



Benjamin C. Jewell, Water Commissioner

Thomas Magge
Clean Water Program Manager
Pennsylvania Department of Environmental Protection
Southeast Regional Office
2 East Main Street
Norristown, PA 19401

May 26, 2026

Re: Force Majeure Extension Request of Consent Order and Agreement

Dear Mr. Magge:

The City of Philadelphia Water Department (City) requests an extension to the milestone dates of the Year 15 Performance Standards and submission of the Year 15 Evaluation and Adaptation Plan under the Consent Order and Agreement, entered into by the Commonwealth of Pennsylvania, Department of Environmental Protection and the City on June 1, 2011 (COA). The City is seeking a ten-month extension until April 1, 2027 to achieve the Year 15 Water Quality Based Effluent Limits Performance Standards of the COA (Appendix I, Table 1). Further, in accordance with the schedule and timeline provided in the COA (under Para. 3.e and Appendix I), the City is requesting that the submission deadline of the Year 15 Evaluation and Adaptation Plan (EAP) be extended ten months to August 30, 2027. The preparation and completion of the EAP requires sequential processing, modeling, and evaluations upon completion of the implementation period. The submission of the FY26 NPDES CSO Permit Annual Report would remain on regular schedule, due September 30, 2026.

Regulatory Event	Proposed Date
FY26 NPDES CSO Permit Annual Report Submission	September 30, 2026
Year 15 WQBEL Performance Standards Compliance	April 1, 2027
Year 15 EAP Report Submission	August 30, 2027

Attached with this extension request is an affidavit dated May 26, 2026, outlining the specific events and impacts that led to this request as well as an implementation Status Update letter dated November 25, 2025. This extension request is outside future inadvertent project delays and is not intended to preclude the opportunity for future requests, if necessary.

Sincerely,

Marc J. Cammarata, PE
Deputy Commissioner
Philadelphia Water Department

Enclosed: 11/25/25 Year 15 Status Update letter
5/26/2026 Affidavit

CC: B. Jewell Commissioner, Philadelphia Water Department
L. Smith Divisional Deputy City Solicitor, City of Philadelphia Law Department



Pennsylvania
**Department of
Environmental Protection**

SENT VIA ELECTRONIC MAIL ONLY marc.cammarata@phila.gov

May 28, 2026

Mr. Marc J. Cammarata, PE
Deputy Water Commissioner, Planning & Environmental Services
Philadelphia Water Department
1101 Market Street
Philadelphia, PA 19107

Re: Philadelphia Water Department
Consent Order and Agreement Extension Request
City of Philadelphia
Philadelphia County

Dear Mr. Cammarata:

This letter is in response to the City of Philadelphia Water Department's May 26, 2026 letter requesting an extension to the milestone dates of the Year 15 Performance Standards and submission of the Year 15 Evaluation and Adaptation Plan under the June 1, 2011 Consent Order and Agreement (CO&A), between the Department of Environmental Protection (DEP) and the City of Philadelphia (City).

The DEP has completed its review of the information provided and has determined that the City has exercised all reasonable diligence and is unable to prevent the circumstances leading to the anticipated delay. The request for an extension under Section 15 (Force Majeure) of the COA is hereby approved as follows:

An extension until April 1, 2027, to achieve the Year 15 Water Quality Based Effluent Limits (WQBEL) Performance Standards required by the COA (under Paragraph. 3.c and Appendix I) is hereby approved. Further, an extension until August 30, 2027, to submit the Year 15 Evaluation and Adaptation Plan (EAP) required the COA (under Paragraph 3.e) is hereby approved.

The submission of the FY26 NPDES CSO Permit Annual Report will remain September 30, 2026.

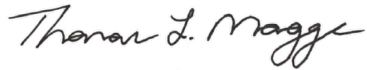
The above information is summarized in the table below:

Regulatory Event	Date
FY26 NPDES CSO Permit Annual Report Submission	September 30, 2026
Year 15 WQBEL Performance Standards Compliance	April 1, 2027
Year 15 EAP Report Submission	August 30, 2027

All other provisions of the COA remain in effect.

Please contact me at 484.250.5807 or tmagge@pa.gov if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Thomas L. Magge". The signature is written in a cursive, flowing style.

Thomas L. Magge
For Environmental Program Manager
Clean Water Program

cc: U. S. Environmental Protection Agency (via email)
Operations Section (via email)
Brian Glass, Office of Chief Counsel (via email)
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