

DOCKET NO. D-2008-033 CP-3

DELAWARE RIVER BASIN COMMISSION

**London Grove Township Municipal Authority
Wastewater Treatment Plant & Kauffman Spray Irrigation Field
London Grove 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 London Grove Township Municipal Authority (LGTMA or docket holder) on September 19, 2016 (Application), for renewal of the docket holder's existing wastewater treatment plant (WWTP) and its land discharge to the Kauffman Spray Field. The Pennsylvania Department of Environmental Protection (PADEP) issued Water Quality Management Permit No. 1508411 A-2 for this existing facility and amended on August 25, 2011. A renewal application for the WQM Permit was prepared for PADEP in June 2016,

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 August 16, 2017.

A. DESCRIPTION

- 1. Purpose.** The purpose of this docket is to renew approval of the docket holder's existing 0.143 million gallons per day (mgd) WWTP and its land discharge for spray irrigation.
- 2. Location.** The WWTP discharge will continue to discharge treated effluent to the Kauffman Farms Spray Fields via spray irrigation located adjacent to Middle Branch White Clay Creek, in London Grove Township, Chester County, Pennsylvania as follows:

FACILITY	LATITUDE (N)	LONGITUDE (W)
Lagoons	39° 49' 00"	75° 48' 30"
Kauffman Spray Field	39° 48' 05"	75° 48' 20"

- 3. Area Served.** The docket holder's WWTP will continue to serve London Grove Township located in 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 0.143 mgd WWTP and its land discharge to 13.53 acres of land known as Kauffman Farm, a spray irrigation facility. The existing Kauffman Farm has a disposal capacity of 0.07857 mgd. The constructed WWTP began operation in September 2013 and land application of treated effluent began in October 2013.

b. **Facilities.** The WWTP consists of an aerated lagoon treatment system that pumps treated domestic sanitary wastewater effluent to the off-site Kauffman Farm Spray Field (formerly referred to as Conard Pyle Tract) for land application via spray irrigation. The WWTP consists of an on-site screen building connected to the aerated lagoon system. The aerated lagoon treatment system consists of two aerated lagoons with Aqua Aerobic floating aerators.

Lagoon #1 is a two-celled aerated lagoon with tertiary filtration and ultraviolet disinfection. Treated effluent from Lagoon #1 receives UV disinfection before flowing by gravity to Lagoon #2. Lagoon #2 is a storage lagoon and is only used for storage. Effluent from Lagoon #2 is conveyed through a force main to Kauffman Farm for spray irrigation land application, with the disposal capacity of 0.07857 mgd.

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

c. **Water withdrawals.** The potable water supply in the project service area is provided by the Chester Water Authority. The water withdrawal from the Delaware River is described in detail in Docket No. D-1989-017 CP-1 which was approved on December 8, 1993.

d. **Water Quality Management Permit / DRBC Docket.** Water Quality Management (WQM) Permit No. 1508411 A-2 was issued and amended by the PADEP on August 25, 2011 and includes final effluent limitations for the project discharge of 0.143 mgd for spray irrigation. 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 WQM Permit

Spray Irrigation Effluent to Kauffman Farm		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9 at all times	As required by WQM Permit
Total Suspended Solids	30 mg/l	As required by WQM Permit
Total Nitrogen	22 mg/l*	As required by WQM Permit
CBOD ₅ (at 20° C)	25 mg/l	As required by WQM Permit
Fecal Coliform	200 colonies per 100 ml as a geo. avg.	As required by WQM Permit

*DRBC *Water Quality Regulations* (WQR) include basin-wide Ammonia-Nitrogen effluent limits. Meeting the Total Nitrogen effluent concentration limit of 22 mg/l satisfies the DRBC criteria for Ammonia-Nitrogen.

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

f. **Relationship to the Comprehensive Plan.** The DRBC included the LGTMA WWTP in the Comprehensive Plan on December 10, 2008 via Docket No. D-2008-033 CP-1. The docket approval was continued on September 12, 2012 via Docket No. D-2008-033 CP-2. Issuance of this docket will continue approval of the docket holder’s WWTP in the Comprehensive Plan (See DECISION Condition C.I.c.).

B. **FINDINGS**

The purpose of this docket is to renew the approval of the existing 0.143 mgd LGTMA WWTP and its spray irrigation to the Kauffman Farm. Operations at the facility began in October 2013. No modifications to the existing facility are proposed.

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-2008-033 CP-3 below:

a. The project described in Docket No. D-2008-033 CP-2 is removed from the Comprehensive Plan to the extent that they are not included in Docket No. D-2008-033 CP-3; and

b. Docket No. D-2008-033 CP-2 is terminated and replaced by Docket No. D-2008-033 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 WQM Permit Part II 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 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 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. 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.

n. 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).

o. 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).

p. 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).

q. 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.

r. 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.

s. 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 13, 2017

EXPIRATION DATE: September 30, 2022