



MWRA Advisory Board Summary
of the
MWRA Board of Directors Meeting
Wednesday, November 17, 2010

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on November 17, 2010 at the Charlestown Navy Yard. **Present:** Chair Ian Bowles and Joel Barrera, Gubernatorial Appointees; John Carroll, Andrew Pappastergion and Joseph Foti, Advisory Board Representatives; Vincent Mannering and James Hunt III, City of Boston Representatives; Jack Walsh, City of Quincy Representative. **Absent:** Michael Gove, Gubernatorial Appointee; Kevin Cotter, City of Boston Representative; Marie Turner, Town of Winthrop Representative.

REPORT OF THE CHAIR

MWRA Board Chairman Ian Bowles said in light of the recent elections, he is delighted to be back to serve as the Chairman of the Board of Directors.

Chairman Bowles said he is proud of the Authority, particularly in two areas. The first was the outstanding way that the entire Authority staff handled the water main break – this should be a point of pride for the Authority. The second is in the energy area; the Authority has emerged as a leader in this area, ahead of any other state agency. The Chairman said his view is to go further and be number one in the country.

MWRA has made major commitments in energy efficiencies that have saved \$2 million. Wind, solar and hydro projects are in the works.

It is important for the Authority to be strategic going forward. This year is the time for the Authority to deal with stream flow for better or worse; the time is right to get at this. Water will be a strategic issue for the economy; it is a strategic asset for the MWRA.

Chairman Bowles said that he believes the Authority should now look ahead to where it is going over the next 20 to 30 years and reiterated that he is proud to be associated with this organization.

REPORT OF THE EXECUTIVE DIRECTOR

MWRA Executive Director Fred Laskey expressed his appreciation for Chairman Bowles' kind words. Mr. Laskey noted that he had pictures to show the Board of the Loring Road hydro project and the solar project at the John J. Carroll Water Treatment Plant and that more renewable energy projects will be coming online in the next few months.

Advertising for the staffing study, requested by the Advisory Board, has gone out. Additionally, staff is moving forward with a similar project to review the strategy and structure of the MIS system.

Regarding the Shaft 5A repairs, Mr. Laskey expressed his appreciation for the Board's support and staff's efforts, working diligently since August 26th to make this successful repair. Mr. Laskey also noted that the work of the contractor went flawlessly and he thanked everyone involved in the repair.

APPROVALS

SELECTION OF UNDERWRITERS: REPLACEMENT OF GOLDMAN SACHS & CO. WITH WELLS FARGO SECURITIES AS A CO-MANAGER, CONTRACT F2010

The Board voted to rescind the approval of Goldman Sachs & Co. (Goldman) as co-manager for fixed-rate bond issues and to authorize the Executive Director, on behalf of the Authority, to enter into an agreement with Wells Fargo Securities to replace Goldman as co-manager for fixed-rate bond issues provided there are no material changes to the firm or in market conditions.

At the March 10, 2010 meeting, the Board approved the recommendation of the Selection Committee for a team of five senior managers, five co-managers and a selling group. At that time, Goldman had been selected to serve as a co-manager for MWRA's bond financings. Subsequent to that approval, Goldman indicated that they were unwilling to sign MWRA's underwriter agreement. As a result, staff requested to replace Goldman with Wells Fargo Securities (Wells Fargo) as co-manager, as they were the next highest ranked firm.

The costs of investment banking services are included in the cost of issuance of bond transactions.

Board Member Joseph Foti asked if the underwriter's agreement had been included in the Request for Proposals documents as something that the bidders would be willing to sign. Ms. Madden replied in the affirmative.

NOVEMBER PCR AMENDMENTS – FY11

The Board voted to approve amendments to the Position Control Register including three amendments associated with the Memorandum of Understanding (MOU) with the Board of State Examiners of Plumbers and Gas Fitters, which was approved at the September 15, 2010 Board of Directors meeting. As a result of the MOU, there is a need to establish three new positions entitled Plumbing Operations Supervisor. These three positions will be responsible for applying for permits as required by the MOU and will be located at each of MWRA's major operational areas – Deer Island, Chelsea and Western Operations. These amendments involve title, grade and salary changes. Once approved, these positions will be posted and filled internally with no additional positions being added.

The annualized budget impact of these PCR amendments will be an increase of between \$4,098 and \$29,144. Staff will ensure that any cost increase associated with these PCR amendments will not result in spending over the approved FY11 Wages and Salaries budget.

EXTENSION OF EMPLOYMENT CONTRACT, SENIOR LABORATORY TECHNICIAN, DEPARTMENT OF LABORATORY SERVICES, SOUTHBOROUGH

The Board voted to approve the extension of the employment contract for Ms. Heather Slater, Senior Laboratory Technician, Department of Laboratory Services, Southborough, for a period of one year, from December 26, 2010 to December 25, 2011 at the current hourly rate of \$19.00, for an annual compensation not to exceed \$39,520.00.

The Department of Laboratory Services has a continuing need for contract staff to assist with both seasonal workload increases and the additional work that resulted from year-round special profiling samples to understand the treatment dynamics at the Carroll Water Treatment Plant. Further, staff expects the new Deer Island NPDES permit to be finalized and issued in the future that may not require as much laboratory work giving rise to uncertainty concerning future staffing needs in the Department of Laboratory Services. For this reason, creation of a full-time position is not recommended at this time. Ms. Slater has two years of directly relevant experience.

There are sufficient funds available for this position in the Department of Laboratory Services' FY11 Current Expense Budget.

CONTRACT AWARDS

SUPPLY AND DELIVERY OF SODIUM HYPOCHLORITE TO THE DEER ISLAND TREATMENT PLANT: BORDEN & REMINGTON CORPORATION, BID WRA-3212

The Board voted to approve the award of a contract for the supply and delivery of sodium hypochlorite to the Deer Island Treatment Plant to the lowest eligible and responsible bidder, Borden & Remington Corporation, and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$1,227,450.00 for a term of one year.

Sodium hypochlorite is primarily used at the Deer Island Treatment Plant (DITP) for the disinfection of plant effluent; it is also used in the plant's process water and the odor control systems.

Since 1990, MWRA has purchased most of its sodium hypochlorite for the DITP from Kuehne Chemical Company under a series of successive barging contracts. Barge deliveries to Deer Island typically exceed 380,000 gallons. On May 13, 2009, the Board approved the award of the most recent five-year contract to Kuehne Chemical Company for the continued supply of sodium hypochlorite by barge to the DITP. Under the terms of that contract, Kuehne would supply sodium hypochlorite at a delivered cost of \$0.6975 per gallon plus a \$0.051 per gallon barge fee for the period of one year from the date of award. It was also agreed that at the conclusion of the first year, contract prices would be negotiated based upon current market conditions and subject to an appropriate published cost index.

The global supply/demand for caustic soda, an ingredient in the product, was tight in 2009, which resulted in a high initial cost for sodium hypochlorite in the first year. For a period after the May 13, 2009 award, the raw material costs dropped significantly; however, despite the drop, Kuehne showed no willingness to consider a re-negotiated unit cost more reflective of the market conditions.

In July 2010, after prolonged and extensive negotiations, Kuehne informed MWRA that its "best and final" offer would be \$0.665 per gallon plus the \$0.051 barge fee (included in its original bid) for an additional year. Purchasing, Operations and Law Division staff were in agreement that, based upon current market conditions, Kuehne's offer was unacceptable. In order to maintain the necessary supply of sodium hypochlorite to Deer Island, the Purchasing Unit solicited bids for a temporary trucking contract to deliver a three-month supply that yielded a unit cost of \$0.5188 per gallon from Univar USA, Inc.

With the three-month contract coming to an end, and with negotiations with Kuehne stalled, staff determined that to properly ensure an uninterrupted supply of sodium hypochlorite, a new one-year contract should be competitively advertised and bid, resulting in the current vote.

REPAIR SERVICES FOR DIGESTER MIXER ASSEMBLIES AT THE DEER ISLAND TREATMENT PLANT: SIHI PUMPS, INC.

The Board voted to approve the award of a sole source contract for repair services of the digester mixer assemblies at the Deer Island Treatment Plant to the original equipment manufacturer, SIHI Pumps, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in an amount not to exceed \$595,856.00 for a term of four years.

The digester mixers and the associated parts required to refurbish the mixers are proprietary, highly specialized, and only available from SIHI Pumps, Inc. There are no generic or "after market" parts available for these mixers, which were designed and specially made to operate in Deer Island's egg-shaped digesters. Each rebuild will replace the unique, specially made, spiral-designed impeller. Each impeller is two-feet long and two-feet wide and rotates at 590 rpm and is capable of moving 15,000 gallons of digester sludge per minute. Staff has received updated confirmation that the Halberg Mixer and parts are still distributed directly by SIHI's factory exclusively for the North American market, and as such, can only be procured from SIHI.

Although MWRA is not purchasing new mixer assemblies, SIHI will complete the refurbishment of eight of Deer Island's twelve mixer assemblies to "like new" condition. This work is expected to take place during the next four years at an approximate rate of two mixers per year. The per-unit cost to refurbish each mixer assembly is \$74,482, for a total four-year contract amount of \$595,856.

MWRA staff will remove and reinstall the assemblies with outside assistance from a crane company. The unit cost above includes transportation to and from SIH's repair facility in Connecticut.

There are sufficient funds available for this purchase order in Deer Island's FY11 Current Expense Budget (CEB). Appropriate funding will be included in subsequent Proposed CEBs for the remaining term of the contract.

Board Member Jack Walsh asked if there would be a warranty. John Vetere, Director of the Deer Island Treatment Plant, said there would be a one-year warranty on both the coatings and workmanship.

REFURBISHMENT OF 24 SECONDARY REACTOR AERATOR AND MIXER GEARBOXES FOR THE DEER ISLAND TREATMENT PLANT: SPX PROCESS EQUIPMENT, LIGHTNIN OPERATIONS, BID WRA-3204

The Board voted to approve the award of a contract for the refurbishment of 24 secondary reactor aerator and mixer gearboxes at the Deer Island Treatment Plant to the lowest eligible and responsible bidder, SPX Process Equipment, Lightnin Operations, and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$1,089,366.00 for a term of four years.

Under this purchase order, staff will remove any gearboxes needing refurbishing and ship them to the vendor's site where the work will be performed by technicians possessing specialized and equipment-specific expertise. The vendor will ship the refurbished gearboxes back to Deer Island where MWRA staff will reinstall them. Staff estimates that approximately six to ten gearboxes will require refurbishment each year for the next three to four years.

Deer Island's FY11 Current Expense Budget (CEB) includes sufficient funds for the first year of this purchase order contract. Appropriate funding will be included in subsequent CEB requests for the remaining term of this contract.

PRISON POINT CSO FACILITY HVAC AND ODOR CONTROL SYSTEMS UPGRADES: ARDEN ENGINEERING CONSTRUCTORS, LLC, CONTRACT 6795

The Board voted to approve the award of Contract No. 6795, Prison Point CSO Facility HVAC and Odor Control Systems Upgrades, to the lowest eligible and responsible bidder, Arden Engineering Constructors, LLC, and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$2,124,900.00 for a term of 450 calendar days from the Notice to Proceed.

The Prison Point CSO Facility located in Cambridge began operation in 1981 and provides both dry- and wet-weather flow handling capabilities. Most of the HVAC and odor control equipment is original, has exceeded its design life, and is in need of replacement, with the exception of the boiler, temperature controls, and some SCADA instrumentation. A new oil-fired, cast-iron, sectional steam boiler was installed in 2007. The new boiler delivers low-pressure steam to a steam-to-hot-water converter and to steam heating coils.

The FY11 CIP includes a budget of \$3,174,000.00 for Contract 6795.

Board Member Andrew Pappastergion expressed concern that of the four bidders on this project, Arden was the only one that did not show up for a site visit. The next lowest bidder (\$2.7 million) was \$0.6 million above Arden's bid. Staff responded that a separate site visit had been arranged for Arden and the pricing was reviewed by MWRA staff with Arden staff. Additionally, Arden currently works for the Authority as a subcontractor and their work was found to be favorable. The firm also received good references.

CONTRACT AMENDMENTS/CHANGE ORDERS

PRISON POINT CSO FACILITY HVAC AND ODOR CONTROL SYSTEMS UPGRADES: AECOM TECHNICAL SERVICES, INC., CONTRACT 6938, AMENDMENT 3

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment No. 3 to increase the amount of Contract No. 6938 with AECOM Technical Services, Inc., Prison Point CSO Facility HVAC and Odor Control Systems Upgrades, in the amount of \$105,000.00 and to extend the term by 274 calendar days to March 3, 2013.

Rehabilitation design contracts are often more complicated than new construction and submittals require more detailed review by MWRA staff at the various stages of design. Completion of final design took longer than anticipated because of the complex nature of this project and the need for additional scope of services, which delayed the bidding period; therefore, staff recommended that Amendment 3 be approved to extend the contract term by nine months.

Amendment 3 will require an increase in the scope of services and budget as follows: Special Services During Construction (\$58,000); Bidding Services (\$23,500); Final Design (\$17,000); Administration and Management (\$4,500); Construction Administration and Management (\$2,000).

The FY11 CIP includes a budget of \$397,249.00 for Contract 6938. The cumulative value of all Amendments to this contract total \$198,010.00, added to the original contract amount of \$254,238.06, provide an adjusted contract amount of \$452,248.06, or \$54,999.06 over budget, which will be covered within the five-year CIP spending cap.

NORTH DORCHESTER BAY CSO PUMPING STATION AND SEWERS: WALSH CONSTRUCTION COMPANY, CONTRACT 6245, CHANGE ORDER 9

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 9 to increase the amount of Contract No. 6245 with Walsh Construction Company, North Dorchester Bay CSO Pumping Station and Sewers, in an amount not to exceed \$618,803.06. Further, to authorize the Executive Director to approve additional change orders as may be needed to Contract No. 6245 in amounts not to exceed the aggregate of \$250,000.00 and 180 calendar days.

Change Order 9 consists of the following five items: 1) Delete Work Zone Constraints on East Broadway and Replace with Boston Transportation Department Constraints for the 24-Inch Force Main Installation (\$357,735.09); 2) Delete Work Zone Constraints on N Street and Replace with Boston Transportation Department Constraints for the 30-Inch Gravity Sewer Installation (\$148,412.00); 3) Furnish and Install Two Additional 150-Ton Mini-Piles and Other Modifications Necessary to Construct an Earth Support System (\$80,333.97); 4) Furnish and Install 80 Feet of 10-Inch Ductile-Iron Pipe, Hydrostatically Test and Chlorinate the Pipe (\$25,279.49); 5) Compensate the Contractor for Premium Time to Work Extended Work Days for the 30-Inch Gravity Sewer Pipe Installation on N Street (\$7,042.51).

The FY11 Capital Improvement Program (CIP) budget includes \$26,037,000.00 for Contract 6245. The cumulative value of all change orders to this contract is \$1,108,624.29, or 4.28% of the original contract amount of \$25,871,994.00, for adjusted contract amount of \$26,980,618.29, or \$943,618.29 over budget. This amount will be covered within the five-year CIP spending cap. Work on this contract is approximately 55.2% complete.

NORTH DORCHESTER BAY CSO STORAGE TUNNEL: SHANK/BALFOUR, BEATTY/BARLETTA, JV, CONTRACT 6244, CHANGE ORDER 20

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 20 to increase the amount of Contract No. 6244 with Shank/Balfour Beatty/Barletta, JV, North Dorchester Bay CSO Storage Tunnel, in an amount not to exceed \$325,000.00.

Change Order 20 consists of the removal and replacement of 11 Carbon Steel Hydraulic Cylinders with Stainless Steel, 11 Proximity Switches, 22 Gate Open/Close Indicator Switches, and associated Input/Output Cables.

Recent inspections of the slide gates in Diversion Structures BOS081 through BOS087 identified input/output switch failures and accelerated corrosion of the hydraulic cylinders.

The FY11 Capital Improvement Program (CIP) budget includes \$147,151,000.00 for Contract 6244. The cumulative value of all change orders to this contract is \$1,638,563.39 or 1.12% of the original contract amount of \$145,733,208.00, for an adjusted contract amount of \$147,371,771.39, or \$220,771.39 over budget. This amount will be covered within the five-year CIP spending cap. Work on this contract is approximately 99% complete.

SECTION 28 SUCTION TO BRATTLE COURT PUMP STATION REHABILITATION: J. D'AMICO, INC., CONTRACT 6546, CHANGE ORDER 9

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 9 to increase the amount of Contract No. 6546 with J. D'Amico, Inc., Section 28 Suction to Brattle Court Pump Station

Rehabilitation, in an amount not to exceed \$50,000.00. Further, to authorize the Executive Director to approve additional change orders as may be needed to Contract No. 6546 in amounts not to exceed the aggregate of \$75,000.00.

Contract 6546 includes the cleaning and cement-mortar-lining of approximately 6,250 feet of 20-inch diameter, cast-iron pipe (Section 28) and the replacement of its connection to the 56-inch diameter Weston Aqueduct Supply Main 3 (WASM3) transmission main. This portion of Section 28, which was constructed in 1899, provides suction to the Brattle Court Pump Station in Arlington. It connects to WASM3 at the intersection of Medford Street and Massachusetts Avenue in Arlington and extends approximately 6,600 feet along Massachusetts Avenue and Brattle Street to the Brattle Court Pump Station. A portion of the main was replaced as part of Contract 6375, Rehabilitation of Water Pump Stations, leaving approximately 6,250 feet of pipe to be rehabilitated under this contract.

This project will support the future rehabilitation of WASM3 and is important to maintaining service to communities during the WASM3 project. The Brattle Court Pump Station (along with the Spring Street Pump Station) serves the Northern Extra High System, which includes Bedford, Lexington, and parts of Arlington, Belmont, Waltham and Winchester. Section 28, which is now more than 100 years old, is the oldest of the suction mains that serve the pump stations.

The cumulative total value of all change orders to this contract is \$272,889.56, or 13.79% of the original contract amount of \$1,978,895.00, for an adjusted contract amount of \$2,251,784.56, or \$25,784.56 over budget. The FY11 CIP includes a budget of \$2,226,000.00 for Contract 6546. Work on this contract is approximately 95% complete.

QUABBIN SPILLWAY REPOINTING: THOMPSON WATERPROOFING, INC., CONTRACT OP-138, CHANGE ORDER 2

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 2 to increase the amount of Contract No. OP-138 with Thompson Waterproofing, Inc., Quabbin Spillway Repointing, in an amount not to exceed \$24,529.85. Further, to authorize the Executive Director to approve additional change orders as may be needed to Contract No. OP-138 in amounts not to exceed the aggregate of \$25,000.00 and 180 calendar days.

The Quabbin Main Spillway was built in 1939 when the Quabbin Reservoir was created. Since the Spillway was put into service in 1946, repair work and limited re-pointing has been performed only once in 1990 by the Metropolitan District Commission, now the Department of Conservation and Recreation. Deterioration of the masonry joints has occurred over the years, which requires additional re-pointing and injection grouting. This work was originally included under Contract 7020, Wachusett Reservoir Spillway Improvements and Quabbin Drain and Spillway Repairs, approved by the Board in May 2007; however, wet weather in 2008 caused the Quabbin Reservoir to rise above the spillway, which prevented completion of this grouting work. The work was then included as part of Contract 7212, Valve and Spillway Work at Winsor Dam in early 2009. Wet weather and high reservoir elevation again prevented this grouting work from being completed. MWRA received credits when the work was deleted from both contracts via change orders.

Finally, in summer 2010, the Quabbin Reservoir's water level began to recede and stopped overflowing the spillway. Staff took advantage of this window of opportunity and prepared a separate, competitively bid contract for just the re-grouting and re-pointing work that was deleted from previous contracts. The previous plans and specifications were used to bid this work on an expedited basis. The reservoir elevation has continued to drop since bidding of this contract revealing previously unseen large voids and mortar loss areas very low on the upstream face of the spillway. In addition, since the contract was bid and awarded, MWRA staff, working with the Contractor, used safety cables to descend the face of the spillway to more closely inspect the joints. It was subsequently determined that an additional 1,248 linear feet of re-pointing is necessary to properly complete the repair and seal the spillway.

Because of the size of the voids that were found, it became urgent to address these areas before the inevitable rise in reservoir elevation made them inaccessible. Unchecked, voids of this size would clearly continue to significantly allow water to undermine the structural integrity of the spillway.

The contract specifications include constraints that preclude this work from being performed below certain temperatures; grouting will not set properly if the temperatures drop too low. With the fast-approaching colder

weather and the potential for the reservoir to rise during the wet fall season, the Executive Director, under delegated authority, approved Change Order 1 in the amount of \$24,997.83 so that the Contractor could commence work on the first 563 linear feet of the required additional 1,248 of grouting.

The cumulative value of all change orders to this contract is \$49,527.68, or 46% of the original contract amount of \$108,300.00, for an adjusted contract amount of \$157,827.68. There are sufficient funds available for this change order in the Operations Division's FY11 Current Expense Budget.

INFORMATION

DELEGATED AUTHORITY REPORT – OCTOBER 2010

Staff presented a listing of actions taken by the Executive Director under delegated authority for the period October 1 through October 31, 2010.

FY11 FINANCIAL UPDATE AND SUMMARY AS OF OCTOBER 2010

Director of Administration and Finance Rachel Madden reported that total year-to-date expenses are lower than budget by \$9.0 million, or 4.6%, and total revenues are under budget by \$295,000, or 0.2%, for a net variance of \$8.7 million.

The largest variances are the result of favorable variable rate Debt Service of \$6.4 million; lower Direct Expenses of \$2.0 million, mostly for Maintenance, Wages & Salaries, Other Services, Chemicals and Fringe Benefits. The under-spending is offset by higher than budgeted overtime of \$498,000 for emergencies such as the Shaft 5A leak and hurricane preparation activities, and higher workers' compensation spending of \$321,000. The lower revenues are attributed to lower investment income of \$422,000 as a result of lower variable rates.

Mr. Walsh said it seems like workers' compensation is running over budget; is MWRA actively moving workers' compensation cases or does it carry people for years? Ms. Madden said the MWRA has been proactive in settling cases. Director of Human Resources Robert Donnelly added that in October, the Authority would have been on budget except reserves for insurance had to be increased.

2009 OUTFALL MONITORING OVERVIEW

The Deer Island Outfall Monitoring Overview is a report produced annually that summarizes the results of MWRA's monitoring of the environmental effects of the effluent discharges from the Deer Island Treatment Plant. MWRA monitors its effluent, the waters and sediments of Massachusetts Bay and Cape Cod Bay, and the health of fish and shellfish. In 2009, the monitoring found a healthy bay and an improving harbor. These results support proposed changes to the current monitoring plan. Neither regulatory approval of MWRA's proposed changes to the current monitoring plan, nor a new draft National Pollutant Discharge Elimination System (NPDES) permit have been issued yet.

MWRA's proposed reductions and changes to its monitoring plan were reviewed by state and federal regulatory agencies and were published this past summer for public comment. Only positive comments (from the Advisory Board and the Wastewater Advisory Committee) were received. In October, MWRA and EPA met with staff from the Endangered Species section of the National Marine Fisheries Service to discuss in detail the data that support the proposed changes and to address remaining concerns of the National Marine Fisheries Service. United States Geological Survey staff and the chair of the Outfall Monitoring Science Advisory Panel participated as well and supported the changes. This meeting was followed by a letter from EPA to National Marine Fisheries Service reiterating EPA's support for the new monitoring plan. Staff anticipates that National Marine Fisheries Service's approval of the plan will be forthcoming in time to implement the changes in calendar year 2011.

On October 21, 2010, the State Auditor's office released the results of its audit of MWRA's outfall monitoring program and supported MWRA's proposed changes and recommended that MWRA continue to work with regulators to obtain approval for the reduced program.

PROGRESS OF TOWN OF BROOKLINE-IMPLEMENTED CSO PROJECTS AND PROJECTED FINANCIAL ASSISTANCE THROUGH DECEMBER 2010

Staff provided the Board with an update on the Long-Term CSO Control Plan that is funded by MWRA and implemented by the Town of Brookline pursuant to the Memorandum of Understanding (MOU) and Financial Assistance Agreement (FAA) between MWRA and the Town of Brookline for Implementation of CSO Control Projects. Staff plans to transfer \$509,666 into the Brookline CSO account to cover anticipated eligible costs in the period July through December 2010, bringing the total amount of MWRA funds transferred to the Brookline CSO account to \$4,609,328.

Under the MOU and FAA, Brookline is responsible for implementing the Brookline Sewer Separation Project, one of 35 projects in the MWRA's Long-Term CSO Control Plan. The Brookline project is intended to reduce treated discharges from MWRA's Cottage Farm CSO facility to the Charles River Basin. On August 10, 2010, Amendment 1 to the MOU and FAA was executed, bringing the total award amount for the Brookline project to \$20,483,000.

The FY11 CIP budget includes \$26,599,146 for design and construction of the Brookline Sewer Separation Project. In addition, the CIP includes \$3,000,000 for MWRA design and construction contract services to clean the MWR010 outfall.

UPDATE ON LEAD AND COPPER RULE COMPLIANCE – FALL 2010

MWRA Director of Planning Stephen Estes-Smargiassi stated that MWRA and its communities conducted the fall sampling round beginning in late September 2010. Under EPA's Lead and Copper Rule, each year MWRA and every fully-supplied community must collect and test tap water in a sample of homes that are likely to have high lead levels. These are usually homes with lead services or lead solder. EPA requires that nine out of ten, or 90%, of the sampled homes must have lead levels below the Action Level of 15 parts per billion (ppb). The 90th percentile value for the system as a whole in September was 7.04 ppb.

MWRA system-wide lead levels in the September 2010 sampling round were below the Action Level again for the 14th consecutive sampling round and 17 of the past 19 sampling rounds. Two communities, Brookline and Marblehead, were individually above the Lead Action Level. DEP will require these communities to perform educational outreach, including mailing lead education brochures. Both communities believe that they do not have any lead service lines and will need to provide appropriate documentation to DEP. MWRA continues to meet the copper standard.

MWRA will formally transmit these results to DEP by the end of November 2010.

This summary does not include every item discussed by the Board, nor the full extent of the discussions. Please contact Mary Ann McClellan at the Advisory Board office with questions, comments or requests for more information.