

DOCKET NO. D-1979-044-3

DELAWARE RIVER BASIN COMMISSION

**Reading Alloys, Inc.
Non-Contact Cooling Water Discharge
South Heidelberg Township, Berks County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by Entech Engineering, Inc. on behalf of Reading Alloys, Inc. (RA or docket holder) on April 1, 2015 (Application), for renewal of the docket holder's existing non-contact cooling water (NCCW) discharge from the docket holder's high-purity metals and alloys facility (Facility). National Pollutant Discharge Elimination System (NPDES) Permit No. PA0070050 for this facility was issued by the Pennsylvania Department of Environmental Protection (PADEP) on March 14, 2011, effective April 1, 2011. The PADEP is expected to renew the Permit shortly.

The Application was reviewed for approval under Section 3.8 of the *Delaware River Basin Compact*. The Berks County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on February 10, 2016.

A. DESCRIPTION

1. Purpose. The purpose of this docket is to renew approval of the docket holder's existing discharge of an average of 0.24 million gallons per day (mgd) of NCCW from the Facility. Surface water used for non-contact cooling purposes at the Facility is withdrawn from the first of three on-site ponds located on the unnamed tributary (UNT) of Spring Creek, known as Upper Pond, whose capacity is 2.29 million gallons. NCCW discharged by the Facility is sampled at Monitoring Point (MP) No. 101 before being discharged back to Upper Pond, where it combines with stormwater before being discharged via existing Outfall No. 001.

2. Location. Outfall No. 001 will continue to discharge NCCW and stormwater from the Facility to an UNT of Spring Creek at River Mile 92.47 – 76.8 – 6.65 – 5.9 – 3.9 – 1.5 (Delaware River – Schuylkill River – Tulpehocken Creek – Blue Marsh Reservoir – Spring Creek – UNT), in South Heidelberg Township, Berks County, Pennsylvania as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
001	40° 20' 24"	76° 07' 24"

3. **Area Served.** Outfall No. 001 will continue to receive NCCW and stormwater from the docket holder’s Facility. 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 the DECISION Section of this docket.

4. **Physical Features.**

a. **Facility Description.** Water is diverted from the UNT of Spring Creek that the Facility later discharges to, and is directed to Upper Pond. RA withdrawals water from Upper Pond for use as NCCW at the Facility. NCCW from the Facility’s processes is then discharged back into Upper Pond where it comingles with stream water and stormwater. As the pond reaches its capacity, water overflows back into the UNT of Spring Creek on the Facility property. MP No. 101 is utilized to sample NCCW that is discharged to Upper Pond from the Facility. The Facility discharges an average of 0.24 mgd of NCCW.

Shortly after the flow from Upper Pond is reintroduced into the UNT of Spring Creek, the UNT enters a concrete pipe/culvert that passes under a portion of the docket holder’s Facility. A second concrete pipe/culvert structure meets the primary stream prior to stormwater Outfall No. 006 discharges to the then again above ground UNT of Spring Creek. Water from this second pipe comes from Outfall No. 004, which is another stormwater only outfall.

After stormwater discharges to the UNT from Outfall No. 006, the stream splits in two. Half the stream continues further on, while the other half is temporarily diverted through the 0.34 acre Middle Pond. Outfall No. 003 discharges stormwater to Middle Pond that then comingles with stream water before re-entering the UNT of Spring Creek slightly downstream.

Shortly after the flow from Middle Pond is reintroduced into the UNT of Spring Creek, the docket holder discharges stormwater to the UNT via Outfall No. 007. The UNT splits again with a portion of the flow passing through the 0.37 acre Lower Pond before being reintroduced into the main body of the UNT. After the flow from Lower Pond is reintroduced into the UNT of Spring Creek, the docket holder monitors the complete site effluent at Outfall No. 001. See Figure 1 below for a complete flow diagram.

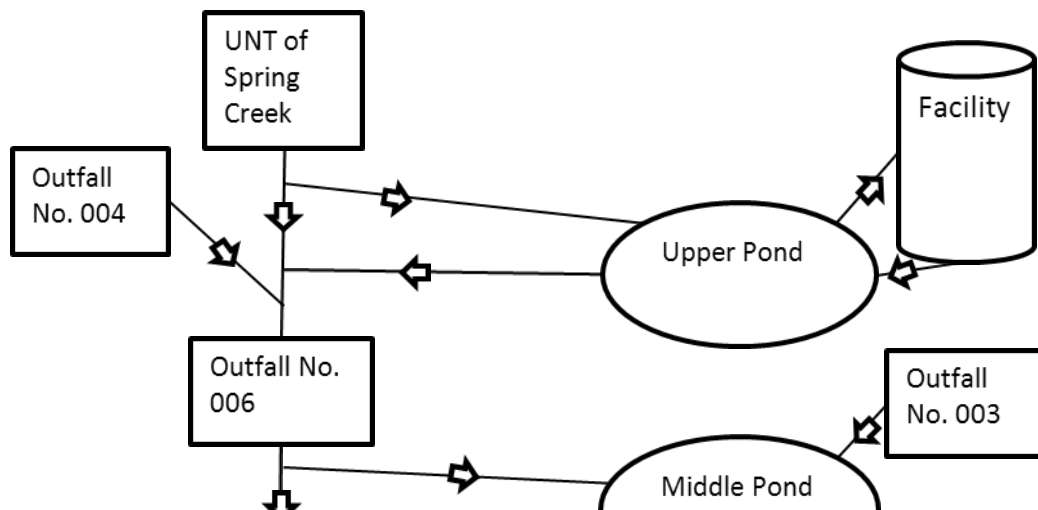


Fig.1

The UNT of Spring Creek is an intermittent stream that has been known to run dry during the hotter months of the year. During low stream flow periods, little or no water enters or discharges from Upper Pond.

Outfall No. 005 is the fifth stormwater outfall at the Facility. It discharges stormwater overland and does not reach a stream.

Sanitary wastewater is treated by a small on-site septic system that does not have a stream discharge and is not captured in NPDES Permit No. PA0070050, nor in this docket.

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

Wasted sludge from the process scrubbers will continue to be collected and hauled off-site by a licensed hauler for disposal at a state-approved facility.

b. Water withdrawals. The potable and process water supplies in the project service area are supplied by the docket holder's on-site wells and intake, respectively. The Commission approved these withdrawals on September 12, 2012 via Docket No. D-2011-023-1.

c. **NPDES Permit / DRBC Docket.** NPDES Permit No. PA0070050 was issued by the PADEP on March 14, 2011 (effective April 1, 2011) and includes final effluent limitations for the project design discharge of 0.24 mgd to surface waters classified by the PADEP as cold water fisheries (CWF). The PADEP is expected to renew the Permit shortly. The following average monthly effluent limits are among those listed in the NPDES Permit, are expected to be renewed, and meet or are more stringent than the effluent requirements of the DRBC.

EFFLUENT TABLE A-1: DRBC Parameters Included in NPDES Permit for Outfall No. 001

OUTFALL No. 001 (NCCW & Stormwater Discharge)*		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9	As required by NPDES Permit
Temperature	Monitor & Report	As required by NPDES Permit

* As directed in the NPDES permit, sampling for compliance with these monitoring requirements shall be taken in the UNT of Spring Creek within 50 feet of discharge from Outfall No. 001

EFFLUENT TABLE A-2: DRBC Parameters Included in NPDES Permit for MP No. 101

MP No. 101 (NCCW)		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9	As required by NPDES Permit

The requirements in EFFLUENT TABLE A-3 for MP No. 101 are not listed in the NPDES Permit, but are Commission basin-wide parameters that were included in Docket No. D-1979-044-2 and must continue to be met as a condition of this docket approval (See DECISION Condition II.d.). Commission staff have requested PADEP include these parameters in their renewed Permit.

EFFLUENT TABLE A-2: DRBC Parameters Not Included in NPDES Permit for MP No. 101

MP No. 101 (NCCW)		
PARAMETER	LIMIT	MONITORING
Total Dissolved Solids*	1,000 mg/l	Quarterly
Total Suspended Solids	30 mg/l	Monthly

* See DECISION Condition II.n.

d. **Cost.** There are no construction costs associated with this NCCW discharge renewal.

B. FINDINGS

The purpose of this docket is to renew approval of the docket holder's existing discharge of an average of 0.24 mgd of NCCW from the Facility.

According to the United States Geological Survey (USGS) Streamstats program the UNT of Spring Creek at Outfall No. 001 has an estimated seven-day low flow with a recurrence interval of ten years (Q_{7-10}) of less than 0.1 cubic feet per second (cfs) and is classified as an intermittent stream by the Commission.

The nearest surface water intake of record for public water supply is located on the Tulpehocken Creek at Blue Marsh Reservoir, approximately 10 River Miles downstream of the docket holder's Facility, and is operated by the Western Berks Water Authority.

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 are in compliance 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 *Water Quality Regulations (WQR)*.

C. DECISION

I. Effective on the approval date for Docket No. D-1979-044-3 below, Docket No. D-1979-044-2 is terminated and replaced by Docket No. D-1979-044-3.

II. The project and appurtenant facilities as described in Section A "Physical Features" of this docket are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the PADEP in its NPDES Permit, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission's.

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

c. The facility shall be operated at all times to comply with the requirements of the Commission's *WQR* and *Flood Plain Regulations (FPR)*.

d. The docket holder shall comply with the requirements contained in the EFFLUENT TABLES in Section A.4.c. of this docket. The docket holder shall submit the required monitoring results electronically to the DRBC Project Review Section via email aemr@drbc.nj.gov on the **Annual Effluent Monitoring Report Form** located at this web address: <http://www.state.nj.us/drbc/programs/project/application/index.html>. 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.

e. 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*.

f. 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.

g. The docket holder is permitted to treat and discharge wastewaters 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.

h. 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.

i. Nothing in this docket approval shall be construed as limiting the authority of DRBC to adopt and apply charges or other fees to this discharge or project.

j. 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.

k. Unless an extension is requested and approved by the Commission in advance, in accordance with paragraph 11 of the Commission's Project Review Fee schedule (Resolution No. 2009-2), the docket holder is responsible for timely submittal of a docket renewal application on the appropriate DRBC application form at least 12 months in advance of the docket expiration date set forth below. The docket holder will be subject to late charges 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 (or the later date established by an extension that has been timely requested and approved), 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.

l. 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.

m. 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.

n. 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.

o. 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.

BY THE COMMISSION

DATE APPROVED: March 16, 2016

EXPIRATION DATE: March 31, 2021