

5/1/2018 2:47 PM

**DOCKET NO. D-1988-014 CP-3**

**DELAWARE RIVER BASIN COMMISSION**

**Discharge to a Tributary of Special Protection Waters**

**Roamingwood Sewer and Water Association;  
Agent of South Wayne County Water and Sewer Authority  
Wastewater Treatment Plant  
Salem Township, Wayne County, Pennsylvania**

**PROCEEDINGS**

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by Roamingwood Sewer and Water Association (docket holder) on May 23, 2017 (Application) for renewal of a wastewater treatment plant (WWTP) and its discharge. The Pennsylvania Department of Environmental Protection (PADEP) issued National Pollutant Discharge Elimination System (NPDES) Permit No. PA0033430 for the project discharge on August 29, 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 Wayne County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on May 16, 2018.

**A. DESCRIPTION**

- 1. Purpose.** The purpose of this docket is to renew approval of the docket holder's existing 1.755 million gallons per day (mgd) Roamingwood WWTP and its related discharge.
- 2. Location.** The docket holder's WWTP is located at the intersection of Lakeview Drive, Lakeview Drive East, and Lakeview Drive West, just south of Roamingwood Lake, in Salem Township, Wayne County, Pennsylvania. The WWTP will continue to discharge just downstream of Roaming Woods Lake to Ariel Creek, which is tributary to Wallenpaupack Creek upstream of Lake Wallenpaupack, which is tributary to the Lackawaxen River, at River Mile 277.7 – 15.8 – 14.2 – 3.5 (Delaware River – Lackawaxen River – Wallenpaupack Creek – Ariel Creek) in the drainage area to the Upper Delaware Special Protection Waters (SPW) area.

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

| OUTFALL NO. | LATITUDE (N) | LONGITUDE (W) |
|-------------|--------------|---------------|
| 001         | 41° 25' 13"  | 75° 20' 42"   |

3. **Area Served.** The docket holder's WWTP will continue to serve Salem and Lake Townships in Wayne 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's existing 1.755 mgd WWTP utilizes an oxidation ditch treatment system with tertiary filtration.

b. **Facilities.** The WWTP facilities consist of an automatic bar screen and 2 parallel treatment trains. Each treatment train features an aerated equalization tank, a primary clarifier, an anaerobic fermentation tank, a 1st anoxic tank, an aeration tank (carousel oxidation ditch), a 2nd anoxic tank, a post aeration tanks, a secondary clarifier, and a dual media filter. The WWTP also features sodium hypochlorite disinfection and de-chlorination. Sludge handling facilities include 2 aerobic digesters.

The docket holder's WWTP discharges to waters classified as SPW and is required to have available standby power. The WWTP has a generator installed capable of providing standby power.

The docket holder's WWTP is required to be staffed 24 hours per day or have a remote alarm system that continuously monitors plant operations in accordance with the Commission's SPW requirements. The WWTP has a SCADA remote alarm system installed at the WWTP.

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

The WWTP 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 of the docket holder's WWTP is provided by groundwater wells operated by the docket holder. The water withdrawal is described in detail in Docket No. D-1988-045 CP-4, which was approved on September 16, 2015.

d. **Effluent Requirements.** EFFLUENT TABLES A-1 & A-2 below contain effluent requirements for DRBC parameters that must be met as a condition of this approval (See DECISION Condition C.II.d.). PADEP issued NPDES Permit No. PA0033430 on August 29, 2013 which includes final effluent limitations for the project discharge of 1.755 mgd to surface waters classified by the PADEP as High Quality – Cold Water Fishery (HQ-CWF). The following average monthly effluent limits are among those listed in the NPDES permit 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 (Ariel Creek)                         |   |                             |
|---|---|-----------------------------|
| PARAMETER   | LIMIT   | MONITORING                  |
| pH (Standard Units)                               | 6 to 9 at all times   | As required by NPDES permit |
| Total Suspended Solids                            | 30 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)<br>(11-1 to 4-30) | 2.0 mg/l<br>6.0 mg/l  | As required by NPDES permit |
| Fecal Coliform (5-1 to 9-30)<br>(10-1 to 4-30)    | 200 col. per 100 ml as a geo. avg.<br>2000 col. per 100 ml as a geo. avg. | As required by NPDES permit |
| Dissolved Oxygen                                  | 7.0 mg/l (minimum)  | As required by NPDES permit |
| Total Phosphorous                                 | 0.5 mg/l  | As required by NPDES permit |
| Nitrate+Nitrite as Nitrogen                       | 11.0 mg/l   | As required by NPDES permit |

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

| OUTFALL 001 (Ariel Creek)                   |                  |            |
|---|------------------|------------|
| PARAMETER                                   | LIMIT            | MONITORING |
| Total Dissolved Solids*                     | 1,000 mg/l       | Quarterly  |
| CBOD <sub>5</sub> (5-Day at 20° C) Influent | Monitor & Report | Monthly    |

\* See Condition C.II.q. in the Decision section

e. **Relationship to the Comprehensive Plan.** The docket holder's WWTP was added to the Comprehensive Plan by Docket No. D-1971-142 CP-1 on September 30, 1971. Issuance of this docket (D-1988-014 CP-3) continues approval of the WWTP in the Comprehensive Plan.

## B. FINDINGS

The docket holder submitted an Application to renew approval of their 1.755 mgd Roamingwood WWTP. No modifications to the existing WWTP are proposed.

In 1992, the DRBC adopted Special Protection Waters (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 were 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, known as the Upper/Middle Delaware River SPW area.

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)

The docket holder's WWTP discharges to the drainage area to the Upper Delaware River SPW. The docket holder's WWTP discharge is required to comply with the SPW requirements, as outlined in Article 3.10.3A.2. of the *WQR*.

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. However, the project is located upstream of Lake Wallenpaupack, and therefore is exempt from DRBC's NPSPCP requirements, according to Article 3.10.3A.2.e.1)(c) of the Commission's *WQR*.

At the WWTP discharge location, Ariel Creek has an estimated seven-day low flow with a recurrence interval of ten years (Q7-10) of 0.7 mgd (1.1 cfs). The ratio of this low flow to the design waste water discharge from the 1.755 mgd (2.7 cfs) WWTP is approximately 0.4 to 1.

The nearest surface water intake of record for public water supply is located on the Delaware River approximately 126 river miles downstream of the docket holder's WWTP discharge, and is operated by the City of Easton.

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 *WQR*.

### C. DECISION

- I. Effective on the approval date for Docket No. D-1988-014 CP-3 below:

- a. The project described in Docket No. D-1988-014 CP-2 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-1988-014 CP-3; and
- b. Docket No. 1988-014 CP-2 is terminated and replaced by Docket No. D-1988-014 CP-3; and
- c. The project and the appurtenant facilities described in the Section A “Physical Features” of this docket shall be continued in the Comprehensive Plan.

II. The project and appurtenant facilities as described in the 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.
- 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.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](mailto: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. 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, wildlife, and/or other aquatic life 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. 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. The docket holder is responsible for timely submittal to the DRBC of a docket renewal application on the appropriate application form including the appropriate docket application filing fee (see 18 CFR 401.43) at least 6 months in advance of the docket expiration date set forth below. The docket holder will be subject to late filed renewal surcharges 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, 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 docket holder shall be subject to applicable DRBC regulatory program fees, in accordance with duly adopted DRBC resolutions and/or regulations (see 18 CFR 401.43).

n. This approval is transferable by request to the DRBC Executive Director provided that the project purpose and area served approved by the Commission in this docket will not be materially altered because of the change in project ownership. The request shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 CFR 401.43).

o. The docket holder shall request a name change of the entity to which this approval is issued if the name of the entity to which this approval is issued changes its name. The request for name change shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 CFR 401.43).

p. 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.

q. 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.

r. 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.

s. 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:**

**EXPIRATION DATE: August 31, 2023**