



“Totally Title 5”

Western Massachusetts Public Health Association

Updates from MassDEP

October 24, 2023

Presented by:
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Assistant Commissioner, MassDEP



MassDEP Updates

- Wastewater Management
- Training Courses
- Drinking Water & PFAS
- Training Courses
- Climate Change Resilience



Wastewater Management

State Revolving Fund's Community Septic Management Program (CSMP)



- ▶ Clean Water SRF dedicates **\$5M/year** for **2%** loans to communities for loans to homeowners to replace or repair failed septic systems
- ▶ CSMP loan program offers 0% interest income-based loans to communities for reduced interest rate loans to homeowners based on annual income compared to Area Median Income
- ▶ Average loan is \$450,000.
- ▶ To date, CSMP loans have totaled approximately \$150M, with 35 loans totaling \$17M over past 5 years

About the Program:

- Rolling application basis and communities apply for financing when there is demand from homeowners.
- Homeowners apply to town for financing and the town draws down funds as needed from the SRF loan.
- The loan to the community is secured with a general obligation pledge of the communities and receives the traditional debt authorization at the local level.
- The loan to the homeowner is secured with a betterment agreement between the community and the homeowner.
- In most instances, the loan is put into repayment within two years.

CSMP Loan application: [https://www.mass.gov/lists/state-revolving-fund-applications-forms#community-septic-management-program-\(csmp\)-](https://www.mass.gov/lists/state-revolving-fund-applications-forms#community-septic-management-program-(csmp)-)

Clean Water State Revolving Fund Technical Assistance



Free Technical Assistance for Small, Rural, and Tribal Publicly Owned Treatment Works

- Free technical assistance through RCAP Solutions to wastewater systems with fewer than 10,000 people and an average flow of less than 1 million gallons per day
- RCAP Solutions will provide:
 - Wastewater and/or Stormwater Infrastructure Needs Assessments
 - CWSRF Project Evaluation Form (“PEF”) Assistance
 - Pre-application assistance with CWSRF Loan Application
- To apply for assistance please contact:
Robin McNamara, Deputy Director
MassDEP Division of Municipal Services
Robin.McNamara@mass.gov
857-301-0974

SRF Program Contact:

Maria Pinaud, Director,
MassDEP Municipal of Services Division
(617) 645-7168
Maria.Pinaud@mass.gov

<https://www.mass.gov/info-details/cwsrf-small-system-technical-assistance-program>



Updated Title 5 and New Watershed Permitting Regulations

- Address Nitrogen on Cape Cod and potentially elsewhere in Southeast MA
- Effective July 7, 2023
- Homeowners required to upgrade septic systems (innovative alternative systems) unless their towns opt in to a 20-year Watershed Permit process
- Towns have two years to opt-in
- Watershed Permits can use a variety of means to reduce nitrogen





Training Courses



Training Courses

▶ Soil Evaluator Class

- ▶ Moving through COVID-related backlog by increasing seats from 40/session
- ▶ September 2023: 50 attendees
- ▶ Spring 2023
 - 80 attendees (42 from Boards of Health)
 - 79 people passed written & field exams to become officially approved soil evaluators

▶ System Inspector Training

- ▶ November 3 and 6 (virtual) with the exam on November 16 or 17 (Lowell)





Drinking Water & PFAS



PFAS6 Drinking Water Standard

- ▶ Regulations establish an enforceable standard called Maximum Contaminant Level (MCL)
- ▶ In October 2020, established MCL of 20 parts per trillion for the sum of six PFAS (“PFAS6”)
- ▶ Routine monitoring required
- ▶ MCL is violated when three months of sampling results exceed or projected to exceed the standard; Public Notice Required for Violations
- ▶ Based on MassDEP’s Office of Research and Standards assessment of toxicology information; reviewed by advisory committee of experts





EPA Proposed PFAS National Primary Drinking Water Regulations

- ▶ **Draft regulations, not enforceable until final**
- ▶ Applicable to Community (COM) and Non-Transient Non-Community (NTNC) public water systems (not Transient Non-Community PWSs)
 - ▶ Comment period ended May 30, 2023; final expected late 2023
- ▶ DEP comments
 - ▶ <https://www.mass.gov/doc/massdep-comments-on-pfas-national-primary-drinking-water-regulation-rulemaking/download>
 - ▶ Very supportive of EPA's efforts to regulate PFAS in drinking water
 - ▶ Discussed technical and implementation issues
 - ▶ Toxicology and scientific basis for standard setting
 - ▶ Underestimations of time and costs needed for implementation
 - ▶ Available laboratory capacity
 - ▶ Needs related to implementation guidance, data management and risk communication

Comparing EPA's Proposed MCLs Relate to MassDEP's PFAS6 MCL



- ▶ MassDEP has tested all PWS for all six of the PFAS included in EPA's proposed rule
- ▶ PFAS6 MCL = 20 ppt for the sum of six PFAS (not the same six)
- ▶ 2 PFAS are in PFAS6 MCL and not in EPA's proposal: **PFHpA and PFDA**
- ▶ 2 PFAS are in EPA proposal and not in PFAS6 MCL: **Gen-X (HFPO-DA) and PFBS**
- ▶ PFAS6 MCL Compliance uses a Quarterly Average



Community & Non-Transient Non-Community Public Water Systems Estimated to Exceed Draft EPA MCLs



	Number of COM and NTNC PWS required to test for PFAS exceeding draft EPA MCL*	% of total COM and NTNC PWS required to test for PFAS exceeding draft EPA MCL
PWS currently over PFAS6 MCL and working with MassDEP to reduce levels	49	7%
PWS newly exceeding draft EPA MCL	149	22%
Total PWS exceeding draft EPA MCL	198	29%

*Includes both PFOA, PFOS and HI impacted systems.



PFAS: Addressing the Issue

- \$214M awarded to communities to address PFAS
- 0% loans available through State Revolving Fund
- 57 grants awarded for PFAS design, treatment, emergency, interim actions
- FY24 budget allocation of \$1.6M for PFAS sampling of landfills and water facilities
- MassDEP received \$38.2M from EPA for small and disadvantaged communities





Private Well Monitoring for PFAS

- Approx. 200,000 private wells in MA serving 600,000 residents
- 85 communities with > 60% residents served by private wells
- 1,669 private wells sampled; project ended June 30, 2022
- 95% were below the MCL. 10 private wells had results above the 90 ppt imminent hazard.

Story Map

- See the test result information: [PFAS in Private Wells DWP FAQ](#) webpage

PFAS Testing in Private Wells

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Non Eligible Towns

All polygons represented on the map are approximate and intended to portray the general area where sampling was done.

Map Information Results

Boxborough
Boxford
Brimfield
Buckland
Carlisle
Carver
Chesterfield
Colrain
Conway
Dover
Freetown
Goshen
Granby

To see more information in the map click the name of Town.

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Climate Change Resilience

Climate Resilience



- ▶ Updating Wetlands Protection Act Regulations
 - ▶ Introduce coastal floodplain performance standards to avoid risky development in areas subject to coastal erosion, flooding, and storm surge
 - ▶ Update outdated precipitation data to accurately reflect current rates of rain and adequately manage our stormwater
 - ▶ Encourage nature-based solutions that will save development money, reduce the built environment, and make properties more equipped to handle increases stormwater runoff
- ▶ Developing new tools to evaluate streamflow
- ▶ Coordinating with Governor's new Climate Office





Thank you!

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