

## **30 Years of the MWRA and Advisory Board**

### **Creating the Best Regional Water and Wastewater Solution in the United States**

*The following document covers the 30-year history of the MWRA and Advisory Board with a timeline of major MWRA accomplishments in each calendar year and a narrative of the Advisory Board's involvement in the process of shaping the MWRA of today. Below is a brief history of how the MWRA and Advisory Board came to be, followed by six 5-year periods, and a final look at the future challenges facing both entities.*

With the Acts of 1984, the **Massachusetts Water Resources Authority (MWRA)** and a separate entity, the **Advisory Board**, were created and put into effect on July 1, 1985 (Fiscal Year 1986). The MWRA took control from the previous agency that handled water and wastewater services in the Greater Boston area, the **Metropolitan District Commission (MDC)**, which had failed to provide services in compliance with federal and state regulations.

The true genesis of the MWRA came in December of 1977 when Congress passed amendments to the Clean Water Act that allowed publicly owned treatment works (POTW) like the MDC to apply for a waiver from requirements to upgrade secondary treatment. The MDC applied in 1979 and was denied. In December of 1982 the City of Quincy filed a suit against the MDC claiming violation of the **Massachusetts Clean Water Act** for discharges from the Nut and Deer Island facilities into Boston Harbor. Judge Paul Garrity was assigned to the case. Congruently, the Conservation Law Foundation sued the MDC in June of 1983 in federal court, claiming that sewage discharges violated the federal Clean Water Act. Judge Mazzone was assigned the case.

In July, 1983, Judge Garrity appointed Charles M. Haar as Special Master and he issued the Report of the Special Master in August of 1983 recommending that the MDC evaluate the need for an independent sewerage authority. In November of 1983 Judge Garrity issued an **injunction barring new sewer tie-ins until a new independent authority was created** and set a trial date to consider placing the MDC in receivership. In December of 1984, due to federal and state court decisions, the Massachusetts Legislature passed the Acts of 1984 that established the MWRA and the Advisory Board, set to take effect for the following fiscal year, beginning on July 1<sup>st</sup>.

To get their foot in the door and have control over the new MWRA, the **Environmental Protection Agency (EPA)** also filed a suit, which was then joined with the existing Conservation Law Foundation suit in January 1985. Also at this time, the newly created Advisory Board of the MWRA reviewed the first MWRA current expense budget for Fiscal Year 1986, and shortly thereafter, the MWRA assumed responsibility for the MDC water and sewer systems. After assuming control, the MWRA Board of Directors voted to build new treatment facilities on Deer Island in response to the recommendation of the **Final Environmental Impact Report**. Additionally, the report recommended that the existing Nut Island Treatment Plant be decommissioned and converted into a headworks facility when the South System flows were transferred to the new Deer Island Treatment Plant (DITP).

At the tail end of 1985 Judge Mazzone found the MWRA to be liable for the MDC's acts, which mainly entailed underinvestment in the water and wastewater systems to the point of near system failure. Judge Mazzone issued a court-ordered schedule for projects deemed necessary for compliance with the Clean Water Act which included a series of deadlines.

*The following timeline starts from Day 1 of MWRA control of the waterworks and wastewater systems.*