

DOCKET NO. D-2015-008-1

DELAWARE RIVER BASIN COMMISSION

Discharge to the Drainage Area to Special Protection Waters

**Indian Head Camp
Wastewater Treatment Plant & Spray Irrigation Facility
Manchester 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 Keystone Consulting & Associates, on behalf of the Indian Head Camp (docket holder) on March 30, 2015 (Application), for review of the docket holder's new wastewater treatment plant (WWTP) and its proposed land discharge via spray irrigation. The docket holder has submitted a Water Quality Management (WQM or Part II) permit application for the WWTP construction and spray discharge to the Pennsylvania Department of Environmental Protection (PADEP). Review of the project by the PADEP is pending.

The Application was reviewed for 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 September 15, 2015.

A. DESCRIPTION

1. Purpose. The purpose of this docket is to approve the docket holder's project to construct a new 0.045 million gallon per day (mgd) WWTP and its proposed discharge via spray irrigation. The project consists of the construction of a pumping station, an aerated storage lagoon, a chlorine contact disinfection unit, and a two-zone spray field.

2. Location. The project WWTP and spray field will be located adjacent to the west of Hancock Highway just north of its intersection with Hellmers Hill Road in Manchester Township, Wayne County, Pennsylvania. The WWTP will land discharge via spray irrigation to the proposed spray field located in the Little Equinunk Creek watershed in the drainage area to the section of the non-tidal Delaware River known as the Upper Delaware, which is classified as Special Protection Water (SPW).

The project WWTP and spray field are located in the Little Equinunk Creek Watershed as follows:

	LATITUDE (N)	LONGITUDE (W)
WWTP Lagoon	41° 47' 27"	75° 11' 1"
Spray Fields	41° 47' 24"	75° 11' 2"

3. Area Served. The project WWTP will serve the existing Indian Head Camp in Manchester Township, 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 new 0.045 mgd project WWTP will utilize an aerated storage lagoon treatment system and discharge to land via spray irrigation. The WWTP will replace existing subsurface sand mound septic bed.

b. Facilities. The WWTP facilities will consist of a pumping station, an aerated waste stabilization treatment & storage lagoon, a chlorine contact disinfection unit, and a spray field for land discharge via spray irrigation. The spray field will consist of two zones.

The docket holder's wastewater treatment facility discharges to land in the drainage area to waters classified as SPW and is required to have available standby power. The docket holder indicated in the Application that an emergency generator will be installed at the proposed pump station to transport effluent to the storage lagoon until power is restored at the project WWTP. (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 docket holder is required to install remote alarm systems at the new WWTP that continuously monitors plant operations within six (6) months of approval of this docket (See DECISION Condition I.p.). (SPW)

The docket holder's existing wastewater treatment facility has prepared and implemented an emergency management plan (EMP) in accordance with Commission SPW requirements. (SPW)

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

Waste 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 groundwater wells that are owned and operated by the docket holder. The wells are

operated at a withdrawal rate below the DRBC review threshold, and as such, do not require Commission approval.

d. **WQM Permit / DRBC Docket.** The docket holder submitted a WQM (Part II) permit application to the PADEP for the project WWTP construction. Review of the permit application by the PADEP is pending. Upon issue of the Part II permit, PADEP's effluent limits and requirements included in the Part II permit shall apply. See DECISION Condition I.a. in the DECISION section.

e. **Cost.** The overall cost of this project is estimated to be \$227,000.

B. **FINDINGS**

This docket approves the docket holder's new 0.045 mgd project WWTP and its associated land discharge via spray irrigation.

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)

Natural Treatment Alternatives (NTA) Analysis

Section 3.10.3.A.2.c.2) of the Commission's *WQR* requires that new wastewater treatment facilities and existing wastewater treatment facilities that are proposing substantial alterations and additions "may be approved only after the applicant demonstrates that it has fully evaluated all natural wastewater treatment system alternatives and is unable to implement these alternatives because of technical and/or financial infeasibility." The docket holder proposes to construct a spray irrigation facility, which is considered a natural wastewater treatment technology.

Non-Point Source Pollution Control Plan

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 within in the drainage area to the SPW. Since this project does entail additional construction and expansion of facilities and there are new or increased non-point source loads associated with this approval, the NPSPCP requirement is applicable at this time. The docket holder submitted Erosion and Sediment Control Plans and a Post-Construction Stormwater Management Plan for the proposed project that meet the NPSPCP requirements. Accordingly, DECISION Condition I.o. has been included in this docket.

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 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-2015-008-1 below, the project and the appurtenant facilities 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 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. 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.

e. 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.

f. Sound practices of excavation, backfill and reseedling shall be followed to minimize erosion and deposition of sediment in streams.

g. 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.

h. 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.

i. This docket approval shall expire three years from date below unless prior thereto the docket holder has commenced operation of the subject project or has expended substantial funds (in relation to the cost of the project) in reliance upon this docket approval.

j. 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.

k. 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.

l. 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).

m. 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.

n. 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.

o. The docket holder’s NPSPCP meets the general requirements of Article 3.10.3.A.2.e.1) of the Commission’s *WQR*.

p. The docket holder shall install remote alarm controls at the new WWTP and certify in writing to the Commission that it has complied with this condition by March 16, 2016 (SPW projects only).

q. 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.

r. 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.

s. 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.

t. 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: September 16, 2015

EXPIRATION DATE: September 16, 2020