

Davis, Debbie

From: Genereux, David
Sent: Thursday, April 18, 2019 8:11 AM
To: 'Mike Shivick'
Cc: Davis, Debbie
Subject: RE: Public Records Request
Attachments: DEP Memo 11032008.pdf; Sunday, March 24th

Mr. Shivick,

Please see my answers to your public records request below:

You requested the following pubic documents per MGL c. 66 Section 10;

- 1) the 16(?) step plan for Moose Hill set forth by DEP to become certified as a public water supply – See attached
- 2) all correspondence between Moose Hill Water Commission and the DEP from 2012 to present – We are unaware of any correspondence between the Moose Hill Commissioners and DEP for that time period. I have found no records in the files, and no email correspondence on the Town's server directly between the Commission and DEP. The only record that was found was the memorandum from 11/03/2008 that is attached to this email. You may want to make a records request from DEP.
- 3) the cost associated with placing the ladder truck in the recent Worcester St. Patrick's Parade – See attached
- 4) Exhibit 3 from the 2003 Inter-municipal Agreement (IMA) and the "final audit report" as contemplated in Section 16 of the IMA – Neither of those documents are on file.

Regards,

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Mike Shivick [mailto:michael.shivick@live.com]
Sent: Sunday, April 07, 2019 8:51 PM
To: Genereux, David <genereuxd@leicesterma.org>
Subject: Re: Public Records Request

Please note the word should have been "Exhibit" in the last email. Regrets on the scrivener's error;

Sincerely,

Michael J. Shivick, Esq.
Attorney at Law
774.262.7281
www.shivicklaw.com

From: Mike Shivick <michael.shivick@live.com>
Sent: Sunday, April 7, 2019 8:39 PM
To: Genereux, David
Subject: Public Records Request

Mr. Genereux,

I am requesting the following public documents per MGL c. 66 Section 10;

- 1) the 16(?) step plan for Moose Hill set forth by DEP to become certified as a public water supply
- 2) all correspondence between Moose Hill Water Commission and the DEP from 2012 to present
- 3) the cost associated with placing the ladder truck in the recent Worcester St. Patricks Parade
- 4) Exhibit 3 from the 2003 Intermunicipal Agreement (IMA) and the "final audit report" as contemplated in Section 16 of the IMA.

Thank you for your consideration.

Sincerely,

Michael J. Shivick, Esq.
Attorney at Law
774.262.7281
www.shivicklaw.com

1. Provide greater details of the proposed location of the multi-port intake structure, including a profile that indicates the depths of the various intakes.
2. A bathymetric map of Moose Hill Reservoir.
3. Map of appropriate scale depicting the Moose Hill Reservoir, its tributaries, and the associated Zones A, B, and C as described in the Definitions section of the Guidelines. Map should also identify proposed locations for water quality monitoring, per item 3 in Step 4 below.
4. Provide an update in the identification of land uses in the Moose Hill Reservoir watershed, identification of the land owned or controlled by the public water supplier, and potential sources of contamination. What changes have occurred since the 1986 summary provided? What lands have you identified for possible purchase by the Commission for watershed protection?
5. Provide maps indicating the extent of the Moose Hill Reservoir's possible service area for the water district, as well as, maps of Leicester's sewer districts. Include areas outside municipal boundaries and any possible interconnections to other Public Water System districts. This information is necessary to determine applicability of the Interbasin Transfer Act.
6. Provide information on the projected population to be served by the Moose Hill Reservoir for use by the Department of Conservation and Recreation (DCR) in developing Water Needs Forecasts for your system.
7. Detailed estimated cost of operations, maintenance, and operation expenses as well as a method to finance capital charges and operation expenses.
8. Complete relevant portions of the Site Screening package which includes:
 - a. Early Notice in the Environmental Monitor of the proposed project. Information to be included in the Notice may be found at:
<http://www.mass.gov/dep/water/laws/enotice.htm>
 - b. Water Conservation Plan for Public Water Suppliers:
<http://www.mass.gov/dep/water/con-wrc.doc>
 - c. Alternatives Analysis: <http://www.mass.gov/dep/water/laws/altana.htm>

Step 2. Site Exam

MassDEP will conduct a Site Exam after the water supplier has gathered the proper information from the property owners and obtained any necessary approvals for visiting the site. At the Site Exam, MassDEP will evaluate the proposed water quality sampling locations and schedule to be followed during the development of the source. MassDEP will conduct a separate site visit for

the purpose of preparing your Watershed Protection Plan and field verification of the Zones A, B, and C provided in Step 1.

Step 3. Coordination Meeting

Attend a meeting arranged by MassDEP with the programs whose approval may be required. The primary goal of this meeting is to establish a schedule for obtaining the necessary approvals from all programs involved. The participants may include:

1. Department of Conservation and Recreation (DCR) for Water Needs Forecasts, dam safety, and Inter Basin Transfer Act concerns.
2. MassDEP Water Management Act Program
3. MassDEP Wetlands Program
4. Massachusetts Department of Fish and Game which includes MassWildlife, Riverways, and the Natural Heritage and Endangered Species Program
5. Army Corps of Engineers
6. MBPA Office

Step 4. Formal Documentation and Final Report for a Source Greater than 70 gpm (BRP WS 19) Permit Process

After successful completion of the BRP WS 17 process, the applicant will be required to submit a permit application for BRP WS 19 Final Report for a Source Greater than 70 gpm which needs to include the following information:

1. Firm Yield must be completed by the applicant. The proponent must contact MassDEP to discuss an acceptable Firm Yield assessment approach. An on-line version of the Firm Yield estimator for *stream* dominated reservoirs may be found at:
<http://www.mass.gov/dep/water/resources/firmyild.htm>
Firm yield estimates for *groundwater* dominated reservoirs may be calculated through the use of Firm Yield II. Alternative methods of calculating the firm yield of your reservoir are acceptable with prior review and approval by MassDEP. To establish the firm yield, at a minimum, you must provide:
 - a. Bathymetric map of Moose Hill Reservoir;
 - b. Estimate of the water needs demand pattern of your service population (average and peak, daily and monthly water use).
2. Hydrogeologic Report -- Provide a description of the hydrogeologic system providing recharge to the reservoir and include delineation of the drainage basin.
3. Water Quality Monitoring Report -- Extensive water quality data must be collected over the course of one year. The specific sampling plan (frequency and analyses) will be prepared by MassDEP after review of the Site Examination application, site visits, and discussions with the proponent concerning potential treatment plans. The monitoring will

be conducted as close as possible to the proposed intake(s), and at other locations on the reservoir as deemed necessary. At a minimum, the sampling plan is likely to include the following:

- a. Total Coliform and E. Coli-- Weekly for 1 year;
 - b. Turbidity, Color, Odor, Temperature, Suspended and Total Dissolved Solids – Weekly for one year;
 - c. Secondary Contaminants, as listed in Appendix A, to address reservoir turnover- Spring and Fall;
 - d. Safe Drinking Water Act Contaminants – During Spring turnover;
 - e. Total Organic Carbon – Seasonally
 - f. Giardia and Cryptosporidium – Every other month for one year
 - g. Nitrogen (nitrite, nitrate, ammonia) – Monthly;
 - h. Total Trihalomethane Formation Potential – Monthly in July, August, and September;
 - i. Algae – Monthly throughout the year at intake, major tributaries and at one or more locations in the reservoir;
 - j. Perchlorate – One sample collected during low flow conditions in August, September, or October.
 - k. Analyses needed to demonstrate the proposed treatment system will comply with the Long Term 2 Enhanced Surface Water Treatment Rule (LT2) and the Stage 2 Disinfection Byproducts Rule (DBPR).
4. Watershed Resource Protection Plan – Guidance can be found in the document “Developing a Local Surface Water Supply Protection Plan”, MassDEP, 2000.
 5. Zone A Surface Water Protection Zoning and Non-Zoning Controls – You must demonstrate compliance with the Surface Water Supply Protection requirements of the Drinking Water Regulations (310 CMR 20.20C).
 6. Proposed Treatment Plan – Surface water suppliers are subject to the Surface Water Treatment Rule (SWTR), as written in the Drinking Water Regulations (310 CMR 22.20A). Treatment of the source must be determined through piloting according to Policy 90-04, Pilot Study Requirements for Proposed Treatment.
 7. Water Supply Business Plan – Demonstrate the public water system has the technical, financial, and managerial ability to operate in compliance with 310 CMR 22.00, the Department’s “Guidelines and Policies for Public Water System” and each National Primary Drinking Water Regulation in effect at the time of such approval and in the foreseeable future.
 8. MEPA – Demonstrate compliance with the MEPA requirements. At a minimum, you will be required to file an Environmental Notification Form (ENF) for public review and comment.
 9. Water Management Act Permit Application (OWM WM03).

Step 5. Construction and Final Approvals

1. Permit Application BRP WS 20 – Approval to Construct a Source Greater than 70 gpm
2. Permit Application BRP WS 21 – Treatment System Pilot Study Proposal
3. Permit Application BRP WS22 – Treatment System Pilot Study Final Report
4. Permit Application BRP WS 24 – Construct a Treatment Facility Greater than 1 million gallons per day.
5. Regulatory revision to 314 CMR 4.00 – Massachusetts Surface Water Quality Standards to designate the approved surface water body and its tributaries as Class A water bodies.

This letter is intended to provide you with the extent of the permitting and data collection needed to permit Moose Hill Reservoir as a Public Drinking Water System. After you have had the opportunity to review the information, please feel free to contact us to arrange a meeting to discuss the details.

Thank you, and if you have any immediate questions, feel free to call Barbara Kickham at (508) 767-2724, Purna Rao at (508) 767-2784, or myself at (508) 767-2827.

Sincerely,



Marielle Stone
Section Chief
Drinking Water Program

CC: Robert Reed, Town Administrator-Leicester
Paul Blain, MassDEP-DWP-Boston
Duane LeVangie, MassDEP-WMA-Boston
MassDEP DWP Program File Copy
MassDEP DWP Correspondence Copy

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Davis, Debbie

From: Michael Dupuis <mdupuis@leicesterfireems.org>
Sent: Friday, April 12, 2019 11:08 AM
To: Genereux, David
Cc: Forsberg, Kristen
Subject: Sunday, March 24th

Mr. Genereux,

This email is to inform you that on Sunday, March 24th, six members and myself from the department were invited by the Worcester Fire Department to participate in the St. Patrick's Day Parade. The members and myself were strictly volunteering our time to participate in this event and at no time were compensated for this.

Sincerely,
Michael Dupuis

Deputy Chief Michael Dupuis, CFO

Leicester Fire Department

3 Paxton Street, Leicester, MA 01524

Office #: 508-892-7022 ext. 1102