

EXECUTIVE COMMITTEE OF THE MASSACHUSETTS CLEAN WATER TRUST

Meeting Minutes

Meeting Date: Wednesday, January 9, 2019
Time: 1:30 PM
Location: Massachusetts Clean Water Trust
1 Center Plaza, Suite 430
Boston, Massachusetts 02108
Notice: Due public notice given
Attendees Steven McCurdy, Director of Program Development, Trust
Maya Jonas-Silver, Director of Finance & Administration, Trust
Also Present Stephanie Cooper, Deputy Commissioner, MassDEP
Maria Pinaud, Deputy Director, MassDEP
Jonathan Maple, Policy Analyst, Trust
Absent Sue Perez, Executive Director, Trust

SUMMARY OF DISCUSSIONS

- 1. Bottle Filling Stations School Assistance Program:** Ms. Jonas-Silver presented to the Committee a CDC document that states that as of 2012, Massachusetts mandated 75 students to 1 drinking water fixture ratio for public schools. This is slightly different than the 100 to 1 of the Massachusetts plumbing code. Additionally, Ms. Jonas-Silver presented estimates using the 75/1 ratio. If there are 954,000 students in Massachusetts, then the state would be required to have a total of 12,720 drinking water fixtures. Using high and low-cost scenarios it would cost between roughly \$25 million and \$45 million to replace all drinking water fixtures. Under the low-cost scenario, where each unit would cost \$2,000, the program would be able to provide 5,000 drinking water units. Under the high-cost scenario, where each unit cost \$3,500, the program would be able to provide 2,875 drinking water units.

The Committee discussed the fact that there was no scenario where all 12,000+ drinking water units in the Commonwealth would need to be replaced. Ms. Jonas-Silver stated that she does not believe that the Operational Services Division (OSD) has a statewide contract established for these specific units, and that it could take 6 months to establish a new contract. The Committee will need to investigate the existing statewide contracts to see what fixture purchasing options are available and determine if the existing contract could work for program purposes, or if a new contract is needed.

Ms. Cooper followed up from the last meeting that the from the MassDEP perspective they would suggest a simplified first wave application period that would allow the program to see what the total universe of need is and provide a simple rebate scenario from a state contract. Additionally, the program would require that the recipient self-certify that they will 1) follow MassDEP Operation and Maintenance guidelines, 2) that they have received and installed the unit.

Funding for the first wave would only cover bottle filling stations as opposed to a more complex offering that includes point of entry or point of use fixtures. The more complex offering could be added after the first wave if needed. Ms. Cooper noted that the lead and copper testing program worked closely with the University of Massachusetts (UMass) for technical assistance and believes this would be a good partner if it is needed for this program. MassDEP has some capacity to provide technical assistance under the current lead and copper testing programs, but that would be limited. Additionally, Ms. Cooper noted that it may make sense to have UMass assist with outreach and potential application tabulation if the committee would like to move on a quicker turnaround of the program.

MassDEP will have drinking water staff review current offerings in the OSD contracts, but it may be necessary to establish a new blanket contract. The contract will need to cover different units and filters. The possibility of creating a blanket vendor list through the Trust was discussed, but there were concerns that this would cause more issues for the municipalities as they would still have procurement requirements.

The Committee discussed the potential of creating a prioritization system that covered multiple factors. Specifically, water access (ratio of students to drinking water fixtures), socio-economic (school financial considerations i.e. usage of free lunch programs or Chapter 70 funding), lead levels, and population served to create prioritization. The Trust will look at the program criteria and build off MassDEP's previously submitted suggestion.

Mr. Maple suggested creating a working group for this program and to request that each Executive Committee member provide names from the respective groups for participants in the working group.

The Committee discussed the potential of reaching out to Sean Cronin the Senior Deputy Commissioner of the Division of Local Services (DLS), for some suggestions of ways to structure the program. Mr. McCurdy volunteered to reach out to the Mr. Cronin on streamlining the program to best serve municipal governments.

The Committee discussed the need to get the Board to vote on the program before announcing the program, and the need to have either EPA approval or line item language change before bringing the program before the Board. EPA is currently furloughed at this point due to the partial government shutdown. Ms. Jonas-Silver noted that she believes that a budget vote or session law would likely be by July.

Ms. Jonas-Silver provided suggested line item language that would allow the Trust to use contract assistance dollars in the supplemental budget for school deleading efforts. The Trust will have their outside counsel review the language and get back to the Committee.

Ms. Cooper noted that we should be mindful of other potential funding priorities with the supplemental \$10 million as was raised by Commissioner Suuberg in previous Executive Committee meeting. Specifically related to emergency funding or supporting planning activities related emerging contaminants. The Committee discussed that the potential funding

would need to be capped to make sure that not all funds are expended, and that funds are expended with a certain amount held back.

LIST OF DOCUMENTS AND EXHIBITS USED:

1. Presentation: De-lead-ing by Example: The CWT's proposal to get public schools safe drinking water
2. CDC: Summary Table of Abstracted School Water Fountain Requirements According to State Plumbing codes, 2012
3. Per Child Breakdown of Water Fountains using the 75 students to 1 fixture ratio.

The meeting adjourned at 2:40 p.m.

Minutes Approved: _____