



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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Kimberley Driscoll  
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Secretary

Bonnie Heiple  
Commissioner

May 3, 2023

David Coppes  
Chief Operating Officer  
MWRA  
100 First Avenue, Building 39  
Boston, MA 01887

Richard Raiche  
Director of Infrastructure & Asset Management  
City of Somerville  
93 Highland Ave.  
Somerville, MA 02143

Catherine Woodbury  
Senior Project Manager  
City of Cambridge  
Department of Public Works  
147 Hampshire St.  
Cambridge, MA 02139

Dear Mr. Coppes, Mr. Raiche, and Ms. Woodbury:

The Massachusetts State Water Quality Standards variance extensions (“Variances”) for Combined Sewer Overflow (“CSO”) discharges to the Lower Charles River Basin and Alewife Brook/Upper Mystic River issued to the Massachusetts Water Resources (“MWRA”), the City of Cambridge, and the City of Somerville (together, “the parties”) became effective on August 31, 2019, and expire on August 31, 2024. As part of these variances, MWRA, Cambridge, and Somerville are required to update their CSO Long Term Control Plans (“LTCPs”). The 2019 CSO variances required the parties to submit draft updated LTCPs by June 30, 2023, and submit final updated LTCPs by December 31, 2023.

On September 22, 2022, MWRA, Cambridge, and Somerville each submitted letters to the Massachusetts Department of Environmental Protection (“MassDEP”) requesting an extension until November 30, 2025, for submittal of the draft updated LTCPs and an extension until December 31, 2026, for submittal of the final updated LTCPs. The parties stated that this time is needed to complete time consuming and complex tasks such as: updating the Typical Year taking

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.

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climate change into account for use in the CSO Unified Model; conducting enhanced public outreach including Environmental Justice populations as required by recent revisions to the Massachusetts Environmental Policy Act (“MEPA”) regulations; conducting a CSO control Alternatives Analysis with public participation; developing a Special Review Process with MEPA; and extensive collaboration between the parties to develop the draft and final updated LTCPs.

During the course of the CSO Variances, MassDEP and the U.S. Environmental Protection Agency (EPA) have been monitoring the parties’ progress. MassDEP has reviewed information provided by MWRA and the Cities of Cambridge and Somerville and concurs that the timeframe established in the CSO Variances for completing Updated LTCPs cannot be met. However, as you are aware, MassDEP cannot extend the CSO Variances, or modify the terms of the Variances, without proceeding first with the required public notice of such proposed changes, providing opportunity for public comment, and undertaking all required actions to finalize the Variances. Following MassDEP’s determination on the Variances, it must also be approved by EPA. MassDEP intends to initiate the process to modify the CSO Variances in the upcoming months.

Until such time as new or modified CSO Variances are in place, MWRA and the Cities of Cambridge and Somerville should continue to advance the work required under the current Variances, and in the case of the Updated LTCPs, to advance that work as quickly and efficiently as possible in accordance with the approved scopes of work. We will continue to coordinate with MWRA, Cambridge, and Somerville through our monthly meetings on Updated CSO Control Plans, and otherwise as needed. If you have any questions, please contact Lealdon Langley ([lealdon.langley@mass.gov](mailto:lealdon.langley@mass.gov)).

Sincerely,



Kathleen Baskin  
Assistant Commissioner  
Bureau of Water Resources

Ecc: Todd Borci, EPA  
Eric Worrall, Regional Director, Northeast Regional Office, MassDEP  
Lealdon Langley, Director, Division of Watershed Management  
Emily Norton, Charles River Watershed Association  
Patrick Herron, Mystic River Watershed Association  
Kristin Anderson and David White, Save the Alewife Brook