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October 26, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Assabet Well No.3 and Water Treatment Plant
PROJECT MUNICIPALITY : Acton
PROJECT WATERSHED : Assabet River Basin
EOEA NUMBER : 13878
PROJECT PROPONENT : Acton Water District
DATE NOTICED IN MONITOR : September 26, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF), the project involves the reactivation of an existing well and the replacement/upgrade of an existing Water Treatment Plant. There will be no overall increase in permitted water withdrawal as a result of this project. The project site is located on the Acton Water District's property which was once part of the W.R. Grace Superfund site.

The project is undergoing review pursuant to Section 11.03 (4)(b)(1) and 11.03 (4)(b)(4) of the MEPA regulations, because the project involves a new water withdrawal of more than 100,000 gallons per day that requires new construction and involves construction of a new water treatment plant with a capacity of greater than 1,000,000 gallons per day. The project will require a Water Management Act (WMA) Permit and a New Source Approval from the Department of Environmental Protection (DEP). The project will also require an Order of Conditions from the Acton Conservation Commission (and hence a Superseding Order from DEP if the local Order

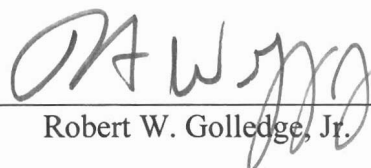
were appealed). Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that are likely to have significant environmental impacts and that are within the subject matter of required or potentially required state permits. In this case, MEPA jurisdiction exists over the broad issues related to water use and management, including potential drawdown on adjacent water bodies.

I find that the impacts of the project do not warrant the preparation of an EIR. I advise the proponent that the that the New Source Approval process includes a series of three permits (BRP WS 17, 19, 20) and that Construction of a Water Treatment Plant includes BRP WS 24. In addition, a Pilot Study Proposal and Pilot Study Report permits may be required. The WMA permit includes BRP WM 02, Amendment to Existing Withdrawal. Therefore, I advise the proponent to work closely with DEP's Drinking Water Program and WMA Program staff to ensure that all concerns are properly addressed.

The DEP permitting process for this project is quite detailed, and I am confident that DEP review will lead to appropriate conditions to ensure that impacts on the Assabet River watershed are minimized. Specifically, the DEP permitting process can develop appropriate monitoring and mitigation protocols for possible impacts to surrounding resources. No further MEPA review is required. However, I ask that DEP consider the MEPA comments received from the Division of Fisheries & Wildlife, the Acton Citizens for Environmental Safety (ACES) and the Organization for the Assabet River (OAR), when conducting its review pursuant to the Water Management Act and the New Source Approval.

October 26, 2006

Date



Robert W. Golledge, Jr.

Comments Received:

10/13/06	Organization for the Assabet River (OAR)
10/16/06	Acton Citizens for Environmental Safety (ACES)
10/16/06	Department of Environmental Protection, CERO
10/17/06	Division of Fisheries & Wildlife

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