

DOCKET NO. D-2005-022 CP-3

DELAWARE RIVER BASIN COMMISSION

**Chadds Ford Township Sewer Authority
Turner's Mill Wastewater Treatment Plant
Chadds Ford Township, Delaware County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by Pennoni Associates Inc. on behalf of Chadds Ford Township Sewer Authority (CFTSA or docket holder) on March 30, 2015 (Application), for renewal of the docket holder's existing Turner's Mill wastewater treatment plant (WWTP) and its discharge. National Pollutant Discharge Elimination System (NPDES) Permit No. PA0244031 for this facility was issued by the Pennsylvania Department of Environmental Protection (PADEP) on December 3, 2012, effective January 1, 2013.

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 Delaware 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 0.14 million gallons per day (mgd) WWTP and its discharge.
- 2. Location.** The WWTP will continue to discharge treated effluent to Harvey Run at River Mile 70.73 – 1.5 – 14.6 – 0.66 (Delaware River – Christina River – Brandywine Creek – Harvey Run) via Outfall No. 001, in Chadds Ford Township, Delaware County, Pennsylvania as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
001	39° 52' 23"	75° 34' 52"

- 3. Area Served.** The docket holder's WWTP will continue to serve a portion of Chadds Ford Township, as well as the subdivisions known as Camp Sunset Hill (Turner's Mill) and Painter's Crossing which are both located in Birmingham Township. Chadds Ford and Birmingham Townships are both located in Delaware County, Pennsylvania. 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. Design Criteria. The docket holder will continue to operate its existing 0.14 mgd WWTP.

b. Facilities. The WWTP consists of a grinder/bar screen chamber, an equalization tank, two (2) aeration tanks, two (2) flocculation tanks, two (2) clarifiers, a tertiary sand filter, and an ultraviolet (UV) disinfection unit.

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

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

c. Water withdrawals. The potable water supply in the project service area is provided by the Chester Water Authority (CWA) and from individual on-lot wells. The CWA water importation from the Susquehanna River Basin is described in detail in Docket No. D-69-60 CP, which was approved by the Commission on May 28, 1969.

d. NPDES Permit / DRBC Docket. NPDES Permit No. PA0244031 was issued by the PADEP on December 3, 2012 (effective January 1, 2013) and includes final effluent limitations for the project discharge of 0.14 mgd to surface waters classified by the PADEP as warm water, migratory fisheries (WWF/MF). The following average monthly effluent limits are among those listed in the current 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

OUTFALL 001 (WWTP)		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9	As required by NPDES Permit
Total Suspended Solids	10 mg/l	As required by NPDES Permit
CBOD (5-Day at 20° C)	10 mg/l, 85% minimum removal	As required by NPDES Permit
Ammonia Nitrogen (5-1 to 10-31)	1.5 mg/l	As required by NPDES Permit
(11-1 to 4-30)	4.5 mg/l	
Fecal Coliform	50 colonies per 100 ml as a geo. avg.	As required by NPDES Permit

The requirement in EFFLUENT TABLE A-2 is not listed in the NPDES Permit, but is a Commission basin-wide parameter that was included in Docket No. D-2005-022 CP-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 this parameter in their renewed Permit.

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

OUTFALL 001 (WWTP)		
PARAMETER	LIMIT	MONITORING
Total Dissolved Solids	1,000 mg/l	Quarterly

e. **Cost.** There are no construction costs associated with this WWTP renewal.

f. **Relationship to the Comprehensive Plan.** The docket holder's WWTP was incorporated into the Comprehensive Plan on March 1, 2006 upon approval of Docket No. D-2005-22 CP-1. Issuance of this docket will continue approval of the docket holder's WWTP in the Comprehensive Plan (See DECISION Condition I.c.).

B. FINDINGS

The purpose of this docket is to renew approval of the docket holder's existing 0.14 mgd WWTP and its discharge.

Docket No. D-2005-22 CP-1 established that at the docket holder's WWTP discharge, Harvey Run has an estimated seven-day low flow with a recurrence interval of ten years (Q₇₋₁₀) of 0.41 mgd (0.64 cfs). The ratio of this low flow to the hydraulic design wastewater discharge from the 0.14 mgd WWTP is 2.93 to 1.

The nearest surface water intake of record for public water supply is located on the Brandywine Creek approximately 14 River Miles downstream of the docket holder's WWTP, and is operated by the City of Wilmington.

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)* and *Flood Plain Regulations (FPR)*.

C. DECISION

I. Effective on the approval date for Docket No. D-2005-022 CP-3 below:

a. The project described in Docket No. D-2005-022 CP-2 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-2005-022 CP-3; and

b. Docket No. D-2005-022 CP-2 is terminated and replaced by Docket No. D-2005-022 CP-3; and

c. The project and the appurtenant facilities described in Section A "Physical Features" of this docket shall be continued in the Comprehensive Plan.

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 *FPR*.

d. The docket holder shall comply with the requirements contained in the EFFLUENT TABLES in Section A.4.d. 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. 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.

g. 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.

h. 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.

i. 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.

j. 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).

k. 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.

l. 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.

m. 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.

n. 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.

o. 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.

p. 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: December 31, 2022