

July 24, 2004

PUBLIC NOTICE
PROPOSAL TO
EXTEND THE VARIANCE FOR CSO DISCHARGES
ALEWIFE BROOK/UPPER MYSTIC RIVER BASIN

On March 5, 1999, the Department of Environmental Protection, in connection with NPDES permits MA0103284, MA0101974, and MA0101982, issued a Variance to the Massachusetts Water Resources Authority (MWRA) and the Cities of Cambridge and Somerville for discharges of combined sewer overflows to Alewife Brook and Upper Mystic River. The CSO Variance was subsequently extended on two occasions and presently extends to September 1, 2004. The CSO Variance was issued so that additional technical information can be developed to support a final determination on the highest feasible level of CSO control in this watershed. The CSO Variance requires MWRA and the Cities of Cambridge and Somerville to implement \$74 million in system improvements to address CSO discharges, and to gather additional system and water quality information to support a final CSO determination.

MWRA submitted its Final Variance Report on July 1, 2003. DEP has reviewed the public comments received on this document, and more recently, the findings of infrastructure planning studies undertaken by the City of Cambridge and the City of Somerville, and has determined that there are additional opportunities for infrastructure improvements which could have significant CSO abatement benefits. Information to support these improvements continues to be developed by Cambridge and Somerville, working cooperatively with MWRA. The results of these studies will be critical to providing the information necessary to determine the highest feasible level of CSO control in this watershed and the associated receiving water quality standard.

In consideration of these conditions, DEP has tentatively determined that a third extension to the CSO Variance in the Alewife Brook/Mystic River watershed is warranted to provide sufficient time to gather the detailed system information. Pursuant to its authority in the Massachusetts Clean Waters Act, G.L. c. 21, sections 26 -53, and 314 CMR 3.00 and 4.00, DEP is proposing to extend the CSO Variance for a period not to exceed three years (September 1, 2007) in order to require MWRA, Cambridge, and Somerville to proceed with and complete the necessary infrastructure planning, and to accommodate the important public and agency review of these documents. This work will not delay the \$74 million in CSO work moving forward now, but is intended to build on the CSO abatement benefits to be achieved by those projects.

DEP will be accepting written comments on the proposal to extend the CSO Variance until 5 PM on Thursday, August 26, 2004. DEP will also hold a public hearing on Wednesday, August 25, 2004 from 3 PM to 5 PM at the DEP offices at One Winter Street in Boston, MA, at which time written and oral comments will be accepted. Written comments can be sent to

Kevin Brander, P.E.
DEP CSO Coordinator
5th Floor, One Winter Street
Boston, MA 02108

A copy of the draft Variance Extension and fact sheet can be obtained by contacting Mr. Brander at (617) 654-6519.