Authorized Annual Withdrawal Volume

This permit authorizes SEMASS Partnership to withdraw water from the Buzzards Bay Basin at the rates described below in **Table 2**. The permitted volume is expressed both as an average daily withdrawal rate (million gallons per day or MGD) and as a total annual withdrawal volume (million gallons per year or MGY). The Department of Environmental Protection (the Department) will use the raw water withdrawal volume from all authorized withdrawal points to assess compliance with the permitted withdrawal volumes.

TABLE 2: MAXIMUM AUTHORIZED WITHDRAWAL VOLUMES

PERIOD:	TOTAL RAW WATER WITHDRAWAL VOLUMES			
	Permit		Registration + Permit	
	Daily Average (MGD)	Total Annual (MGY)	Daily Average (MGD)	Total Annual (MGY)
XX/XX/2025 to 5/31/2033	0.29	105.85	0.0 + 0.29 = 0.29	0.0 + 105.85 = 105.85

2. Maximum Authorized Daily Withdrawals from each Withdrawal Point

SEMASS Partnership's individual and combined approved maximum daily withdrawal rates are not to exceed the pumping rates listed below in **Table 3** without specific advance written approval from MassDEP.

TABLE 3: AUTHORIZED ANNUAL MAXIMUM DAILY WITHDRAWAL RATES

SOURCE NAME	MAXIMUM DAILY WITHDRAWAL RATE (MGD)
Potable Well B	0.03
Industrial Well O	0.04
Industrial Well D	COMBINED WITHDRAWAL = 0.36
Industrial Well A	
Industrial Well C	

3. Water Conservation Requirements

SEMASS shall continue to:

1. Utilize stormwater and landfill leachate as process water to the maximum extent possible,
2. Reuse process water to the maximum extent possible,
3. Conduct yearly employee water conservation training,
4. Explore any additional opportunities for water conservation,
5. Utilize water saving devices, and,
6. Maintain additional water conservation measures as outlined in the SEMASS's responses to the Order To Complete, herewith attached as **Appendix A**.

The total annual volume of leachate and stormwater reused as process water at the SEMASS Rochester facility shall continue to be submitted to the Department with the Water Management Act annual report form.

General Permit Conditions (applicable to all Permittees)

No withdrawal in excess of 100,000 gallons per day shall be made following the expiration of this permit, unless before that date the Department has received a renewal permit application pursuant to 310 CMR 36.00.

1. **Duty to Comply:** The Permittee shall always comply with the terms and conditions of this permit, the Act and all applicable State and Federal statutes and regulations.
2. **Operation and Maintenance:** The Permittee shall always properly operate and maintain all facilities and equipment installed or used to withdraw water so as not to impair the purposes and interests of the Act.
3. **Entry and Inspections:** The Permittee or the Permittee's agent shall allow personnel or authorized agents or employees of the Department to enter and examine any property over which Permittee has authority, title, or control, for the purpose of determining compliance with this permit, the Act or the regulations published pursuant thereto, upon presentation of proper identification and an oral statement of purpose.
4. **Water Emergency:** Withdrawal volumes authorized by this permit are subject to restriction in any water emergency declared by the Department pursuant to M.G.L. c. 21G, §§ 15-17, M.G.L. c. 150, § 111, or any other enabling authority.
5. **Transfer of Permits:** This permit shall not be transferred in whole or in part unless and until the Department approves such transfer in writing, pursuant to a transfer application on forms provided by the Department requesting such approval and received by the Department at least thirty (30) days before the effective date of the proposed transfer. No transfer application shall be deemed filed unless it is accompanied by the applicable transfer fee established by 310 CMR 36.33.
6. **Duty to Report:** The Permittee shall submit annually, on a form provided by the Department, a certified statement of the withdrawal. Such report is to be received by the Department by the date specified by the Department. Such report must be submitted as specified on the report form.
7. **Duty to Maintain Records:** The Permittee shall be responsible for maintaining withdrawal and all other records as specified by this permit.
8. **Metering:** (If Applicable). Transferring cranberry withdrawals to another use requires the authorized volume be verified based on actual water use at the bog(s) to be transferred.
9. **Right to Amend, Suspend or Terminate:** The Department may amend, suspend, or terminate the permit in accordance with M.G.L. c. 21G and 310 CMR 36.29.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Permit by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.01 within twenty-one (21) days of its receipt of this Permit. The Notice of Claim shall state specifically, clearly, and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Permit shall be included with a Notice of Claim. No request for an appeal of this Permit shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Permittee, unless such person notifies the Permittee of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent by certified mail or hand delivered to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, Suite 900
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of \$100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection P.O.
Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Duane LeVangie
Water Management Program Chief
Bureau of Water Resources

Date

APPENDIX A

SEMASS Alternative/Updated Conservation Measures

SEMASS utilizes stormwater, landfill leachate and beneficial wastewater as process water to the maximum extent possible. An additional Wastewater tank has been installed since the 2007 permit. The tank has a capacity of 100,000 gallons. This is in addition to the existing four (4) wastewater tanks which have a combined capacity of 160,000 gallons. See the Table 1-1 below for annual volumes of beneficial reuse water.

SEMASS RRF is a zero-wastewater discharge facility. SEMASS RRF is designed to reuse water in many of its operations and without water reuse SEMASS would be unable to meet the facility's water demand. The facility's Water Treatment Plant utilizes a Reverse Osmosis (RO) System for the production of the ultra-clean water utilized in the boilers. The reject stream from the RO System is utilized as fire suppression and process water in various operations. In addition, the facility utilizes the surface water collected in stormwater detention basins as fire suppression water and in many process operations.

Finally, all wastewater generated at the facility is piped back to the industrial wastewater holding tank and is reused in processes where lower quality water streams can be used. In addition to the wastewater generated at the facility, wastewater generated by Third Parties is brought to SEMASS RRF to provide additional water. This wastewater includes leachate from area landfills and other wastewaters meeting the requirements in the facilities air permit.

Table 1-1 SEMASS Water Reuse

Year	Total Volume (MGY)
2019	22.31
2020	21.81
2021	24.24
2022	26.78
2023	28.99