

City of Westfield Massachusetts

PUBLIC HEALTH & SAFETY COMMITTEE

Meeting Minutes

Date: MARCH 24, 2021

Time: 5:30 PM

Location: ZOOM

The meeting was called to order at 5:30 PM by Chairman Michael Burns. Roll call attendance: Committee members Councilor John Beltrandi, Councilor Nicholas Morganelli and Councilor Michael Burns were all present.

Agenda Items:

1. 7/8/19: Upon motion of Councilor Babinski, (and Councilor Burns), it was VOTED: To review options for adjusting the current crosswalk signals at the intersection of North Elm and Pochassic Street to allow for safer and more convenient pedestrian crossings and be REFERRED TO TRAFFIC COMMISSION and PUBLIC, HEALTH and SAFETY COMMITTEE

DISCUSSION:

Councilor Burns stated that the matter was discussed at the April 29, 2020 Traffic Commission meeting. Per the Traffic Commission, there is nothing that can be done to change the traffic lights at the intersection. There is municipal parking behind the businesses on Railroad Avenue and perhaps there can be signage to encourage parking there instead of patrons crossing the intersection. Councilor Burns asked Councilor Nicholas Morganelli of Ward 1 to follow up with the DPW. Councilor Beltrandi asked, what the Traffic Commission's assessment was. Councilor Burns answered that the Traffic Commission stated that no additional crosswalks can be added and there cannot be adjustments made to any traffic lights due to them all being timed for traffic flow.

Councilor Beltrandi made a motion to take it out of committee without action, which was seconded by Councilor Morganelli.

Roll call vote, passed 3-0

Councilor Beltrandi	Yes
Councilor Burns	Yes
Councilor Morganelli	Yes

2. 12/17/20: Upon motion of Councilor Harris, for Councilor Bean, it was VOTED: That the COVID-19 vaccine timeline and plan for distribution for the City of Westfield be discussed and be REFERRED TO THE MAYOR, HEALTH DIRECTOR & PUBLIC HEALTH AND SAFETY COMMITTEE.

DISCUSSION:

Councilor Beltrandi stated that the State mandates the vaccine distribution and is moving along rapidly. He believes that by the time this item is put on the floor of the Council, we're going to be passed it.

Councilor Beltrandi made a motion to take it out of committee without action, which was seconded by Councilor Morganelli.

Roll call vote, passed 3-0

Councilor Beltrandi	Yes
Councilor Burns	Yes
Councilor Morganelli	Yes

3. 3/4/21: That updates on PFAS testing and reporting be REFERRED TO PUBLIC HEALTH AND SAFETY COMMITTEE.

DISCUSSION:

This item was started by a motion upon Councilor Mello which was voted to be sent to Water Commission. It was also voted that if the Council was not satisfied with answers from the Water Commission, then it would return to the full Council. On March 4th, it was voted to be referred to the Public, Health and Safety Committee. The Committee will follow Section 26 of the Charter which allows questions to be sent in writing to the Mayor, which will be answered and those answers will be sent to the Committee.

Councilor Burns officially requested the 350 page report (which were from a public records request that Councilor Mello had presented at the March 4, 2021 City Council meeting) be forwarded to the City Clerk and added to the official record of tonight's meeting minutes. Councilor Burns stated that if the committee members would like clarification and/or have comments to any of the answers provided at tonight's meeting, they may be done so after all questions and answers have been read.

Councilor Morganelli reiterated that if there is clarification needed relative to the questions and/or answers that it is within the jurisdiction of the committee members. Councilor Beltrandi further clarified that if there are new questions and/or comments, in order to avoid debates on the floor and interfere with ongoing litigation, they should be submitted in writing which may then be answered at a later time. Councilor Morganelli reiterated his stance regarding the ability to ask for clarifications to the current questions and answers which Councilor Burns was in agreement. Mayor Donald Humason stated that the answers are thorough and thoughtful which will hopefully minimize the need for any follow-up questions. He continued to say that the Water Commission and Water Department staff are willing to answer legitimate questions and concerns from the public at any time, irrespective of the Public, Health and Safety Committee. There have been many Councilors who have asked legitimate questions to the Water Department and received answers for the residents of Westfield. The Mayor stated that the submitted legitimate questions will be answered by Heather Stayton, Systems Engineer at the Water Department.

Councilor Beltrandi stated that Councilor Matthews-Kane requested to tour the facilities

and so has he. He expressed that it was a good idea for other Councilors to do so which can resolve some questions they may have concerning the wastewater treatment. Councilor Burns stated that Councilor Onyski will be contacting water resources to request a tour as well.

Heather Stayton stated that she will read her answers to the submitted questions regarding PFAS testing and reporting. She will be willing to clarify any answers the Committee Members may have at the end.

The questions and answers are below:

Councilor Figy's questions:

1. *Why would Ms. Lopez ask the lab to report Non Detect instead of the actual report?*

Ms. Lopez's email did not ask the lab to report Non Detect instead of the actual results. She wrote in her email "We do not want to see results that are below the Reporting Limit" because by definition, those results are not reliable quantitatively. She was taking part in a dialogue with both the lab and MassDEP at the time to clarify why the results reporting had changed so significantly from what we had been seeing previously, and this was only one piece of that dialogue. In subsequent communications, it was clarified that with the promulgation of the new Massachusetts MCL, there were specific ways that MassDEP was looking for results to be reported, and the lab reports were revised multiple times beginning with our questions back in November, and continuing through March 8th, when they were revised again based on the lab's own quality control officer. As the results were revised by the lab itself, more information was added, not less information reported.

2. *Where in the sampling process were the suspected results from intake, mid-point, or discharge?*

We've seen questionable results beginning in November from the raw water, raw water field blank, 25%, 50%, and 75% mid treatment, mid treatment field blanks, and point of entry sample and field blank points at Well 2. At Owen District Road we've seen questionable results in the raw water and vessel samples, but all results in the finished water and finished water field blank, including after the reporting changed, were non-detect. Since November Well 2 has not been run except to sample, and at those times the water was run to waste, not to the distribution system.

Councilor Matthews - Kane questions:

1. *Does the current testing results indicate that there is Pfas breakthrough in the filters?*

No.

2. *Originally, when the city was deciding to install filters, how long were the filters estimated to last before breakthrough?*

A minimum of 27,000 Empty Bed Volumes. No time frame was placed on that volume because it would be based on demand and usage, not a calendar scale. However, we have already treated approximately 36,000 Bed Volumes, and we started seeing low level PFAS detects at

the 25% sample port this summer at Well 2, which indicates that there is a majority of the filter that is yet to be utilized.

3. *Is this breakthrough earlier or later than the estimated breakthrough used for initial projections?*

As in the above questions, there is no reliable data that indicates breakthrough at this time and sampling data indicate that the filter already has been and will continue to be able to utilize for significantly more bed volumes than originally estimated.

4. *If it is later now or earlier than estimated, how much more will the city spend a year over the original estimates? Over a 20-year span?*

As I said, because there is no breakthrough detected and we did not put a time scale on the initial minimum empty bed volume, those questions do not have answers.

Councilor Mello's questions (Regarding PFAS lab reports):

1. *What is the official policy for posting laboratory reports from PFAS sampling online?*

Officially, there is no policy. We are required to report any MassDEP defined detects annually in the Consumer Confidence Water Quality Report, which is mailed or delivered to all ratepayers by June 30th of the year following the reporting.

2. *What has been the problem with getting them posted consistently and promptly?*

Our voluntary posting of the reports have been slowed by inconsistencies and errors in the lab reporting received. We are not posting lab reports that we know contain errors or problems with the data. However, we are working diligently with the lab and MassDEP to resolve these issues so that we can post reliable and accurate data as soon as it is available. All of our reporting, however, is provided to MassDEP in compliance with our sampling schedule and all appropriate regulations and can be requested, as individuals have done multiple times, through a public records request either through that agency directly or through the City process.

Councilor Mello's questions (Regarding PFAS testing/monitoring):

1. *What is the officially approved protocol for monitoring/testing the water at various points in the GAC filters for breakthrough?*

The officially approved protocol is in accordance with MassDEP's sampling schedule that they provide specifically for Westfield, and any subsequent revisions to it made by that regulatory agency.

2. *At what concentration, and from where specifically in the system, is the threshold for ordering replacement carbon?*

3. *Do these protocols for monitoring/testing for PFAS in the GAC filters differ between the temporary GAC at Well 2 and those at Wells 7 & 8? If so, how?*

4. *Do the protocols for testing/monitoring for PFAS breakthrough leave room for subjective choices, and if so, with whom does the responsibility and authority for those choices rest?*

These are operational questions regarding ordering protocols and as such have nothing to do with the public's health and safety. Westfield meets and exceeds all regulatory requirements and recommendations for clean and safe public drinking water.

Councilor Mello's questions (Regarding "Reporting Limit"):

1. *Why is it the policy of the City of Westfield's Water Department to have the laboratory list valid J-value PFAS detections as "Non-Detect" on the lab reports? (from email Dec 9, 2020 10:06am) When did this policy begin?*

First of all, this question assumes that an emailed statement is some sort of policy declaration and that unreliable, unquantifiable results are valid. This is not a policy and an email taken out of context of an ongoing investigatory discussion does not make it so. No reports were changed or altered by Westfield personnel, and the questions regarding changes to the way the lab results were being reported were clarified with both the lab and MassDEP.

2. *On Dec 10, 2020 3:10pm, the Head Treatment Operator tells Contest, "We do not want to see results that are below the RL." (where RL is the Reporting Limit) Who instructed or otherwise authorized the Head Treatment Operator to say that?*

No one did. Regardless, the MassDEP guidance document "How to Interpret my PFAS Laboratory Report and Compare my Results to MassDEP's Maximum Contaminant Level (MCL) for PFAS6" states: "When summing the 6 regulated PFAS contaminants, do not include qualified "J" values. These values are higher than the MDL but lower than the MRL."

Additionally, according to the drinking water regulation 310 CMR 22.07G (3)(b) PFAS Detection shall mean a concentration of any PFAS measured in accordance with 310 CMR 22.07G (12) which is greater than or equal to the analytical laboratory's applicable Minimum Reporting Level (MRL)." Therefore, the statement was made in accordance with not only the regulatory language, but also the guidance documents regarding interpretation of those results.

Further, according to instrumental analysis curriculum taught to undergraduate chemistry students, results that fall between the MDL and the MRL, also referred to as the limit of quantitation (LOQ), should be reported as "detected but not quantifiable" due to the fact that they are estimates that cannot be determined quantitatively. (*Undergraduate Instrumental Analysis text p. 56, section 1.6.2, can provide more complete citation upon request*)

3. *Which City of Westfield employee has the authority to require that the laboratory reports list valid PFAS detections with concentrations below the Reporting Limit as "Non Detect"?*

Again with the assumptions. No one asked the lab to list valid PFAS Detections as anything other than what they are. However, assuming that quantities below the limit of quantitation are valid indicates a lack of understanding of what constitutes a valid PFAS detection. As defined in Mass DEP's regulation: "PFAS Detection shall mean a concentration of any PFAS measured in

accordance with 310 CMR 22.07G (12) which is greater than or equal to the analytical laboratory's applicable Minimum Reporting Level (MRL)." All reliable results show no valid detections in the water provided to Westfield customers.

4. The emails from Dec 9, 2020, and Dec 22, 2020 indicate a lack of understanding on the part of the Westfield Water Department regarding the reading of laboratory reports and the implications and consequences of the choice to suppress valid PFAS detections. What training or educational opportunities have been arranged for Treatment Plant Operators and their WWD superiors to correct this situation and avoid such problems in the future?

As demonstrated previously, the lack of understanding is not on the Westfield Department of Public Works Water Division's part, and all questions and clarifications that have happened between Westfield and both MassDEP and the analytical laboratories have served to increase and affirm this.

5. Does the Westfield Water Department understand that residents (and possibly Councilors) will not be able to believe beyond doubt any "non-detect" WWD reports in the future? What will WWD do to earn our trust back?

Westfield meets and exceeds all regulatory requirements and recommendations for clean and safe public drinking water and has not changed or altered any lab reporting for these results or any others. The regulatory agencies which oversee the operation of this department include the USEPA and MassDEP, and the governing body within the City that oversees this is the Water Commission. Misunderstandings by the public and City Councilors can in most cases be resolved by making a simple phone call and asking these questions. As I have offered time and again to the council and to the public. I have had innumerable conversations with interested and concerned individuals regarding these matters, including Councilors Burns, Beltrandi, Bean, Sullivan, Harris, Onyski, and multiple former councilors as well. Trust has been eroded by false and spurious accusations, not by the actions of this department.

*6. To achieve transparency, will WWD please obtain and post the *original* laboratory reports, including the J-value detections, for all those lab reports where "Non Detect" was reported for PFAS concentrations above the Method Detection Limit but below the Reporting Limit?*

As I said previously, no lab reports were edited or altered in any way by Westfield Water personnel. All lab reports that we have received have also been received by MassDEP. When the quality control issues that we've been working with the lab and MassDEP on have been resolved then the reports are posted. For example, the results from September 16, 2020 were just received in their revised and corrected format on March 8th, and all versions of the reporting for that date are now posted on the website. While the results are still undergoing review for quality issues, they will not be posted. However, as mentioned before, results that exist can be requested by public record request to MassDEP or the City at any time.

7. Is it the official position of the Westfield Water Department that residents/customers do not have a right to know if man-made, toxic, persistent, bioaccumulative, biomagnifying poisons are in their water as long as that water meets all state and federal regulatory requirements?

It is the position of this employee of the Westfield DPW-Water division that this inflammatory accusation is below the dignity of an elected official who purports to have the best interests of the citizens of Westfield in mind and instead is furthering an unscientific and politically motivated agenda while scaring vulnerable people into not trusting the agencies that are qualified to oversee these departments

8. Since clearly (in Westfield) the promise of “non-detect” doesn’t mean what residents and Councilors thought it meant, what is the City of Westfield’s plan to supply truly PFAS-free drinking water to North side residents?

Since clearly I have answered this question above, I will not answer it again. However, I will point out that “PFAS Free” cannot be proven by any scientific method, nor can any sampling method for any item claim to certify that something is free of any contaminant. Sampling can only show below a certain threshold.

Heather Stayton stated this completes the questions submitted to the DPW Water Division for tonight’s meeting and it’s important to note that this is the first opportunity that they’ve had to address these questions. She continued to say that while the press and the City Council were used to throw out vague accusations, no questions had been asked of the Water Division prior to this time. There was no attempt to avoid answering questions because none had actually been asked. Mrs. Stayton provided the Committee members an opportunity for any clarification on the answers given.

DISCUSSION:

Councilor Morganelli asked clarification on a question from Councilor Matthews-Kane regarding a timeline concerning the GAC filtration system specifically, how long do they last and how often does the filtration system need to be changed?

Heather Stayton reiterated the answer which is a minimum of 27,000 empty bed volumes, which is based on the usage and the demand. She stated that there is not a way to accurately predict how long it takes to go through a minimum of 27,000 empty bed volumes and that volume is looked at as a minimum not as a prediction of how long the filter would actually last. Councilor Beltrandi stated that if there are any follow-up questions or anything that needs to be clarified to please do so in writing and the Water Department will respond. Councilor Morganelli asked if the Committee will receive the document of these answers from these questions as part of the official record. Also, he stated that Heather did a great job in answering all of the questions. Councilor Burns stated yes, the questions and answers will be a part of the official minutes. Councilor Burns thanked the Water Department and the Mayor for being very transparent. He recognized and thanked the Water Commissioners for their work as well. Councilor Beltrandi thanked Marisa Colon of the City Clerk’s office for being a scribe for tonight’s meeting and documenting this meeting properly. Also, he thanked the Mayor for allowing the Water Department and Water Commission to respond to these questions because it is very important to the residents that we have transparency which was clearly shown this evening.

Councilor Burns made a motion to give a report on the questions and answers regarding the PFAS testing and reporting at the next City Council meeting (4-1-2021), which was seconded by Councilor Morganelli.

Roll call vote, passed 3-0

Councilor Beltrandi	Yes
Councilor Burns	Yes
Councilor Morganelli	Yes

Councilor Burns thanked everyone for their time to listen on tonight's committee meeting and especially the Water Resource Department. Councilor Beltrandi thanked Attorney Shanna Reed for her efforts and time she's taken from her schedule throughout the concerns of PFAS. Also, he thanked Heather Stayton and the staff at the Water Resource Department for all of their hard work in answering all questions for tonight's meeting. Councilor Morganelli concurred with Councilor Beltrandi and recognizes everyone's efforts to keeping residents safe and looking after the aquifers and environment.

Councilor Beltrandi makes a motion to adjourn, which is seconded by Councilor Morganelli.

Roll call vote, Passed 3-0

Councilor Beltrandi	Yes
Councilor Burns	Yes
Councilor Morganelli	Yes

Meeting is adjourned at 6:08 PM

Attachments:

Councilor Mello's Public Records Request Documents:

<https://1drv.ms/u/s!Armdp9qO2rhEgRWSkjUd638PKAD?e=XUPfwj>



PublicRecordsRequ
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Copies of the supporting documents are on file in the City Clerk's office

Respectfully submitted by Marisa Colon