

DOCKET NO. D-1990-060 CP-2

DELAWARE RIVER BASIN COMMISSION

**Tamaqua Borough Authority
Wastewater Treatment Plant
Walker Township, Schuylkill County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an application submitted to the Delaware River Basin Commission (DRBC or Commission) on June 27, 2023 (Application), for approval for modification of the docket holder’s existing wastewater treatment plant (WWTP) and its discharge. The Pennsylvania Department of Environmental Protection (PADEP) issued National Pollutant Discharge Elimination System (NPDES) Permit No. PA0027006 for this discharge. The PADEP issued Water Quality Management Permit No. 5496403 A-1 for various upgrades/modifications to the WWTP.

The application was reviewed for continuation of the project in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact*. The Schuylkill County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on May 8, 2024.

A. DESCRIPTION

1. Purpose. The purpose of this docket is to approve modifications to the docket holder’s existing 2.6 million gallons per day (mgd) WWTP and its discharge. Most of the process equipment and electrical system components are aged and significant additions and alterations are necessary to address: (1) the aging of the existing equipment/structures, (2) the Combined Sewer Overflows (CSO) system as it relates to the CSO Long-Term Control Plan (LTCP) regulatory requirements, (3) improved process operations, and (4) compliance with current building codes.

2. Location. The docket holder’s WWTP is located at Sewer Plant Road in Walker Township, Schuylkill County, Pennsylvania. The WWTP will continue to discharge treated effluent to Little Schuylkill River, at River Mile 92.47 – 102.1 – 23.3 (Delaware River – Schuylkill River – Little Schuylkill River).

The location of the WWTP outfall is as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
001	40° 47’ 2”	75° 57’ 46”

3. **Area Served.** The docket holder's WWTP will continue to serve the Borough of Tamaqua and Rush Township located in Schuylkill County, Pennsylvania. For the purpose of defining the Area Served, the Type of Discharge and the Service Area sections from the docket holder's Application are incorporated herein by reference, to the extent consistent with all other conditions contained in Section C. DECISION of this docket.

4. **Design Criteria.** The docket holder's existing 2.6 mgd WWTP utilizes an activated sludge treatment process with chlorine disinfection.

The proposed design criteria will continue to utilize an activated sludge treatment process with chlorine disinfection, but improvements will be made to the existing equipment.

5. **Facilities.** The existing WWTP facilities consist of raw influent screening, grit removal, three (3) primary clarifiers, six (6) aeration tanks, three (3) secondary clarifiers, and three (3) chlorine contact tanks.

The proposed WWTP facilities will consist of new mechanical screens, a vortex grit removal system, replacement of the primary and secondary clarifier mechanisms, replacement of plant water pumps and return and waste sludge pumps, construction of a new sodium hypochlorite disinfection system and alkalinity adjustment system, replacement of fine bubble diffusers and blowers for the aeration tanks, conversion of two aeration tanks to equalization tanks, replacement of digester piping and mixing pumps, construction of a new boiler building and boiler; and other miscellaneous upgrades. In addition, several repairs to existing water encroachments are needed. These include repairs to the perimeter security fence, repaving the existing perimeter access road around the WWTP, and replacing riprap at two existing outfalls.

The project facilities are not located in the 100-year floodplain.

Wasted sludge will continue to be hauled off-site for disposal in accordance with the NPDES Permit No. PA0027006.

6. **Water Withdrawals.** The potable water supply in the project service area is provided by Tamaqua Area Water Authority. The docket holder's water withdrawal is described in detail in Docket No. D-2010-028 CP-2, which was approved on September 8, 2022.

7. **NPDES Permit / DRBC Effluent Requirements.** NPDES Permit No. PA0027006 issued by the PADEP includes final effluent limitations for the project discharge to surface waters classified by the PADEP as supporting cold water fishes and migratory fishes (CWF-MF). EFFLUENT TABLES C-1 & C-2 included in Section C. DECISION condition C.1. of this docket, contain effluent requirements for DRBC parameters that must be met as a condition of this approval. Effluent requirements for Outfall No. 001 are based on a discharge rate of 2.60 mgd.

8. **Relationship to the Comprehensive Plan.** The existing WWTP was included in the Comprehensive Plan by Docket No. D-1990-060 CP on January 16, 1991. Issuance of this docket will modify and renew the WWTP and its discharge in the Comprehensive Plan.

B. FINDINGS

The docket holder applied to renew approval for the modification of their existing 2.6 mgd WWTP and its discharge. Significant additions and alterations to the WWTP are necessary to address: (1) the aging of existing equipment/structures, (2) the Combined Sewer Overflows (CSO) system as it relates to the CSO Long-Term Control Plan (LTCP) regulatory requirements, (3) improved process operations, and (4) compliance with current building codes.

Near the docket holder's WWTP discharge, the Little Schuylkill River has an estimated seven-day low flow with a recurrence interval of ten years (Q_{7-10}) of 6.3 mgd (11.7 cfs). The ratio of this low flow to the hydraulic design wastewater discharge rate from the 2.6 mgd WWTP is 2.4 to 1 (6.3 mgd / 2.6 mgd).

The nearest surface water intake of record for public water supply is located on the Schuylkill River approximately 80 River Miles downstream of the docket holder's WWTP and is operated by Borough of Pottstown.

The project does not conflict with the Comprehensive Plan and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

The effluent limits in the NPDES Permit conform with Commission effluent quality requirements, where applicable.

The project is designed to produce a discharge that meets the effluent requirements as set forth in the Commission's *Water Quality Regulations (WQR)*.

C. DECISION

Effective on the approval date for Docket No. D-1990-060 CP-2 below, the project described in Docket No. D-1990-060 CP is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-1990-060 CP-2; Docket No. D-1990-060 CP is terminated and replaced by Docket No. D-1990-060 CP-2; and the project and the appurtenant facilities described in Section A "DESCRIPTION" of this docket shall be included in the Comprehensive Plan. The project and appurtenant facilities as described in Section A of this docket are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

Monitoring and Reporting

1. The docket holder shall comply with the requirements contained in the EFFLUENT TABLES below. The docket holder shall submit the required monitoring results electronically to the DRBC Project Review Section via email aemr@drbc.gov on the **Annual Effluent Monitoring Report Form** located at this web address: <https://www.nj.gov/drbc/programs/project/docket-app-info.html#3>. The monitoring results shall be submitted annually, absent any observed limit violations, by January 31. If a DRBC effluent limit is violated, the docket holder shall submit the result(s) to the DRBC within 30 days of the violation(s) and provide a written explanation that states the action(s) the docket holder has taken to correct the violation(s) and protect against any future violations. The following average monthly effluent limits are among those listed in the NPDES Permit and meet or are more stringent than the effluent requirements of the DRBC.

EFFLUENT TABLE C-1: DRBC Parameters Included in NPDES Permit

OUTFALL 001 (Little Schuylkill River)		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9 at all times	As required by NPDES Permit
Total Suspended Solids	30 mg/l	As required by NPDES Permit
CBOD ₅ (at 20° C)	25 mg/l 85% Minimum Removal	As required by NPDES Permit
CBOD ₅ (at 20° C) Influent	Monitor & Report	As required by NPDES Permit
Ammonia Nitrogen (5-1 to 10-31) (11-1 to 4-30)	10.7 mg/l Monitor & Report	As required by NPDES Permit
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200 colonies per 100 ml as a geo. avg. 2000 colonies per 100 ml as a geo. avg.	As required by NPDES Permit
Total Phosphorus	Monitor & Report	As required by NPDES Permit
Nitrate + Nitrite as N	Monitor & Report	As required by NPDES Permit
Total Kjeldahl Nitrogen	Monitor & Report	As required by NPDES Permit
Total Nitrogen	Monitor & Report	As required by NPDES Permit

The following monitoring requirements and average monthly effluent limits are for DRBC parameters not listed in the NPDES Permit.

EFFLUENT TABLE C-2: DRBC Parameters Not Included in NPDES Permit

OUTFALL 001 (Little Schuylkill River)		
PARAMETER	LIMIT	MONITORING
Total Dissolved Solids*	1,000 mg/l *	One Per Quarter

* See DECISION Condition C.6.

2. Within 10 days of the date that construction of the project has started, the docket holder shall notify the DRBC of the starting date and scheduled completion date. Within 30 days of the date of project completion, the docket holder shall notify the DRBC of the project completion date.

3. Within 30 days of completion of construction of the approved project, the docket holder is to submit to the attention of the Project Review Section of DRBC a Construction Completion Statement (“Statement”) signed by the docket holder’s professional engineer for the project. The Statement must (1) either confirm that construction has been completed in a manner consistent with any and all DRBC-approved plans or explain how the as-built project deviates from such plans; and (2) indicate the date on which the project was (or is to be) placed in operation.

Other Conditions

4. Nothing in this docket constitutes a defense to any penalty action for past conduct of the docket holder or ongoing activity not authorized by this approval. In particular, renewal of this docket does not resolve violations – whether in the past or continuing – of provisions of the Delaware River Basin Compact (“Compact”) or any rule, regulation, order or approval duly issued by the Commission or the Executive Director pursuant to the Compact. The Commission reserves its right to take appropriate enforcement action against the docket holder, including but not limited to recovery of financial penalties consistent with Section 14.17 of the Compact, for any and all such prior or continuing violations.

5. Except as otherwise authorized by this docket, if the docket holder seeks relief from any limitation based upon a DRBC water quality standard or minimum treatment requirement, the docket holder shall apply for approval from the Executive Director or for a docket revision in accordance with Section 3.8 of the Compact and the *Rules of Practice and Procedure*.

6. The docket holder may request permission from the Executive Director to perform specific conductance monitoring in lieu of TDS monitoring. The request shall be made in writing and shall include information that supports the effluent specific correlation between TDS and specific conductance. Upon review, the Executive Director may modify the docket to allow specific conductance monitoring in lieu of TDS monitoring.

7. Section 2.3.10 of the Commission’s *Rules of Practice and Procedure (RPP)* (18 C.F.R. 401.41), limiting the Commission’s approval to three years in the absence of an expenditure of substantial funds by the project sponsor in reliance on the approval, is hereby waived for good cause shown in accordance with Section 2.9.3 (18 C.F.R. 401.123) of the same regulations. This approval shall expire on the expiration date set forth below unless prior thereto the docket holder has applied to the Commission to renew or extend this approval.

8. The docket holder is responsible for timely submittal to the DRBC of a docket renewal application on the appropriate application form including the appropriate docket application filing fee (see 18 C.F.R. 401.43) at least 6 months in advance of the docket expiration date set forth below. The docket holder will be subject to late filed renewal surcharges in the event of untimely submittal of its renewal application, whether DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. If a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date below, the terms and conditions of the current docket will remain fully effective and enforceable pending the grant or denial of the application for docket approval.

9. The docket holder is permitted to treat and discharge wastewater as set forth in the Area Served Section of this docket, which incorporates by reference the Type of Discharge and Service Area sections of the docket holder's Application to the extent consistent with all other conditions of this section.

10. In accordance with the Commission's regulations at 18 C.F.R. Part 440, the docket holder is prohibited from discharging wastewater from high volume hydraulic fracturing ("HVHF") or HVHF-related activities to waters or land within the Basin. The docket holder is further prohibited from discharging hydraulic fracturing wastewater, whether treated or untreated, from sources within or outside the Basin, without obtaining the Commission's prior review and express approval in the form of a revised docket. Violation of this or any condition of this docket approval may result in enforcement, including the risk of financial penalties, pursuant to Section 14.17 of the Delaware River Basin Compact and Section 2.7.8 (18 CFR 401.98) of the Commission's Rules of Practice and Procedure.

11. The facility and operational records shall be available at all times for inspection by the DRBC.

12. The facility shall be operated at all times to comply with the requirements of the Commission's *WQR*.

13. If at any time the receiving treatment plant proves unable to produce an effluent that is consistent with the requirements of this docket approval, no further connections shall be permitted until the deficiency is remedied.

14. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

15. The docket holder shall discharge wastewater in such a manner as to avoid injury or damage to fish or wildlife and shall avoid any injury to public or private property.

16. No sewer service connections shall be made to newly constructed premises with plumbing fixtures and fittings that do not comply with water conservation performance standards contained in Resolution No. 88-2 (Revision 2).

- 17.** The issuance of this docket approval shall not create any private or proprietary rights in the waters of the Basin, and the Commission reserves the right to amend, suspend or rescind the docket for cause, to ensure proper control, use and management of the water resources of the Basin.
- 18.** The docket holder shall be subject to applicable DRBC regulatory program fees, in accordance with duly adopted DRBC resolutions and/or regulations (see 18 C.F.R. 401.43).
- 19.** This approval is transferable by request to the DRBC Executive Director provided that the project purpose and area served approved by the Commission in this docket will not be materially altered because of the change in project ownership. The request shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 C.F.R. 401.43).
- 20.** The docket holder shall request a name change of the entity to which this approval is issued if the name of the entity to which this approval is issued changes its name. The request for name change shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 C.F.R. 401.43).
- 21.** The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.
- 22.** Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the *Rules of Practice and Procedure (RPP)*. In accordance with Section 15.1(p) of the *Delaware River Basin Compact*, cases and controversies arising under the *Compact* are reviewable in the United States district courts.

BY THE COMMISSION

APPROVAL DATE: June 5, 2024

EXPIRATION DATE: May 8, 2030