

DOCKET NO. D-1986-009 CP-4

DELAWARE RIVER BASIN COMMISSION

Discharge to a Tributary of Special Protection Waters

**Central Wayne Regional Authority
Honesdale Wastewater Treatment Plant Service Area Expansion
Honesdale Borough, Wayne 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 the Central Wayne Regional Authority (docket holder) on January 28, 2016 (Application), for review of a wastewater treatment plant (WWTP) service area expansion. National Pollutant Discharge Elimination System (NPDES) Permit No. PA0023469 for the project discharge was issued by the Pennsylvania Department of Environmental Protection (PADEP) on May 5, 2014. Water Quality Management Permit No.6415405 was issued by the PADEP for the proposed service area expansion on December 18, 2015.

The Application was reviewed for inclusion of the project in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact (Compact)*. The Wayne County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on May 11, 2016.

A. DESCRIPTION

1. Purpose. The purpose of this docket is to renew the approval of the docket holder's existing 2.2 million gallons per day (mgd) Honesdale WWTP and its discharge, and to approve an expansion of the WWTP's service area. The service area expansion project includes the construction of a low-pressure grinder pump system to collect and convey sewage from the Village of White Mills to an existing pump station located in the docket holder's existing sewer collection system. There are no modifications to the Honesdale WWTP treatment facilities proposed.

2. Location. The docket holder's WWTP is located between Bucks Cove Road and the Lackawaxen River in the south end of the Borough of Honesdale, Wayne County, Pennsylvania. The Village of White Mills (service area expansion) is located in Texas Township, Wayne County, Pennsylvania. The facility will continue to discharge treated WWTP effluent to the

Lackawaxen River at River Mile 277.7 – 24.6 (Delaware River – Lackawaxen River) via Outfall No. 001, within the drainage area to the Upper Delaware Special Protection Waters (SPW).

The project outfall is located in the Lackawaxen River Watershed as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
001	41° 33' 14"	75° 14' 33"

3. Area Served. The docket holder’s WWTP receives wastewater flows from Honesdale Borough and a portion of Texas Township in Wayne County, Pennsylvania. The proposed service area expansion consists of the Village of White Mills, which is an additional area in Texas Township.

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’s existing 2.2 mgd WWTP utilizes a sequential batch reactor (SBR) treatment process and ultraviolet light (UV) disinfection. The proposed service area expansion will collect and convey 0.12 mgd of additional sewage to the WWTP. The 2.2 mgd WWTP has the capacity to accept the additional sewage without modifications to the existing WWTP treatment process or facilities.

b. Facilities. The existing WWTP facilities consist of an automatic fine screen, a grit removal unit, three (3) SBR tanks, a decant/equalization tank, and ultraviolet (UV) light disinfection. Sludge handling consists of mechanical thickening in sludge holding tanks, aerobic digestion, and dewatering via a belt filter press.

The proposed service area expansion includes the construction of a low-pressure grinder pump system to collect sewage throughout the Village of White Mills. Currently, the Village is served by individual, on-lot septic systems, many of which are malfunctioning or poorly designed, and failing or nearing failure. The proposed low-pressure grinder pump system will consist of grinder pumps on individual lots to macerate and pump sewage, approximately 39,000 feet of high density polyethylene (HDPE) pipe low pressure sewage mains, approximately 13,000 feet of HDPE pipe sewage laterals, and cleanout connections and air release valve manholes. The proposed collection system will connect to the docket holder’s existing pump station at the intersection of U.S. Route 6 and Old Willow Avenue in Texas Township. The docket holder’s existing force main that conveys sewage from this pump station along Old Willow Avenue to the WWTP will be replaced by new 8-inch force main as part of the project.

The docket holder's wastewater treatment facility discharges to waters classified as SPW and is required to have available emergency power. The existing WWTP has a generator installed capable of providing emergency power. (SPW)

The docket holder's wastewater treatment facility is not staffed 24 hours per day, and shall have a remote alarm system that continuously monitors plant operations in accordance with the Commission's SPW requirements. The existing WWTP has a SCADA remote alarm system installed that continuously monitors plant operations. (SPW)

The docket holder has prepared and implemented an emergency management plan (EMP) for the existing WWTP in accordance with Commission requirements. (SPW)

The docket holder's existing wastewater treatment facility does not discharge directly to Outstanding Basin Waters (OBW), and is not required to have a nonvisible discharge plume. (SPW)

The docket holder has satisfactorily proved the technical infeasibility of using natural wastewater treatment technologies in accordance with the Commission's SPW requirements. A report was submitted as part of the Application that included an alternatives analysis evaluating land treatment, replacement of individual septic systems, spray irrigation, adsorption beds, community wetlands, and drip irrigation systems. The report concluded that due to steep slopes, inadequate soil conditions, and the lack of a substantial tract of land, natural treatment was not feasible in the expanded service area. (SPW)

Direct dischargers to OBW or significant resource waters (SRW) performing "Substantial Alterations or Additions" or expanding their wastewater treatment plant are required to provide "Best Demonstrable Technology" (BDT) as a minimum level of treatment. The facility is not a direct discharger to OBW or SRW.

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

Waste 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 groundwater wells owned and operated by Aqua Pennsylvania, Inc. The water withdrawal is described in detail in Docket No. D-1995-057 CP-2, which was approved on March 3, 2010.

d. NPDES Permit / DRBC Docket. PADEP issued NPDES Permit No. PA0023469 for the project discharge on May 5, 2014, which includes final effluent limits for the project discharge of 2.2 mgd to surface waters classified by the PADEP as high quality, cold water fishery (HQ-CWF). The following average monthly effluent limits and monitoring requirements listed in EFFLUENT TABLE A-1 are for DRBC parameters listed in the NPDES permit that meet or are more stringent than the effluent requirements of the DRBC.

EFFLUENT TABLE A-1: DRBC Parameters Included in NPDES permit

OUTFALL 001 (Lackawaxen River)		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9 at all times	As required by NPDES permit
Total Suspended Solids	21 mg/l	As required by NPDES permit
CBOD (5-Day at 20° C)	15 mg/l (85% minimum removal)	As required by NPDES permit
Ammonia-Nitrogen 5/01-10/31 11/01-4/30*	6.5 mg/l; 119 lbs/day 19.5 mg/l*; 357 lbs/day	As required by NPDES permit
Nitrate+Nitrite as N	8.0 mg/l; 147 lbs/day	As required by NPDES permit
Total Phosphorous	1.25 mg/l; 22.9 lbs/day	As required by NPDES permit
Fecal Coliform 5/01-9/30 10/01-4/30	200 colonies per 100 ml as a geo. avg. 2,000 colonies per 100 ml as a geo. avg.	As required by NPDES permit
Dissolved Oxygen	7.0 mg/l (minimum at all times)	As required by NPDES permit
Total Dissolved Solids**	Monitor & Report**	As required by NPDES permit
Total Nitrogen	Monitor & Report	As required by NPDES permit
Total Kjeldahl Nitrogen (TKN)	Monitor & Report	As required by NPDES permit

* PADEP requires the WWTP to meet a 19.5 mg/l effluent limit for Ammonia from 11/01 to 4/30 (winter months) in its NPDES permit. DRBC requires an effluent limit of 6.5 mg/l for Ammonia, all year round (including the winter months), as included by the DRBC in Docket No. D-1986-009 CP-3 in order to prevent a measurable change to EWQ (See EFFLUENT TABLE A-2 below)

** PADEP requires the docket holder to monitor & report quarterly for total dissolved solids (TDS) in its NPDES permit. DRBC requires an average monthly effluent limit of 1,000 mg/l (See EFFLUENT TABLE A-2 below).

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

EFFLUENT TABLE A-2: DRBC parameters not included in NPDES permit

Outfall No. 001 (Lackawaxen River)		
PARAMETER	LIMIT	MONITORING
Ammonia-Nitrogen (11/01-4/30)	6.5 mg/l	Twice per/week
Total Dissolved Solids*	1,000 mg/l	Quarterly

* See Condition II.u. in DECISION section

e. **Cost.** The overall cost of this project is estimated to be \$5,601,175.00.

f. **Relationship to the Comprehensive Plan.** The docket holder’s WWTP was added to the Comprehensive Plan by Resolution No. 62-14, adopted on July 25, 1962. The Honesdale WWTP was approved for a rerate by Docket No. D-1986-009 CP-1 on April 29, 1986, approved for an expansion by Docket D-1986-009 CP-2 on July 16, 2008, and renewed via Docket D-1986-009 CP-3 on May 10, 2012.

B. FINDINGS

The docket holder submitted an Application to renew the approval of the docket holder's existing 2.2 mgd Honesdale WWTP and its discharge, and to approve an expansion of the WWTP's service area. This docket renews the docket approval and approves the service area project, which includes the construction of a low-pressure grinder pump system to collect and convey sewage from the Village of White Mills. The WWTP will not require an increase to its existing design flow or approved loadings as a result of this service area expansion.

In 1992, the DRBC adopted SPW requirements, as part of the DRBC *Water Quality Regulations (WQR)*, designed to protect existing high water quality in applicable areas of the Delaware River Basin. One hundred twenty miles of the Delaware River from Hancock, New York downstream to the Delaware Water Gap has been classified by the DRBC as SPW. This stretch includes the sections of the river federally designated as "Wild and Scenic" in 1978 -- the Upper Delaware Scenic and Recreational River and the Delaware Water Gap National Recreation Area -- as well as an eight-mile reach between Milrift and Milford, Pennsylvania which is not federally designated. The SPW regulations apply to this 120-mile stretch of the river and its drainage area. (Upper/Middle SPW)

On July 16, 2008, the DRBC approved amendments to its *WQR* that provide increased protection for waters that the Commission classifies as SPW. The portion of the Delaware River and its tributaries within the boundary of the Lower Delaware River Management Plan Area was approved for SPW designation and clarity on definitions and terms were updated for the entire program. (Upper/Middle SPW)

Article 3.10.3A.2.e.1). and 2). of the Commission's *WQR* states that projects subject to review under Section 3.8 of the Compact that are located in the drainage area of SPW must submit for approval a Non-Point Source Pollution Control Plan (NPSPCP) that controls the new or increased non-point source loads generated within the portion of the docket holder's service area which is also located within the drainage area of SPW. The service area of the docket holder is located in the drainage area to SPW. Since this project does entail additional construction and there are new or increased non-point source loads associated with this approval, the NPSPCP requirement is applicable at this time.

The municipality in which the service area expansion is located (Texas Township) has not adopted a stormwater ordinance in accordance with the PADEP's current model stormwater ordinance. The docket holder is required to submit a NPSPCP for the construction associated with the service area expansion project and obtain Executive Director approval of the NPSPCP prior to the initiation of construction. Prior to allowing connections from any new service areas or any new developments to the Honesdale WWTP, an approved NPSPCP must be in place for the new service area or new development. Accordingly, DECISION Condition II.q. has been included in this docket.

Near the project WWTP discharge location, the Lackawaxen River has an estimated seven-day low flow with a recurrence interval of ten years (Q7-10) of 9.2 mgd (14.3 cfs). The ratio of this low flow to the average design discharge (2.2 mgd) from the project WWTP is approximately 4:1.

The nearest surface water intake of record for public water supply downstream of the project discharge is the Easton City intake, located on the Delaware River approximately 120 miles downstream of the project discharge.

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 limits in the NPDES Permit are in compliance with Commission effluent quality requirements, with the exception that the docket holder is required by this docket to meet a 6.5 mg/l effluent limit for Ammonia-Nitrogen between 11/1 and 4/30 (wintertime), which is more stringent than the 19.5 mg/l wintertime effluent limit for Ammonia-Nitrogen contained in the NPDES Permit.

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

C. DECISION

I. Effective on the approval date for Docket No. D-1986-009 CP-4 below:

a. The project described in Docket No. D-1986-009 CP-3 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-1986-009 CP-4; and

b. Docket No. D-1986-009 CP-3 is terminated and replaced by Docket No. D-1986-009 CP-4 and

c. The project and the appurtenant facilities described in Section A "Physical Features" of this docket shall be added to 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 Part II 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 EFFLUENT TABLES A-1 and A-2 contained 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.state.nj.us on the **Annual Effluent Monitoring Report Form** located at this web address: <http://www.state.nj.us/drbc/programs/project/pr/info.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. Sound practices of excavation, backfill and reseeded shall be followed to minimize erosion and deposition of sediment in streams.

i. 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.

j. 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; (2) report the project's final construction cost as such cost is defined by the project review fee schedule in effect at the time the application was made; and (3) indicate the date on which the project was (or is to be) placed in operation. In the event that the final project cost exceeds the estimated cost used by the docket holder to calculate the

DRBC project review fee, the statement must also include (4) the amount of any outstanding balance owed for DRBC review. The outstanding balance will equal the difference between the fee paid to the Commission and the fee calculated on the basis of the project's final cost, using the formula and definition of "project cost" set forth in the DRBC's project review fee schedule in effect at the time application was made.

k. The project construction shall be completed within three years of approval of this docket or the docket holder shall demonstrate to the Executive Director that it has expended substantial funds (in relation to the cost of the project) in reliance upon this docket approval. If the modifications have not been completed within three years of Docket Approval and the docket holder does not submit a cost analysis demonstrating substantial funds have been expended, Commission approval of the project construction shall expire. If the docket expires under this condition, the docket holder shall file a new application with the Commission and receive Commission approval prior to initiating construction of any modifications.

l. 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.

m. The docket holder shall make wastewater discharge in such a manner as to avoid injury or damage to fish, wildlife, and/or other aquatic life and shall avoid any injury to public or private property.

n. 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).

o. 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.

p. 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.

q. Prior to the initiation of the proposed construction, the docket holder shall submit a NPSPCP for the project construction in accordance with Article 3.10.3A.2.e.1) of the Commission's *WQR* and obtain Executive Director approval of the NPSPCP. Prior to allowing connections from any new service areas or any new developments, the docket holder shall either submit and have approved by the Executive Director at NPSPCP in accordance with Section 3.10.3.A.2.e, or receive written confirmation from the Executive Director that the new service area or development is in compliance with a DRBC-approved NPSPCP.

r. 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.

s. 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.

t. 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.

u. 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.

v. 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.

w. 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.

x. Prior to the docket holder initiating any substantial alterations or additions to the existing WWTP as defined in Section 3.10.3A2.a.16) of the Commission's *WQR*, an application must be submitted and approved by the Commission. Such an application shall be submitted prior to final design to ensure that the Commission can provide the docket holder with draft effluent limitations for SPW specific parameters as guidance for design as to not require duplication of work or cause a substantial expenditure of public funds without Commission approval. The docket holder is encouraged to contact the Commission staff during the planning stages to identify the potential effluent limitations required to meet the no measurable change parameters under SPW.

BY THE COMMISSION

DATE APPROVED: June 15, 2016

EXPIRATION DATE: May 31, 2019