



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberly Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

May 9, 2024

Jeffrey Quick
Department of Corrections
50 Maple Street
Milford, MA 01757

RE: MCI-Norfolk BWR\WMA
WMA Permit #: 9P4-2-20-208.02
Program: Water Management Act
Action: FINAL Permit Modification

Dear Mr. Quick:

Please find attached the following:

- Findings of Fact in Support of the Water Management Act Permit Decision; and,
- Water Management Act Permit #**9P4-2-20-208.02** for MCI-Norfolk/Cedar Junction/Walpole (MCI-Norfolk) in the Charles River

The signature on this cover letter indicates formal issuance of the attached document. If you have any questions about these documents, please contact Madelyn Morris via email at madelyn.morris@mass.gov.

Sincerely,

Duane LeVangie, Chief
Water Management Act Program
Bureau of Water Resources

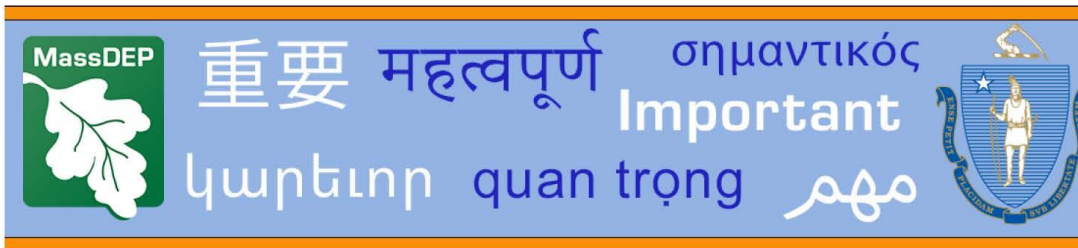
Enclosures

Ecc: Julia Blatt, MassRivers Alliance

Jennifer Pederson, Massachusetts Water Works Association

Zeus Smith Charles River Watershed Association

<https://massgov.sharepoint.com/:f:/r/sites/DEP-BWR/DWPArchive/CERO/Norfolk-2208001-MCI-Norfolk-WMA>
Permit Review-05-9-2024



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
MassDEPតាមរយៈលេខទូរស័ព្ទដែលបានរាយនាមខាងក្រោម។

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.

Contact Deneen Simpson 857-406-0738

**Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114**

TTY# MassRelay Service 1-800-439-2370 • <https://www.mass.gov/environmental-justice>
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

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.

հայերէն 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।

Contact Deneen Simpson 857-406-0738

Massachusetts Department of Environmental Protection
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Finding of Fact in Support of Permit Issuance Water Management Permit # 9P4-2-20-208.02 Massachusetts Department of Corrections

The Department makes the following Findings of Fact in support of the attached Modified WMA Permit and includes herewith its reasons for issuing the Modified WMA Permit and for conditions of approval imposed, as required by M.G.L. c. 21G, § 11, and 310 CMR 36.00. The Modified WMA Permit is being issued since such action is necessary for the promotion of the purposes of M.G.L. c. 21G. The Department may amend, suspend, or terminate the Modified WMA Permit, after notice and hearing, in accordance with the provisions of 310 CMR 36.29(1).

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

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

- Impact of the withdrawal on other water sources;
- Water available within the safe yield of the water 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, flood plains; 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 the 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* (<http://www.mass.gov/eea/docs/eea/water/swmi-framework-nov-2012.pdf>) was released.

On November 7, 2014, 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 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 Charles River Basin section of this document). For more information on the Safe Yield methodology, go to the November 28, 2012 SWMI Framework Summary and Appendices;
- Water needs forecasts for public water suppliers developed by the Department of Conservation and Recreation, Office of Water Resources (DCR), using a methodology reviewed and approved by the Massachusetts WRC;
- 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 ([Details on the 2018 Massachusetts Water Conservation Standards | Mass.gov](#)); including without limitation:
 - performance standard of 65 residential gallons per capita day or less;
 - performance standard of 10% or less unaccounted-for-water;
 - seasonal limits on nonessential outdoor water use;
 - a water conservation program that includes leak detection and repair, full metering of the system and proper maintenance of the meters, periodic review of pricing, and education and outreach to residents and industrial and commercial water users; and
- Environmental protections developed through SWMI, including without limitation;
 - protection for coldwater fishery resources;
 - minimization of withdrawal impacts in areas stressed by groundwater use; and
 - mitigation of the impacts of increasing withdrawals.

Safe Yield in the Charles River Basin

This Modified WMA Permit is being issued under the safe yield methodology adopted by the Department 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 Charles River Basin is 65.2 MGD, and total registered and permitted withdrawals are 44.12 MGD. The maximum withdrawals authorized in this permit, and all other permits currently under review by the Department within the Charles River Basin, will be within the safe yield and may be further conditioned as outlined in the regulations.

MCI/Norfolk's Withdrawal History

DOC operates four correctional facilities at the MCI/Norfolk facility: MCI-Norfolk, Bay State Correctional Center, Pondville Correctional Center, and MCI-Junction. DOC holds a Water Management Act (WMA) registration statement to withdraw 0.49 MGD annually from Dug Well Station #1 (2208001-01G), Tubular Well Station #2 (2208001-04G), and GP Well Station #4 (2208001-03G).¹ On June 2, 2016, MassDEP determined that the capacity of these sources had significantly decreased and could no longer supply the average or peak daily demand at the MCI/Norfolk facility. To meet demand, DOC purchased water from the Town of Norfolk.

Recognizing that the capacity of MCI/Norfolk's registered sources had significantly decreased and could no longer supply the average or peak demand at the facility, MassDEP issued a Water Management Act Permit, #9P4-2-20-208.02 (the 2016 WMA Permit) on June 2, 2016. The 2016 WMA Permit authorized DOC to use a new source GP Well 3A (2208001-06G) without increasing MCI/Norfolk's total authorized volume. At the time that MassDEP issued the 2016 WMA Permit, the Department believed that GP Well 3A was constructed as a replacement for Well #3 that had been abandoned in 1977 and never placed into service.

After the issuance of the 2016 WMA Permit, Tubular Well Station #2 (2208001-04G) was removed.² Well 4A (2208001-05G) was put online on May 3, 2018, and GP Well 3A (06G) was put online on May 24, 2018.³ With these additional sources, DOC no longer has to purchase water from the Town of Norfolk.

MCI/Norfolk's Recent Water Use.

Special Condition 1 of the 2016 WMA Permit reflects the registered withdrawal volume of an annual average daily withdrawal volume of 0.49 MGD with no permitted increase through the permit expiration date February 28, 2033.

Table 1: 2018-2022 Annual Average Withdrawal Volumes

Year	Average Annual Daily Withdrawal Volume (MGD)
2022	0.27
2021	0.29
2020	0.31
2019	0.32
2018	0.34

¹ Well #3 (02G) was abandoned on January 5, 2001.

² Tubular Well Station #2 (2208001-04G) was decommissioned on January 7, 2013.

³ Well 4A (2208001-05G) was approved as a replacement well for GP Well Station #4 (2208001-03G) which has been inactive since February 2019. Well 4A is not listed on the 2016 WMA Permit. Well 3A (2208001-06G) is the only source listed on the 2016 WMA Permit. The 2023 Registration Statement lists three sources: Dug Well Station 1 (2208002-01G), GP Well Station #4 (2208001-03G), and Well 4A (2208002-05G). GP Well Station #4 (2208001-03G) is listed as inactive on the 2022 Annual Statistical Report.

Recent water use at the MCI/Norfolk facility has been substantially below the limits set by both the 2016 WMA Permit and the 2023 Registration, 049 MGD. See Table 1.

Expiration Date

As stated earlier, the expiration date of the 2016WMA Permit is February 28, 2033. Going forward, the expiration date of all permits in the Charles River Basin including the Modified WMA Permit is June 5, 2034 in accordance with the staggered permitting schedule set forth in the regulations.

Findings of Fact for Permit Conditions in DOC's Modified Water Management Act Permit

The following Findings of Fact for the special conditions included in the permit generally describe the rationale and background for each special condition in the 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 Condition 1, Maximum Authorized Annual Average Withdrawal Volumes.

As stated earlier, recent water use at the MCI/Norfolk facility has been substantially below the total authorized volume resulting from the 2016 WMA Permit and the 2023 Registration, 0.49 MGD. Like the 2016 WMA Permit, Special Condition 1 of the Modified WMA Permit provides for no additional withdrawal volume in addition to the authorized volume set forth in the 2023 Registration 0.49 MGD.

Special Condition 2, Maximum Authorized Daily Withdrawal Volumes from Each Withdrawal Point.

Special Condition 2 of the Modified WMA Permit sets out the maximum authorized daily withdrawal volume for DOC's only permitted withdrawal point, GP Well 3A (2208001-06G). Since placing this source online in 2018, DOC has not exceeded the maximum authorized withdrawal volume for Well 3A.

Special Condition 3, Requirement to Report Raw and Finished Water Volumes. Special Condition 4 of the 2016 WMA Permit requires DOC to report annually on its ASR the raw water volumes and finished water volumes for MCI/Norfolk's water system and the raw water volumes for each individual water withdrawal point. DOC is in compliance with this requirement. Special Condition 3 of the Modified WMA Permit maintains this reporting requirement.⁴

⁴ Special Condition 3 of the 2016 WMA Permit required DOC to exercise best efforts to have the Town of Norfolk enact ground water supply measures to protect the Zone II of Well 3A (2208001-06G). DOC has exercised best efforts as required by Special Condition 3. As a result, the Towns of Norfolk and Wrentham have enacted sufficient groundwater supply measures to protect the Zone IIs of MCI/Norfolk's wells. No further work is required. This condition does not appear in the Modified WMA Permit.

Special Condition 4, Water Conservation Requirements. Special Condition 5 of the 2016 WMA Permit requires DOC to continue to comply with the water conservation requirements set forth therein. These requirements include metering, leak detection and repair, and compliance with the standards set forth in the plumbing code. Special Condition 4 of the Modified WMA Permit updates these water conservation requirements to reflect the standards outlined in the Massachusetts Water Resources Commission's *Water Conservation Standards (revised in July 2018)*.

NEW PERMIT CONDITIONS

Seasonal Limits on Nonessential Outdoor Water Use. The 2016 WMA Permit does not include any seasonal limits on nonessential water use. At the time that MassDEP issued the 2016 WMA Permit, no water from the groundwater sources at the MCI/Norfolk facility was used for nonessential outdoor water uses. DOC had closed the green house and relied solely on water collected in rain barrels to irrigate outdoor plantings. In response to the 2022 OTC, DOC reported that its outdoor water had not changed since MassDEP issued the 2016 WMA Permit. MassDEP has therefore determined that the Modified WMA Permit, like the 2016 WMA Permit, need not include any seasonal limits on non-essential outdoor water use.

MINIMIZATION, MITIGATION AND, COLDWATER FISHERY RESOURCES

The Water Management Regulations revised and promulgated in November 2014 require WMA permits to address minimization of the impact of pumping, mitigation of pumping above the baseline rates, potential changes in Biological Category (BC)⁵ and Groundwater Withdrawal Categories (GWC)⁶ and protection of Coldwater Fishery Resources (CFR).

⁵ The Water Management Regulations, 310 CMR 36.14(1)(a), establish a biological category (BC) for each subbasin based on the simulated 2000 to 2004 existing condition of aquatic habitat using fluvial fish community characteristics as the surrogate indicator variable. Each biological category represents the percent alteration within the range of these fluvial fish community characteristics as a function of the following subbasin parameters: 1. Impervious cover; 2. Cumulative groundwater withdrawal as a portion of the unimpacted August median flow; 3. Stream channel slope; and 4. Percent wetland within the stream buffer area. The percent alteration for each BC is as follows: BC 1, 0% to 5%; BC 2, > 5% to 15%; BC 3 > 15% to 35%; BC 4, > 35% to 65%; BC 5, > 65%.

⁶ The Water Management Regulations 310 CMR 36.14(1)(b), establishes a groundwater withdrawal category (GWC) based on the ratio of 2000 to 2004 groundwater withdrawal volume to the unimpacted median monthly flow for August and represents conditions during the late summer bioperiod (July thru September). Each GWC represents the range of this ratio that would result in the BC of the same number under conditions of low (15%) impervious cover. The GWC for each withdrawal ratio for the late summer bioperiod is as follows: GWC 1, 0% to 3%; GWC 2, > 3% to 10%; GWC 3, > 10% to 25%; GWC 4, > 25% to 55%; and GWC 5, > 55%.

Minimization.

Permittees with groundwater sources in subbasins having an August Net Groundwater Depletion (NGD)⁷ of 25% or greater are required to minimize the impacts of their withdrawals. DOC has two registered sources that are in a subbasin with an August NGD greater than 25%. Dug Well #1 (2208001-01G) and Well 4A (2208001-05G) are in Subbasin 21166, a subbasin with an August NGD 112.3%. In 2016, DOC added its only permitted source, GP Well 3A (2208001-06G). GP Well 3A is located in Subbasin 21134, a subbasin with an August NGD of 24.9%. The use of GP Well 3A to withdraw some of their registered withdrawal volumes minimizes the stress on subbasin 21166 by simply moving the withdrawals slightly downstream to subbasin 21134. Special Condition 5 of the Modified WMA Permit requires DOC to optimize the use of GP Well 3A during the summer bioperiod (July through September) to the maximum extent feasible.

Mitigation.

The Water Management 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.

Baseline withdrawal volumes are calculated for each individual basin as well as a system-wide baseline. Under this definition, DOC's baseline is 0.49 MGD, its registered volume.

Permittees whose total authorized volumes are above baseline are required to perform mitigation. As stated earlier, the Modified WMA Permit, keeps DOC's total authorized volume at its baseline volume of 0.49 MGD. Given this limit, the Modified Permit does not include a mitigation requirement.

⁷ The Water Management Regulations, 310 CMR 36.03, define August net groundwater depletion to mean the unimpeded median flow for August minus 2000-2004 groundwater withdrawals plus 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*.

Coldwater Fishery Resource (CFR) Protection.

Permittees with withdrawals that impact streamflow at a CFR (identified on basin maps⁸) must evaluate reducing impacts to CFRs through feasible optimization. DOC has no sources that affect streamflow at an identified CFR at this time. The Modified WMA Permit does not require DOC to evaluate strategies for reducing CFR impacts.

Response to Comments

The Draft Modified WMA Permit was posted in the Massachusetts Environmental Monitor for public comment from March 8, 2024 to April 8, 2024. MassDEP received comments from the Charles River Watershed Association (CRWA). MassDEP responds to those comments as follows.

In its comments, CRWA notes that the Draft Modified WMA Permit requires that during the summer months DOC optimize use of GP Well 3A to the maximum extent feasible. In response to this requirement, CRWA praises Mass DEP “for continuing to seek ways to reduce the impact of water withdrawals in subbasins with high August Net Groundwater Depletion.” CRWA agrees with MassDEP that the use of GP Well 3A allows DOC to withdraw some of its registered volume and thereby minimize the stress on subbasin 21166 where two of its registered sources are located, a subbasin that has an August NGD of 112.3%.

At the same time, CRWA expresses concern that DOC may overuse GP Well 3A and shift stress onto subbasin 21134 where GP Well 3A is located, a subbasin with an August NGD of 24.9%. Recognizing that the maximum extent feasible requirement should guard against this possibility, CRWA asks that MassDEP encourage but not require that DOC consider other minimization options on the ground that such advance consideration “would allow DOC and MassDEP to quickly respond to changes in water availability.”

MassDEP agrees with CWRA that no further requirements for minimization need be required in the Modified WMA Permit. The permit does not allocate any additional water and in fact, DOC has withdrawn substantially less than its registered volume and has shifted a portion of its registered withdrawal to a subbasin that has not been determined to be groundwater depleted. DOC has fulfilled its obligation to minimize the impact of its withdrawals on groundwater depleted subbasins.

⁸ 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).

Norfolk Department of Corrections
Modified Water Management Act Permit

May 9, 2024
#9P4-2-20-208.02



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Department of Environmental Protection

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WATER WITHDRAWAL PERMIT MGL c 21G

This permit is issued pursuant to the Massachusetts Water Management Act 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: 9P4-2-20-208.02

RIVER BASIN: Charles

PERMITTEE: Department of Corrections

EFFECTIVE DATE: May 9, 2024

PERMIT EXPIRATION DATE: June 5, 2034

NUMBER OF WITHDRAWAL POINTS:

Groundwater: 1

USE: Public Water Supply

DAYS OF OPERATION: 365

SOURCES

Table 1: Withdrawal Point Identification

Source Name	PWS Source ID Code
Well 3A	2208001-06G

SPECIAL PERMIT CONDITIONS

Special Condition 1: Maximum Authorized Annual Average Withdrawal Volume

This permit authorizes the withdrawal of water from the permitted source on average over a calendar year at the rates described below in Table 2. The rates below are expressed both as an annual average daily withdrawal rate, MGD, and as a total annual withdrawal volume, million gallons per year (MGY), for each permit period over the term of this permit. MassDEP bases the withdrawal volume on the raw water withdrawn from the authorized withdrawal points and will use the raw water amount to assess compliance with the authorized withdrawal volume. No additional volume is authorized through this permit. The total volume that DOC is authorized to withdraw under its WMA Registration 22020804 and this permit is its registered volume of 0.49 MGD.

Table 2: Maximum Authorized Annual Withdrawal Volumes

Permit Periods	Total Raw Water Withdrawal Volumes			
	Permitted Volume		Total Authorized Volume Permitted and Registered	
	Daily Average (MGD)	Total Annual (MGY)	Daily Average (MGD)	Total Annual (MGY)
5/9/2024 to 6/5/2029	0	0	0 + 0.49	0 + 178.85
6/6/2029 to 6/5/2034	0	0	0 + 0.49	0 + 178.85

Special Condition 2: Maximum Authorized Daily Withdrawals from Each Withdrawal Point

Withdrawals from individual withdrawal points are not to exceed the approved maximum daily volumes listed below in Table without specific advance written approval from MassDEP. The authorized maximum daily volume is the approved rate of each source based on DEP-approved Zone II delineations.

Table 3: Maximum Authorized Daily Withdrawal Volume

Source Name	PWS Source ID Code	MGD
Well 3A	2208002-06G	0.63 (440 gpm)

Special Condition 3: Requirement to Report Raw and Finished Water Volumes

DOC shall report annually on its ASR the raw water volumes and finished water volumes for the entire water system. Monthly raw water volumes for individual withdrawal points shall be reported annually in the ASR.

Special Condition 4: Water Conservation Requirements

At a minimum, DOC shall implement the follow conservation measures. Compliance with the water conservation requirements shall be reported to MassDEP upon request.

Table 4: Minimum Conservation Requirements

System Water Audits and Leak Detection
1. DOC shall conduct a full leak detection survey of the water mains no later than June 30, 2025. Thereafter, DOC shall at a minimum conduct a full leak detection survey every three years.
2. DOC shall conduct field surveys for leaks and repair programs in accordance with AWWA Manual 36.
3. DOC shall have repair reports available for inspection by MassDEP. DOC shall establish a schedule for repairing leaks that is at least as stringent as the following: <ul style="list-style-type: none">a. Leaks of 15 gallons per minute shall be repaired as soon as possible but not later thanb. one month after leak detection.c. Leaks of less than 15 gallons per minute but greater than 5 gallons per minute shall be repaired as soon as possible but not later than two months after leak detection.d. Leaks of 5 gallons per minute or less shall be repaired as soon as possible but not later than six months after leak detection except that hydrant leaks of one gallon or less per minute shall be repaired as soon as possible.e. Leaks shall be repaired in accordance with the priority schedule including leaks up to the property line, curb stop or service meter, as applicable.f. The following exceptions can be considered:g. Repair of leakage detected during winter months can be delayed until weather conditions become favorable for conducting repairs.
Metering
1. Calibrate all source and finished water meters at least annually and report date of calibration on the Annual Statistical Report.
Public Sector Conservation
1. DOC shall meet the standards set forth in the Federal Energy Policy Act, 1992 and the Massachusetts Plumbing Code.
2. Meter or estimate water used by contractors using fire hydrants for pipe flushing and construction

Special Condition 5: Minimization

During the summer bioperiod (July through September), DOC shall minimize the impact of its withdrawals by optimizing the use of GP Well 3A (2208001-06G) to the maximum extent feasible.

GENERAL PERMIT CONDITIONS (applicable to all permittees)

No withdrawal in excess of 100,000 gallons per day over the registered volume (if any) 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 comply at all times 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 at all times 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 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 MGL c 21G ss 15-17, MGL c 111 ss 160, 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 36.37.
6. **Duty to Report** The permittee shall complete and submit annually, on a form provided by the Department, all of the information required by said form including, without limitation, a certified statement of the withdrawal. Such report shall be received by the Department by the date specified on the form each year. Such report must be mailed or hand delivered to:

Department of Environmental Protection
Water Management Act Program
100 Cambridge Street 9th Floor
Boston, MA 02114

7. **Duty to Maintain Records** The permittee shall maintain withdrawal records and other information in sufficient detail to demonstrate compliance with this permit.
8. **Metering** If the withdrawal point included within the permit is not yet metered, it shall be metered within one year of the date of issuance of the permit. Meters shall be maintained and replaced as necessary to ensure the accuracy of the withdrawal records.

APPEAL RIGHTS AND TIME LIMITS

Any person aggrieved by this decision may request an adjudicatory hearing by timely filing a Notice of Claim for an Adjudicatory Appeal (“Notice of Claim”) in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of 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 permit applicant, unless such person notifies the permit applicant 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 to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th Floor
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.

May 9, 2024



May 9, 2024

Duane LeVangie
Chief, Water Management Act Program
Bureau of Water Resources

Date