

DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF ENVIRONMENTAL PLANNING

AMENDMENT TO THE SUSSEX COUNTY AND UPPER DELAWARE
WATER QUALITY MANAGEMENT PLANS

Public Notice

Take notice that on **JUL 24 1995**, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Statewide Water Quality Management Planning rules (N.J.A.C. 7:15-3.4), an amendment to the Sussex County and Upper Delaware Water Quality Management Plans was adopted by the Department of Environmental Protection (Department). This amendment updates the Byram Township and Musconetcong Sewerage Authority (MSA) Wastewater Management Plans (WMPs) for expansion of the sewer service area of the MSA Water Pollution Control Plant (WPCP) to include portions of Byram Township. An initial allocation of 60,000 gallons per day (gpd) has been provided to Byram Township based on a temporary return of allocation from Stanhope Borough to the MSA. The initial 60,000 gpd allocation will be used by Byram Township primarily to serve a) existing commercial development along the Route 206 corridor, the Consolidated School, and the Municipal Complex all of which are served by on-site septic systems, b) the Intermediate School, which is served by a WPCP discharging to Lubbers Run, and c) the proposed 160,000 square foot Byram Plaza shopping center. The existing treatment systems will be abandoned upon connection to the MSA system. This amendment updates the Byram Township WMP to delete reference to a separate WPCP discharging to ground water to serve the proposed Byram Plaza shopping center.

In addition, this amendment updates the MSA WMP with regard to the projected wastewater flow for the MSA WPCP, which discharges to the Musconetcong River. The projected wastewater flow is increased from a maximum 30 day average of 5.79 million gallons per day (mgd) to a maximum 30 day average of 5.89 mgd. This increase provides for an additional 40,000 gpd allocation to Byram Township with the return of the 60,000 gpd allocation to Stanhope Borough. The additional 40,000 gpd allocation to Byram Township will allow for service of additional existing and new development within the delineated future sewer service area. The increase to 5.89 mgd is contingent on Department approval of a rerating of the Phase IA MSA WPCP and modification of the MSA WPCP Discharge Allocation Certificate.

This amendment proposal was noticed in the New Jersey Register on May 1, 1995. Comments on this amendment were received during the public comment period and are summarized below with the Department's responses.

COMMENT: Representatives for the Borough of Hopatcong have submitted written comments within the public comment period objecting to the removal of footnotes contained in the MSA WMP document in response to Department comments. The footnotes contained in the MSA WMP document submitted to the Department required an additional plan amendment to increase the MSA WPCP projected wastewater flow and Discharge Allocation Certificate flow from 5.79 mgd to 5.89 mgd. The Borough of Hopatcong's opposition to the deletion of the requirement for an additional amendment is based on the fact that it would permanently preclude the potential for any additional gallonage to be assigned to the Borough. The Borough has requested that the above mentioned footnotes be reinserted into the amended MSA WMP document.

The Sussex County Board of Chosen Freeholders have addressed this comment, in their resolution of June 29, 1995, by stating that subject to Department and MSA acceptance, the previously deleted footnotes will be reinserted in the MSA WMP as allowed by Section II.C.6.c. of the approved Sussex County plan amendment procedures.

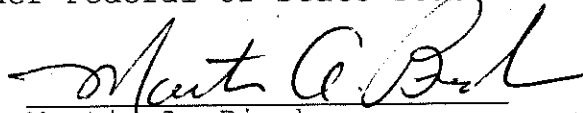
RESPONSE: The Department does not accept this proposed modification.

As provided in the amended Byram and MSA WMPs, the proposed additional 0.1 mgd of capacity at the MSA WPCP will be used to serve development within Byram Township. This additional flow from Byram would not affect the current allocation of 1.3 mgd to Hopatcong Borough which is to be provided as part of the phase II expansion of the WPCP. In addition, based on the wasteload allocation study of the Musconetcong River which indicates that the River is capable of accepting up to 6.0 mgd from the MSA WPCP, it appears that the potential for additional gallonage to be assigned to Hopatcong Borough would not be permanently precluded by this amendment. If, based on sewer feasibility studies, Hopatcong Borough determines that additional gallonage is needed, an amendment to address how this gallonage is to be provided will be required. However, the Department can not support the requirement for an additional amendment at this time when the Byram and MSA WMPs provide the justification for the 0.1 mgd increase in flow within both the Phase IA and Phase II expansions of the MSA WPCP. The Department, therefore, adopts this amendment without the proposed modification.

Note that following public notice, but prior to adoption of this amendment, the component flow figures on pages 10, 11 and 18 of the amended Byram WMP were adjusted to more accurately reflect actual and projected flow figures related to the initial 60,000 gpd allocation. Specifically, the flow figures for the Intermediate and Consolidated Schools were adjusted down to more accurately reflect actual flows

based on the use of historical flow and water use data. In addition, commercial flows were updated based on adjusted square footage projections and the use of the Department's flow criteria specified in N.J.A.C. 7:14A-23.3. The total flows identified for residential (0.005 mgd) and commercial (0.055 mgd) development remained the same.

This amendment represents only one part of the permit process and other issues will be addressed prior to final permit issuance. Additional issues which were not reviewed in conjunction with this amendment but which may need to be addressed may include, but are not limited to, the following: antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rules.



Martin A. Bierbaum
Administrator
Office of Environmental
Planning
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Protection

July 24, 1995
Date

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