

DOCKET NO. D-1987-013 CP-2

DELAWARE RIVER BASIN COMMISSION

**Upper Merion Municipal Utility Authority – Matsunk Treatment Plant
Wastewater Treatment Plant
Upper Merion Township, Montgomery County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by SC Engineers, Inc. on behalf of Upper Merion Municipal Utility Authority (UMMUA) or docket holder on January 27, 2014 (Application), for review and renewal of an existing Wastewater Treatment Plant (WWTP) and its related discharge. National Pollutant Discharge Elimination System (NPDES) Permit No. PA0026085 for this project was approved by the Pennsylvania Department of Environmental Protection (PADEP) on June 11, 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 Montgomery County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on September 9, 2014.

A. DESCRIPTION

- Purpose.** The purpose of this docket is to renew the approval of the docket holder's existing 6.88 million gallons per day (mgd) Matsunk WWTP and its related discharge.
- Location.** The UMMUA Matsunk WWTP will continue to discharge treated effluent to Frog Run, a tributary to the Schuylkill River, at River Mile 92.47 - 21.6 – 0.3 (Delaware River - Schuylkill River – Frog Run), via Outfall No. 002, in Upper Merion Township, Montgomery County, Pennsylvania as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
002	40° 05' 37"	75° 19' 39"

3. **Area Served** The UMMUA Matsunk WWTP will continue to serve portions of Upper Merion Township and West Conshohocken Borough in Montgomery County, and a portion of Tredyffrin Township in Chester County, all in Pennsylvania as shown on a map entitled “Upper Merion Township Sanitary Sewer System”, submitted with the Application.

For the purpose of defining the Area Served, sections 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 the existing 6.88 mgd UMMUA Matsunk WWTP.

b. **Facilities.** The UMMUA Matsunk WWTP consists of a bar screen and grit chamber at the pumping station, an off-line flow equalizer, a primary clarifiers, two (2) trickling filters in series, an aerated equalization tank, two (2) secondary biological oxidation tower, two (2) trains of five (5) rotating biological contactors for advanced organic and ammonia treatment, secondary clarifier, two (2) final settling tanks, a chlorination facility, a belt filter press, a vacuum filter, a sludge incinerator and three (3) fly ash settling lagoons.

The UMMUA upgraded the sludge dewatering equipment in the Matsunk WWTP in 2013. The upgrade consisted of installing a rotary press to replace two (2) existing belt filter presses.

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

Wasted sludge will 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 Aqua Pennsylvania Upper Merion Reservoir. The most recent DRBC approval was via Docket No. D-1967-068 CP-1 on August 23, 1967.

d. **NPDES Permit / DRBC Docket.** NPDES Permit No. PA0026085 was approved by the PADEP on June 11, 2013 and includes final effluent limitations for the project discharge of 6.88 mgd to surface waters classified by the PADEP as supporting Cold Water Fishes (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 002 WWTP (Discharge to Frog Run)		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9 at all times	As required by NPDES permit
CBOD5 (5-1 to 10-31)	18 mg/l (85% minimum removal)	As required by NPDES permit
(11-1 to 4-30)	25 mg/l (85% minimum removal)	

OUTFALL 002 WWTP (Discharge to Frog Run)		
PARAMETER	LIMIT	MONITORING
Ammonia Nitrogen (5-1 to 10-31) (11-1 to 4-30)	6 mg/l 18 mg/l	As required by NPDES permit
Total Suspended Solids	30 mg/l	As required by NPDES permit
Fecal Coliform	200 colonies per 100 ml as a geo. avg.	As required by NPDES permit

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

OUTFALL 002 WWTP (Discharge to Frog Run)		
PARAMETER	LIMIT	MONITORING
Total Dissolved Solids*	Monitor & Report	One Per Quarter

* See DECISION Condition II.p.

e. **Relationship to the Comprehensive Plan.** The UMMUA Matsunk WWTP was included in the Comprehensive Plan upon approval of Docket No. D-1965-53 CP on October 7, 1965. The capacity of the Matsunk WWTP was increased from 2.5 mgd to 6.88 mgd in Docket No. D-1987-013 CP, which was approved on August 5, 1987. Issuance of this docket will continue the WWTP in the Comprehensive Plan.

B. FINDINGS

The purpose of this docket is to renew approval of the docket holder's existing 6.88 mgd Matsunk WWTP and its related discharge and to update the approval to reflect the current facility description. No modifications to the WWTP are proposed.

Near the project site, Frog Run, has an estimated seven-day low flow with a recurrence interval of ten years of 0.03 mgd (0.04 cfs). The ratio of this low flow to the average design wastewater discharge (0.03 mgd / 6.88 mgd) from the UMMUA Matsunk WWTP is 0.004 to 1. However, immediately downstream of the project discharge is the Schuylkill River, where the estimated seven-day low flow with a recurrence interval of ten years of 229 mgd (354 cfs). The ratio of this low flow to the average design wastewater discharge (229 mgd / 6.88 mgd) from the UMMUA Matsunk WWTP is 33.3 to 1.

The nearest public water supply of record is located on the Schuylkill River approximately 9.3 river miles downstream of the project discharge and is operated by the City of Philadelphia.

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, where applicable.

The project is designed to produce a discharge meeting the effluent requirements as set forth in the *Water Quality Regulations (WQR)* of the DRBC.

C. DECISION

I. Effective on the approval date for Docket No. D-1987-013 CP-2 below:

a. The project described in Docket Nos. D-1987-013 CP, D-1981-069 CP and D-1965-053 CP are removed from the Comprehensive Plan to the extent that they are not included in Docket No. D-1987-013 CP-2 ; and

b. Docket Nos. D-1987-013 CP, D-1981-069 CP and D-1965-053 CP are terminated and replaced by Docket No. D-1987-013 CP-2 ; 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 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 make wastewater discharge 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 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.

q. 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.

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.

BY THE COMMISSION

DATE APPROVED: September 10, 2014

EXPIRATION DATE: June 30, 2018