

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATERSHED MANAGEMENT

REVISION TO THE ATLANTIC COUNTY WATER QUALITY MANAGEMENT PLAN

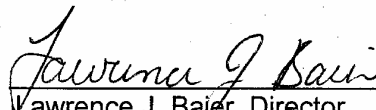
TAKE NOTICE that on **JUL 20 2007**, pursuant to the provisions of the Water Quality Planning Act, N.J.S.A.58:11A-1 et seq., and the Statewide Water Quality Management Planning rules, N.J.A.C. 7:15-3.5, a revision to the Atlantic County Water Quality Management Plan (WQMP) was adopted by the Department. This revision modifies the Atlantic County WQMP to recognize the Atlantic County Utilities Authority's (ACUA) Reclaimed Water for Beneficial Reuse (RWBR) Treatment Facility in Atlantic City (Facility). The proposal includes the construction of a 540,000 gallon per day wastewater treatment facility, a 600,000 gallon storage tank, a pump station, and 4,000 linear feet of 12-inch force main. The Facility will be constructed adjacent to the existing ACUA City Island Treatment Plant (Plant) in Atlantic City, Atlantic County. The City Island Plant operates under New Jersey Pollutant Discharge Elimination System (NJPDES) Permit Number NJ0024473 and has a permitted flow of 40 million gallons per day. The RWBR treatment facility will divert treated wastewater flow from the City Island Plant. The RWBR facility will treat wastewater to Department Public Access Reuse Standards. The identified end user for the RWBR is DCO Energy's Marina Thermal Facility (MTF). The MTF currently supplies water for heating and cooling purposes to several hotels and casinos in Atlantic City. The primary use of RWBR at the MTF will be for cooling tower makeup water. Other uses will include cooling tower blowdown water, and makeup water for the hot water system, chilled water system, and high temperature hot water system.

A draft revision to the WQMP was sent to the affected entities for comment on March 6, 2007. On March 22, the Department received comments from the Atlantic City Municipal Utilities Authority (ACMUA).

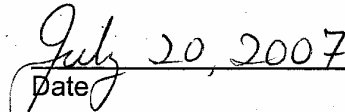
COMMENTS: ACMUA objects to the WQMP revision since there was an agreement for the ACMUA to supply water to the MTF, prior to its construction. ACMUA contends that the proposed WQMP revision violates the terms of that agreement and the MUA's duly adopted Rules, Rates and Regulations prohibiting alternate sources of water and

interconnections at the facility. ACMUA believes that there are significant legal restraints to constructing this facility, and it would be inappropriate for the State to adopt a revision to the WQMP while such legal issues loom. ACMUA and ACUA are attempting to resolve these issues before any significant action is taken, and ACMUA considers the proposed WQMP revision to be a significant action.

RESPONSE: The issues identified by ACMUA relate to contractual agreements between the two parties. The Department does not feel that it is appropriate to interject itself into negotiations between the two parties. It is a goal of the Department to encourage the use of RWBR as it presents significant environmental benefits in terms of reduced dependence on stressed potable water sources. As such, the Department feels it is appropriate to proceed to adopt this RWBR proposal.



Lawrence J. Bajer, Director
Division of Watershed Management
Department of Environmental Protection



Date