

DOCKET NO. D-1989-055 CP-4

DELAWARE RIVER BASIN COMMISSION

**Pottstown Borough Authority
Wastewater Treatment Plant
Borough of Pottstown, Montgomery County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an application submitted to the Delaware River Basin Commission (DRBC or Commission) on June 17, 2019 (Application) for renewal of the docket holder’s existing wastewater treatment plant (WWTP) and its discharge. National Pollutant Discharge Elimination System (NPDES) Permit No. PA0026786 for this discharge was issued by the Pennsylvania Department of Environmental Protection (PADEP) on November 1, 2016.

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 Montgomery County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on August 12, 2020.

A. DESCRIPTION

- 1. Purpose.** The purpose of this docket is to renew approval of the docket holder’s existing 12.85 million gallons per day (mgd) WWTP and its discharge.
- 2. Location.** The docket holder’s WWTP is located on Industrial Highway in the Borough of Pottstown, Montgomery County, Pennsylvania. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.5– 51.3 (Delaware River – Schuylkill River).

The WWTP outfall is located in the Schuylkill River Watershed as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
001	40° 14’ 2.6”	75° 37’ 41.6”

- 3. Area Served.** The docket holder’s WWTP will continue to serve the Borough of Pottstown and the Townships of Lower Pottsgrove, Upper Pottsgrove, and West Pottsgrove, all located in Montgomery County, County, Pennsylvania. Additionally, the docket holder’s WWTP accepts leachate from the following six landfills located within the Delaware River Basin (see the FINDINGS section and DECISION Condition C.2).

Landfill	Location
GROWS	Falls Township, Bucks County
Tullytown	Falls Township, Bucks County
Western Berks	Cumru Township, Berks County
Waste Management – Pottstown	West Pottsgrove Township, Montgomery County
Delaware County Solid Waste Authority	Earl Township, Berks County

For the purpose of defining the Area Served, Section B (Type of Discharge) and D (Service Area) of the docket holder's Application are incorporated herein by reference, to the extent consistent with all other conditions contained in Section C. DECISION.

4. Design Criteria. The docket holder's WWTP utilizes an extended aeration / activated sludge treatment process with chlorine contact disinfection. The WWTP is designed for an annual average flow of 12.85 mgd and a hydraulic design capacity of 15.8 mgd.

5. Facilities. The WWTP facilities consist of 2 mechanical screens/comminutors, 2 grit removal tanks, 2 pre-aeration tanks, 8 aeration tanks, 2 final settling/clarification tanks, 2 rotary drum thickeners, 2 aerobic sludge digesters, 2 centrifuges, a direct thermal dryer, 2 chlorine contact/dechlorination tanks, and a parshall flume.

Several of the WWTP facilities are located in the 100-year floodplain. The docket holder indicated in the application that the WWTP facilities located in the floodplain are not located in the floodway and are flood proofed up to the flood protection elevation (one foot above the 100-year flood elevation).

Wasted sludge will continue to be hauled off-site by a licensed hauler for disposal at a state approved facility.

6. Water Withdrawals. The potable water supply in the project service area is provided by a surface water intake owned and operated by the docket holder. The water withdrawal was approved by the Commission via Docket No. D-1964-036 CP-2 on December 10, 2014.

7. NPDES / DRBC Effluent Requirements. NPDES Permit No. PA0026786 was issued by the PADEP on November 1, 2016 and includes final effluent limitations for the project discharge to surface waters classified by the PADEP as supporting warm water and migratory fishes (WWF/MF). EFFLUENT TABLES C-1 and C-2 included in Section C.1. 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 12.85 mgd.

8. Relationship to the Comprehensive Plan. The project WWTP and its discharge was incorporated into the DRBC Comprehensive Plan via Addendum No. 1 on July 25, 1962 and continued in the Comprehensive Plan via Dockets Nos. D-1970-110 CP-1, D-1989-055 CP-1, D-1989-055 CP-2, and D-1989-055 CP-3 on June 11, 1970, March 28, 1990, July 14, 2010, and December 10, 2014, respectively. Issuance of this docket (D-1989-055 CP-4) renews and continues the WWTP in the Comprehensive Plan.

B. FINDINGS

The docket holder submitted an application to renew approval of their existing 12.85 mgd WWTP and its discharge.

1. Total Dissolved Solids (TDS)

Section 3.10.4.D.2 of the Commission's Water Quality Regulations (WQR) states the following:

“Total dissolved solids shall not exceed 1000 mg/l, or a concentration established by the Commission which is compatible with designated water uses and stream quality objectives, and recognizes the need for reserve capacity to serve future dischargers.”

On July 14, 2010, the DRBC approved Docket No. D-1989-055 CP-2 which included a TDS determination consisting of daily maximum effluent limits of 3,000 mg/l and 200,290 lbs/day when discharge flows from the WWTP are less than or equal to 8.935 mgd and daily maximum effluent limits of 2,238 mg/l and 240,000 lbs/day when discharge flows from the WWTP are greater than 8.935 mgd. This TDS determination was continued in Docket No. D-1989-055 CP-3. In their Application, the docket holder requested to modify the way in which TDS effluent limits are applied to allow for operational flexibility at the WWTP. At the beginning of wet weather events, the facility is expected to have difficulty meeting the daily maximum concentration limit of 2,238 mg/l due to the recycling process of the activated sludge treatment system. At these times, historical effluent data indicate that the facility does not discharge higher TDS loads, but rather increased TDS effluent concentrations. The resulting concentrations were not allowable under the flow-based effluent requirements in the current docket and NPDES permit.

The docket holder requested an average monthly effluent limit of 200,290 lbs/day, and daily maximum effluent limits of 3,000 mg/l and 240,000 pounds per day. These effluent limits are not dependent on the WWTP flow, but instead will be average monthly and daily maximum limits during all flow scenarios. The maximum allowable TDS load of 240,000 lbs/day is the approximate equivalent load limit for the design flow of 12.85 mgd at a concentration of 2,238 mg/l, which is included in the previous DRBC TDS determination. Therefore, this modification to the TDS determination does not result in an increase in the allowable daily maximum TDS load to the receiving surface waters. This modification will result in a lower average monthly allowable TDS load, since the average monthly effluent load limit of 200,290 lbs/day will always be in effect and not only when flows are less than or equal to 8.935 mgd as permitted by the previous TDS determination. The revisions to the limits will not result in an increase in the allowable TDS load for the WWTP discharge and are therefore approved by this docket (See DECISION Condition C.1.).

2. Hauled-in Waste

The docket holder's WWTP accepts piped-in leachate and hauled-in leachate from nearby landfills located inside the Delaware River Basin. The WWTP is not permitted to accept for treatment and discharge 50,000 gallons per day or more (as a daily average from all

combined sources) of wastewater that is imported from outside the Delaware River Basin (see DECISION Condition C.3.).

3. Other

At the docket holder's WWTP discharge, the unnamed tributary to Furnace Creek has an estimated seven-day low flow with a recurrence interval of ten years (Q_{7-10}) of 182 mgd (281 cfs). The ratio of this low flow to the hydraulic design capacity of the WWTP (15.6 mgd) is approximately 12 to 1.

The nearest surface water intake of record for public water supply is located on the Schuylkill River approximately 7 River Miles downstream of the docket holder's WWTP and is operated by the Pennsylvania American Water Company.

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 do not conflict with Commission effluent quality requirements, where applicable.

The project is designed to produce a discharge meeting the effluent requirements as set forth in the Commission's WQR.

C. DECISION

Effective on the approval date for Docket No. D-1989-055 CP-4 below, the project described in Docket No. D-1989-055 CP-3 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-1989-055 CP-4; Docket No. D-1989-055 CP-3 is terminated and replaced by Docket No. D-1989-055 CP-4; and the project and the appurtenant facilities described in Section A "DESCRIPTION" of this docket shall be continued 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 NO. 001 (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-Day at 20° C) (5-1 to 10-31) (11-1 to 4-30)	20 mg/l (85% min. removal)	As required by NPDES permit
	25 mg/l (85% min. removal)	
Ammonia Nitrogen (5-1 to 10-31) (11-1 to 4-30)	8.0 mg/l	As required by NPDES permit
	16.0 mg/l	
Fecal Coliform	200 colonies per 100 ml	As required by NPDES permit
Total Dissolved Solids*	See EFFLUENT TABLE C-2 below*	As required by NPDES permit
BOD (5-Day at 20° C) Influent	Monitor & Report	As required by NPDES permit

* The NPDES permit contains daily maximum effluent limits of 3,000 mg/l and 200,290 lbs/day for average monthly flow ≤ 8.935 mgd and daily maximum effluent limits of 2,238 mg/l and 240,000 lbs/day for average monthly flow > 8.935 mgd. This docket contains an average monthly effluent limit of 200,290 lbs/day for all flow scenarios and daily maximum effluent limits of 3,000 mg/l and 240,000 lbs/day for all flow scenarios. See FINDINGS section, and EFFLUENT TABLE C-2 and Condition C.5. below.

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

OUTFALL NO. 001 (Schuylkill River)		
PARAMETER	LIMIT	MONITORING
Total Dissolved Solids*	200,290 lbs/day (average monthly) 3,000 mg/l (daily maximum) 240,000 lbs/day (daily maximum)	Monthly

* See Condition C.5. below.

2. To determine if there is any potential for effluent true color to exceed 100 units on the platinum cobalt scale, the docket holder is required to perform quarterly true color effluent monitoring for 2 years (8 total tests) from approval date of this docket.

Other Conditions

3. Prior to accepting for treatment and discharge 50,000 gallons per day or more (as a daily average from all combined sources) of wastewater that is imported from outside the Delaware River Basin, the docket holder shall first apply to and obtain approval from the Delaware River Basin Commission.

4. 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*.

5. The docket holder may request of the Executive Director in writing the substitution of specific conductance for TDS. The request should include information that supports the effluent specific correlation between TDS and specific conductance. Upon review, the Executive Director may modify the docket to allow the substitution of specific conductance for TDS monitoring.
6. 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 CFR 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 or not DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. In the event that 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 against the docket holder pending the grant or denial of the application for docket approval.
7. 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 Sections B (Type of Discharge) and D (Service Area) of the docket holder's Application to the extent consistent with all other conditions of this DECISION Section.
8. The docket holder is prohibited from treating/pre-treating any hydraulic fracturing wastewater from sources in or out of the Basin at this time. Should the docket holder wish to treat/pre-treat hydraulic fracturing wastewater in the future, the docket holder will need to first apply to the Commission to renew this docket and be issued a revised docket allowing such treatment and an expanded service area. Failure to obtain this approval prior to treatment/pre-treatment will result in action by the Commission.
9. The facility and operational records shall be available at all times for inspection by the DRBC.
10. The facility shall be operated at all times to comply with the requirements of the Commission's *WQR*.
11. 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.
12. 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.
13. 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.
14. 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).

- 15.** 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, in order to ensure proper control, use and management of the water resources of the Basin.
- 16.** The docket holder shall be subject to applicable DRBC regulatory program fees, in accordance with duly adopted DRBC resolutions and/or regulations (see 18 CFR 401.43).
- 17.** 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 CFR 401.43).
- 18.** 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 CFR 401.43).
- 19.** 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.
- 20.** 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. 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: September 10, 2020

EXPIRATION DATE: November 30, 2026