



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

Department of Environmental Quality Engineering

Division of Water Supply

One Winter Street, Boston, Mass. 02108

Daniel S. Greenbaum  
Commissioner

REGISTRATION STATEMENT FOR WATER WITHDRAWAL

Registration under M.G.L. c. 21G for the water withdrawal identified below is accepted by the Department.

GENERAL INFORMATION

Registration Number: 31431502

River Basin: Concord

Registrant:

Wayland Water Department  
41 Cochituate Road  
Wayland, MA 01778

Number of withdrawal points:

Groundwater: 7

Surface water: 0

Location(s):

2 at old Connecticut Path W; 1 at Meadowview Rd.;  
1 at Campbell Rd.; 3 at Old Sudbury Rd.; all in Wayland

Use:

Public Water supply

Average Volume per Day (MGD):

1.66

Days of Operation:

365

Annual Volume Total (MGY):

605.90

Registration renewed  
effective January 1, 1998.  
Expiration date January 1, 2008.

Glenn Haas, Director  
Department of Environmental Protection  
Division of Watershed Management

CONDITIONS AND REQUIREMENTS

Compliance with registration conditions is required by 310 CMR 36.08. Those applicable are described.

Metering:

Install source meter(s) for all these points: N/A

Calibrate all meter(s): Annually



COMMONWEALTH OF MASSACHUSETTS  
 EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 METROPOLITAN BOSTON - NORTHEAST REGIONAL OFFICE

MITT ROMNEY  
 Governor

KERRY HEALEY  
 Lieutenant Governor

RECEIVED ELLEN ROY HERZFELDER  
 WAYLAND WATER DEPT. Secretary  
 OCT 21 2003  
 ROBERT W. GOLLEDGE, Jr.  
 41 COCHITUATE ROAD Commissioner  
 WAYLAND, MA 01778

October 17, 2003

Donald Hollender, Superintendent  
 Town of Wayland, Water Department  
 41 Cochituate Road  
 Wayland, Massachusetts 01778

RE: WAYLAND  
 Wayland Water Commission  
 Water Withdrawal Permit # 9P4-3-14-315.01  
 FINAL PERMIT DECISION - BRP WM 03  
 ACO Compliance - ACO-NE-02-F001

Dear Mr. White:

Please find attached the following information:

A Final Water Management Act Permit # 9P4-3-14-315.01 for groundwater withdrawal from the Chamberlain Well, located in the Concord River Basin. This Permit authorizes an annual average withdrawal volume(s) of 0.11 million gallons per day (MGD), for a total volume of 67.5 million gallons over a period of 365 days from this source. Also attached is a summary of the Town's compliance with the Administrative Consent Order signed by you on August 30, 2002, and effective on September 3, 2002.

Please note that the signature on this cover letter indicates formal issuance of the attached document.

Very truly yours,

*Madelyn Morris*  
 Madelyn Morris  
 Deputy Regional Director  
 Bureau of Resource Protection

File Name: Y:\DWP Archive\NERO\WAYLAND-9P431431501-WMA-2003-10-17  
 cc: DWP/Boston Office (no attachment)

This information is available in alternate format by calling our ADA Coordinator at (617) 574-6872.  
 One Winter Street, Boston, MA 02106 • Phone (617) 654-6500 • Fax (617) 556-1049 • TDD # (800) 298-2207

DEP on the World Wide Web: <http://www.state.ma.us/dep>  
 Printed on Recycled Paper

**Administrative Consent Order ACO-NE-02-F001**  
**Compliance Summary**

The Town of Wayland, Donald Hollender, signed the Administrative Consent Order ("ACO") on August 30, 2002, and the Department of Environmental Protection ("DEP"), Madelyn Morris, signed it on September 3, 2002. The latter is the date upon which the Consent Order took effect [Paragraph 45].

This compliance summary included the review of the following submittals, with summaries provided, made by the Town of Wayland ("the Town" or "Wayland") to DEP:

- **August 29, 2002, "Public Education Program Including Outreach to Schools", submitted August 30, 2002** – Contains a copy of the program implemented in 2002 for K-2 and grades 3-5 to be done semi-annually. The submittal notes that 10 residential audits will be conducted. It also indicates that further work will be included in the December 31, 2002, water use reduction plan required under the ACO.
- **August 29, 2002, "Supplemental Information, Water Management Act Permit/ACO", prepared by Tata & Howard and submitted August 30, 2002** - This submittal includes: an October 2001 Water Audit Report; information on a 9-month moratorium on the installation of water sprinkler systems; information on water ban in effect; information on the water ban notice.
- **December 30, 2002, Leak Detection report** - The leak detection survey was completed during September - October 2002 by Heath Consultants. Sixty-three (63) leaks were identified, totaling approximately 103 MGY in lost water. Six of the leaks accounted for 53% of the water loss. The report states that all leaks found during the repair were repaired. Six (6) copies of regular repairs were also provided with no determination as to losses. Documentation of accurate meter calibration at the sources was also provided.
- **A December 30, 2002, Plan and Schedule for Per Capita Use Reduction**, submitted December 31, 2002.
- **An April 4, 2003, Plan and Schedule for Per Capita Use Reduction**, submitted April 7, 2003. This document supplements the December 2002 plan and included the following information: the adjusted unaccounted for water is approximately 14%; the average daily flow for 2002 was 1.87 MGD (2001 – 2.02 MGD); the residential per capita water use was 80 gpcd based upon a population of 13,855 (2002 – 100 gpcd); other leak detection statistics: and, water use reduction program information.
- **A June 30, 2003, Status Report**, prepared by Tata & Howard and submitted on July 7, 2003 and containing a summary of actions taken to reduce the Town's per capita consumption and seasonal water usage. This report estimates that residential use was approximately 66 gpcd based on non-summer usage volumes.

The ACO, Paragraph 31, required that on or before December 31, 2002, the Town shall complete a comprehensive leak detection survey of its entire distribution system. As noted above a leak detection report was submitted on December 30, 2002. The following is a summary of related outstanding ACO issues:

- The ACO required that the Town shall measure or accurately estimate water used for bleeders on the distribution system, flushing and/or meter calibration. The December 2002 report contains no information relative to these volumes although the October 2001 Report cited above estimates bleeder volumes at 1,296,00 gallons per year. Water flushing volumes were not reported. From the file it appears that approximately 30,000 gallons were used for meter calibration in November 2002. The April 2003 report contained additional information defining these volumes more accurately. **The Town should provide this information in all subsequent years.**

- o The ACO required that upon completion of each leak detection survey required by Paragraph 31, that the Town shall repair any leaks identified as a result of that survey or otherwise within seven days of discovery. From the December 2002 report, out of the 63 reported leaks documentation was only provided for 24. Of these, only four had documentation (work order) as to the date the leak was fixed. Times appear to be 7, 10, 13 and 18 days from the date of discovery. This did include the 3/3 of the highest-grade leak and 1/6 of the Grade 2 level leaks. Copies of 2 letters sent to 2 residential locations requiring that plans to fix the leaks be submitted were provided without subsequent information. The April 2003 report included information stating that all non-residential repairs were made, identifying an additional 32 miscellaneous leaks that were repaired, and requesting that the ACO be interpreted to mean that leaks be repaired within seven (7) working days. **The Town shall provide documentation that the residential repairs were conducted and on what date.** ✓

The ACO, Paragraph 32, required that on or before December 31, 2002, the Town shall submit to the Department for its review and approval a written proposal including a plan and schedule for reducing per capita water use and seasonal water use. As noted above, a plan and schedule for Per Capita Use Reduction was submitted December 31, 2002. The following is a summary of related outstanding ACO issues:

- o The ACO required that the Town retrofit all public buildings with low flow devices. The submitted schedule provides for the retrofitting of Town Hall only by December 31, 2003, although noting that Town "anticipates targeting one municipal building each year" until done. The April 2003 report states that \$25,000 has been allocated to retrofit Town Hall and that five (5) other municipal buildings will be retrofitted in 2003 and the schools in 2004. **The 2003 Annual Statistics Report shall include a plan updating what work has been completed and that identifies all public buildings owned, lists those scheduled to be retrofitted, and completes the retrofit of all listed buildings by the end of 2004.**
- o The ACO required that the Town provide low flow devices to consumers at cost. The April 2003 report indicates that low cost kits were made available starting in February 2003, and the Water Commissioners are committed to providing as many kits as requested by residents. The June 2003 status report indicates that the Wayland Housing authority purchased and will install 136 units in apartment complexes and that 50 indoor and 25 outdoor kits were purchased. Some of these were used for Water Department facilities and others are available for residential purchase. **The 2003 Annual Statistics Report shall document the number of devices supplied to residents and document all municipal facilities where such items were installed.**
- o The ACO required that the Town enact, implement and enforce a bylaw regulating the use of automatic sprinklers and the clearing of land for and maintenance of lawns. The schedule provided for these to be enacted by May 31, 2004. The June 2003 report states that the bylaw was drafted for a vote at the April 4, 2003, Annual Town Meeting, and was passed and approved by the Commonwealth on June 12, 2003. The April 2003 report noted that the land-clearing bylaw is in the process of being drafted for a vote at the 2004 Annual Town Meeting. On April 29, 2003 the bylaw was implemented and on May 20, 2003, revised to require all watering between 9 P.M. and 7 A.M. on an odd/even basis. In addition a 2 days per week voluntary outdoor watering restriction was implemented. **The 2003 Annual Statistics Report shall include a summary of these actions, information on the compliance with the ACO, together with documentation of any implementation and/or enforcement. The land-clearing bylaw shall be implemented as soon as possible and no later than July 1, 2004.**
- o The ACO required that the Town adopt a program to reduce the volume of water used to irrigate public land including parks and fields used for recreation, adoption of revised outdoor water use restrictions that are consistent with the work of the Drought Task Force, the Water Resource Commission and the Department of Environmental Management Office of Water Resources. The

Town proposed that the new Town Public Safety Building will be designed with little irrigation needs and that a demonstration planting area will be installed by the summer of 2004 to promote such designs. They also note they denied a request by the Park and Recreation Department for reduced water use rates. The April 2003 report also provided (Appendix D) a list of all public facilities with water use volumes if available. The June 2003 Status Report included a plan (Appendix D) submitted by the Park and Recreation Department that limits watering to 2 20-minute waterings per week and ceasing watering at 2 locations. The goal as cited in the April 2003 report was a 20% water use reduction. No actual program was provided for the reduction of water use at existing locations. **A comprehensive summary should be submitted that identifies all locations where water is used to irrigate public lands, and presents current and historical water usage volumes, any additional specific steps to reduce such usage if possible.**

- o The ACO required that the Town conduct public education, and evaluate further changes in the rate structure. The Town provided information on its public education including: public notices; a bi-annual school education program; a residential water Audit to be completed in July 2003; and mailing in March & November 2003; an updated web site with consumption information. **The Town should provide the results of the Water Audit and information on any changes and all current water use rates.**
- o The ACO required that the Town, in preparing the plan, shall evaluate measures taken by other communities to reduce per capita and seasonal water use. The Town provided information that the more restrictive outdoor water use restrictions were to be voted on at an April 22, 2003, board meeting. **An update on current water use restrictions should be provided.**

**WRITTEN FINDINGS OF FACT IN SUPPORT OF FINAL PERMIT DECISION:  
CITY OF WAYLAND**

In response to your application for a permit for groundwater withdrawals from the Chamberlain Well located in the **Concord River Basin**, and after having signed an Administrative Consent Order with DEP on August 30, 2002, effective on September 3, 2002, the Department, Northeast Regional Office hereby issues the attached permit to the City of Wayland. Water Management Act Permit #9P4-3-14-315.01 is dated October 17, 2003.

The volume shown in **Special Condition 1 Maximum Authorized Annual Average Withdrawal Volume**, 0.11 million gallons per day (MGD), is in addition to the 1.66 MGD previously registered to the permittee through the Water Management Act Program in the Concord River Basin.

**Special Condition 2. Maximum Authorized Daily Withdrawal Volume** indicates the maximum daily rate of withdrawal allowed for the individual source included in the permit application. The Chamberlain Well is approved for a maximum of .828 million gallons per day (MGD). This volume was calculated using the Department-approved safe yield for the wells, as determined from pumping test data

**Special Condition 3. Zone of Contribution**, indicates that the Chamberlain off Moore Road has a DEP approved Zone II delineation. Therefore, this permit requires no further Zone II work.

**Special Condition 4. Wellhead Protection** requires that Land use controls meeting the requirements of 310 CMR 22.21(2) be in place in the Zones of Contribution covered by the permit and that the final text of the control measures be submitted to Water Management Program after adoption. The ACO required that the Town enact, implement and enforce a bylaw regulating the use of automatic sprinklers. This bylaw was passed on April 4, 2003 and approved by the Massachusetts Attorney General's office on June 12, 2003. The ACO also required that the Town enact, implement and enforce a bylaw regulating the clearing of land for and maintenance of lawns. The Town has indicated that they are scheduling a vote on this at the 2004 Annual Town Meeting. The original schedule required that this be enacted by May 31, 2004. This bylaw must be enacted by July 1, 2004.

**Special Condition #5. Water Conservation Requirements**, reflects the minimum standards required by the State Water Resources Commission for public water suppliers. The Town of Wayland has submitted leak detection reports and a plan with schedule for Per Capita Use Reduction as detailed in the review of the ACO provided above. To address outstanding issues related to these standards and the comments noted in the ACO review, the Town shall:

- provide an accurate measurement or accurate estimate of water used for bleeders on the distribution system, flushing and/or meter calibration for the last 3 years and every year thereafter.
- provide documentation as to when all leak repairs were made including all residential repairs.
- submit a plan updating the retrofit all public buildings with low flow devices that includes: a list identifying all public buildings owned; what retrofit work has been done in the last 3 years; has a plan for and lists the retrofit schedule for all buildings that completes such work within 2 years.
- Submit a plan that documents the number of low flow devices provided by the Town to consumers at cost, and commits to providing as many kits as requested by residents.
- submit a plan that identifies all locations where water is used to irrigate public lands and proposes specific steps and a schedule to be taken to reduce such usage if possible.
- adopt revised outdoor water use restrictions that are consistent with the work of the Drought Task Force, the Water Resource Commission and the Department of Environmental Management Office of Water Resources.
- provide the results of the Water Audit that was to be completed in July 2003, and information on any changes and all current water use rates and an evaluation of further changes in the rate structure.

- shall continue to conduct public education, including: public notices; a bi-annual school education program; and residential water mailings; and a regularly updated web site with consumption and rate information.
- At a minimum, the Town must perform full leak detection surveys every two years.

**WATER WITHDRAWAL PERMIT  
MGL c 21G**

This permit is issued pursuant to the Massachusetts Water Management Act (the "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:** 9P4-3-14-315.01      **RIVER BASIN:** Concord

**PERMITTEE:**            Town of Wayland  
                              Wayland Water Department  
                              41 Cochituate Road  
                              Wayland, Massachusetts 01778

**EFFECTIVE DATE:** October 17, 2003

**EXPIRATION DATE:** 8/31/2011

**NUMBER OF WITHDRAWAL POINTS:**

Groundwater: 1  
Surface Water: 0

**USE:** Public Water Supply

**DAYS OF OPERATION:** 365

**LOCATION:**

<u>Source</u>	<u>Source Code</u>
Chamberlain Well	3315000-07G

**SPECIAL CONDITIONS**

**1. Authorized Withdrawal Volume**

This Permit authorizes the withdrawal of water for the purpose of serving the businesses, schools, municipal facilities, institutions and residences in the Town of Wayland (the "Town" or "Wayland"), at the rate described below on average over a calendar year. The volume reflected by this rate is in addition to the 1.66 million gallons per day (MGD) previously registered to the permittee through the Water Management Act Program in the Concord River Basin. The Department will use raw water volumes when assessing compliance with the volumes authorized by the Town's Registration and this Permit.

The permitted volume is expressed in millions of gallons, both as an average daily withdrawal rate per year and as a total annual withdrawal volume for each period of the Permit. Maximum daily withdrawal volumes will continue to be limited to the approved capacity of each individual source, unless otherwise noted



Withdrawals are authorized as follows:

		Daily Total Average (MGD)	Total Annual (MGY)
Period One			
Years 1-5	10/17/2003 to 5/15/2006	0.11	40.15
Period Two			
Years 6-10	5/16/2006 to 8/31/2011	0.11	40.15

2. **Authorized Withdrawal Points**

Withdrawals from individual withdrawal points are not to exceed the approved daily volume listed below without specific advance written approval from the Department.

<u>Source</u>	<u>Source Code</u>	<u>Daily Rate (mgd)</u>
Chamberlain Well	3315000-07G	0.828

3. **Zone of Contribution (Zone II or Zone III) Delineations**

Department records show that the Chamberlain Well off Moore Road has a DEP approved Zone II delineation. Therefore, no further Zone II work is required as a condition of this permit.

4. **Wellhead Protection**

Submit a copy of any existing land use controls and water supply protection measures in the communities encompassed by the Zones of Contribution of the wells included in this permit and the draft proposed changes needed to meet the requirements of 310 CMR 22.21(2) by **October 30, 2003**. Land use controls meeting the requirements of 310 CMR 22.21(2) shall be in place in the Zones of Contribution covered by this permit by **October 30, 2003**. The final text of any control measures must be submitted to Water Management Program after adoption.

5. **Water Conservation Requirements**

Metering

- 100 percent metering with all meters of proper size and accuracy to measure water flow to within 5 percent, including public buildings and facilities.
- Town of Wayland, Water Department, replaced all meters in 1997. Continue your ongoing program to inspect individual service meters. Such program shall include placing sufficient funds in the annual water department budget to recalibrate, repair or replace meters as needed.
- Master meters must be calibrated annually.

Leak Detection

- Provide documentation as to when all leak repairs were made including all residential repairs the date which each leak was reported or found, the date on which each leak was repaired, and the estimated savings of each repair for the last 3 years by December 31, 2003.
- The Town shall conduct a full leak detection survey biennially (every two years).

Leak Repair

- Suppliers must have repair reports available for inspection by the Department.
- Leaks are to be fixed as soon as possible but in no event shall any leak remain unrepaired more than seven working (7) days after detection.

Pricing

- The Town shall provide by December 31, 2003, the results of the Water Audit that was to be completed in July 2003.
- The Town shall provide information on current water use rates any and all evaluations and/or further proposed or planned changes in the rate structure.
- The rate structure shall not be a decreasing block rate structure.
- Suppliers shall take steps to ensure that water supply system operations are fully funded by water supply system revenues. The pricing system should reflect the full cost of supplying water, including but not limited to:
  - administrative costs
  - staff salaries, benefits, insurance and pension costs
  - distribution system operation, maintenance and repair, including leak detection and repair costs and metering costs
  - pumping costs and utilities
  - treatment costs
  - capital replacement costs, capital depreciation and debt service
  - any costs associated with water conservation programs and public education programs
  - watershed or wellhead purchase and/or protection costs and land acquisition
  - emergency planning
  - enforcement of the building code and/or local regulations

Plumbing

- Public water suppliers must ensure enforcement of the March 1, 1989 plumbing code for new construction and building rehabilitation where installation of water saving devices and low flow toilets is required.
- The Town shall submit a plan updating the status of the retrofit all public buildings with low flow devices that includes: a list identifying all public buildings owned; what retrofit work has been done in the last 3 years; has a plan for and lists the retrofit schedule for all buildings that completes such work by December 2004. Low flow water saving devices include, but are not limited to: faucet aerators, low flow showerheads and toilet displacement bottles/dams.

- The Town submit a plan that documents the number of low flow devices provided by the Town to consumers at cost, and provide a written commitment to providing as many kits as requested by residents.
- If residential consumption is over 80 gallons per capita per day, a program must be implemented to make retrofit devices (faucet aerators, low flow shower heads and toilet displacement bottles/dams) available to customers at cost.

#### Education

- Continue to develop and implement a public education program, including the bi-annual school education program, which emphasizes:
  - all the costs of providing water
  - that investments in efficiency and conservation will provide consumers with long-term savings
  - the environmental benefits of reducing water demand
  -
- Bill stuffers with water conservation tips or water saving messages should be included at least annually with customer's water bills, or as a separate mailing.
- The town shall regularly update its Internet web site with; residential consumption rates; all rate information; and, the current status of any voluntary or mandatory restrictions.

#### Outdoor Water Use

- The Department encourages the adoption of a Water Use Restriction Bylaw. In 1998, the Town of Wayland adopted a bylaw restricting the use of water and in 1999 amended the bylaw to increase the financial penalties imposed on those persons violating the bylaw. At the April 4, 2003, Annual Town Meeting, an additional lawn irrigation bylaw was passed and subsequently approved by the Commonwealth on June 12, 2003. A land-clearing bylaw is in the process of being drafted for a vote at the 2004 Annual Town Meeting. The 2003 Annual Statistics Report shall include a summary of these actions, information on the compliance with the ACO, together with documentation of any implementation and/or enforcement. The land-clearing bylaw shall be implemented as soon as possible and no later than July 1, 2004.
- The Town shall ensure that the Park and Recreation Department shall implement their June 30, 2003, Irrigation Reduction Plan at all locations where water is used to irrigate public lands. A comprehensive summary should be submitted that identifies all, and presents current and historical water usage volumes, any additional specific steps to reduce such usage if possible

#### Water Main Flushing/Bleeding and Meter Calibration

- The Town shall provide with the 2003 Annual Statistics Report an accurate measurement or accurate estimate of water used for bleeders on the distribution system, flushing and/or meter calibration for the last 3 years. Water needed for main flushing and the use of water in construction, the amount of water used for bleeders and meter calibrations shall be metered or estimated as appropriate to assist in determining actual demand. Volumes flushed to waste shall be reported annually in section C.G. "Other" on your Water Supply Annual Statistical Report.

**GENERAL CONDITIONS** (applicable to all permittees)

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 up to the authorized volume 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 150 ss 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 36.37.
6. **Duty to Report** The permittee shall submit annually, on a form provided by the Department (the Annual Statistical Report), a certified statement of the withdrawal, such report to be received by the Department by February 28<sup>th</sup> of each year. Such report must be mailed or hand delivered to:  

Department of Environmental Protection  
Division of Watershed Management  
Water Management Program  
One Winter Street, 6<sup>th</sup> Floor  
Boston, MA 02108
7. **Duty to Maintain Records** The permittee shall be responsible for maintaining monthly withdrawal records.
8. **Metering** All withdrawal points included within the Permit shall be metered individually by December 31, 2005. Meters shall be calibrated annually

**APPEAL RIGHTS AND TIME LIMITS**

This permit is a decision of the Department. Any person aggrieved by this decision may request an adjudicatory hearing under the provisions of M.G.L. c. 30A. Any such request must be made in writing, by certified mail and received by the Department within twenty-one (21) days of the date of receipt of this Permit. Only the portions of the Permit that reflect a modification of the Town's current permit may be the subject of an appeal, since the appeal period for appealing provisions within the Town's current Permit has expired.

No request for an appeal of this Permit shall be validly filed unless a copy of the request is sent by certified mail, or delivered by hand to the local water resources management official in the city or town in which the withdrawal point is located; and for any person appealing this decision, who is not the permit

holder, unless such person notifies the permit holder of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

### **CONTENTS OF HEARING REQUEST**

310 CMR 1.01(6)(b) requires the request to include a clear and concise statement of the facts which are the grounds for the request and the relief sought. In addition, the request must include a clear and concise statement of how that person is aggrieved by the issuance of this Permit.

### **FILING FEE AND ADDRESS**

The hearing request, together with a valid check, payable to the Commonwealth of Massachusetts in the amount of \$100 must be mailed to:

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

The request shall be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below.

### **EXEMPTIONS**

The filing fee is not required if the appellant is a city or town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority.

### **WAIVER**

The Department may waive the adjudicatory hearing filing fee for any person who demonstrates to the satisfaction of the Department that the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request, an affidavit setting forth the facts which support the claim of undue hardship.

**NO WITHDRAWAL AUTHORIZED HEREIN SHALL EXCEED THE SAFE YIELD OF THE BASIN AS DETERMINED BY THE DEPARTMENT.**

**NO WITHDRAWAL IN EXCESS OF 100,000 GALLONS PER DAY OVER THE REGISTERED/PERMITTED 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.**