

DOCKET NO. D-2005-007 CP-2

DELAWARE RIVER BASIN COMMISSION

**East Vincent Township
Bartons Meadows Wastewater Treatment Plant
East Vincent Township, Chester County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by CKS Engineers, Inc. on behalf of East Vincent Township (EVT or docket holder) on April 9, 2014 (Application), for renewal of the docket holder's existing Bartons Meadows wastewater treatment plant (WWTP) and its discharge. Water Quality Management (WQM) Permit No. 1588442 for this facility was issued by the Pennsylvania Department of Environmental Protection (PADEP) on September 26, 2011.

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 Chester County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on June 9, 2015.

A. DESCRIPTION

1. **Purpose.** The purpose of this docket is to renew approval of the docket holder's existing 0.053 million gallons per day (mgd) WWTP and its discharge.

2. **Location.** The WWTP will continue to land discharge treated effluent to subsurface seepage beds in the drainage area of French Creek near River Mile 92.47 – 35.65 – 9.56 – 0.78 (Delaware River – Schuylkill River – French Creek – UNT), in East Vincent Township, Chester County, Pennsylvania as follows:

OUTFALL TYPE	LATITUDE (N)	LONGITUDE (W)
Seepage Beds	40° 09' 38"	75° 37' 20"

3. **Area Served.** The docket holder's WWTP will continue to serve the Bartons Meadows community and the Vincent Elementary School, both located in East Vincent Township, Chester 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 0.053 mgd WWTP.

b. Facilities. The WWTP consists of a comminutor, two (2) equalization tanks, two (2) primary settling tanks, two (2) intermediate settling tanks, two (2) aeration tanks, two (2) final settling tanks, a methanol injection tank (denitrification), two (2) rapid sand filters, two (2) ultraviolet (UV) disinfection units, and two (2) aerobic digesters. Effluent from the WWTP is discharged to four (4) on-site seepage beds.

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 Pennsylvania American Water Company.

d. WQM Permit / DRBC Docket. WQM Permit No. 1588442 was issued by the PADEP on September 26, 2011 and includes final effluent limitations for the project discharge of 0.053 mgd to the docket holder's four (4) subsurface seepage beds. The following average monthly effluent limits are among those listed in the WQM Permit and meet or are more stringent than the effluent requirements of the DRBC.

EFFLUENT TABLE A-1: DRBC Parameters Included in WQM Permit

Seepage Beds		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9 at all times	As required by NPDES Permit
Total Suspended Solids	10 mg/l	As required by NPDES Permit
CBOD ₅ (at 20° C)	10 mg/l	As required by NPDES Permit

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

f. Relationship to the Comprehensive Plan. Issuance of Docket No. D-2005-007 CP-1 on July 14, 2010 included the docket holder's 0.053 mgd WWTP in the Comprehensive Plan. Issuance of this docket will continue approval of the 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 0.053 mgd WWTP and its 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 effluent limits in the WQM 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-2005-007 CP-2 below:

a. The project described in Docket No. D-2005-007 CP-1 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-2005-007 CP-2; and

b. Docket No. D-2005-007 CP-1 is terminated and replaced by Docket No. D-2005-007 CP-2; 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 WQM 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*.

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.state.nj.us 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. 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.

k. 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.

l. 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.

m. 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.

n. 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.

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: June 10, 2015

EXPIRATION DATE: June 10, 2020