

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY  
OFFICE OF LAND AND WATER PLANNING

AMENDMENT TO THE **NORTHEAST** WATER QUALITY MANAGEMENT PLAN

Public Notice

Take notice that on **OCT 13 1993** 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. 7:15-3.4), an amendment to the Northeast Water Quality Management Plan was adopted by the Department. This amendment, which was submitted on behalf of **Bergen County**, allows for **transfer of Wastewater Management Plan (WMP) responsibility** for the WMP area consisting of the existing Bergen County Utilities Authority (BCUA) district (excluding those portions also within the Passaic Valley Sewerage Commissioners District), and Rochelle Park Township. WMP responsibility for this area will be transferred to Bergen County if and when the BCUA is dissolved and Bergen County as a result of that dissolution becomes owner and operator of the wastewater treatment plant located at the foot of Mehrhof Road in Little Ferry, Bergen County.

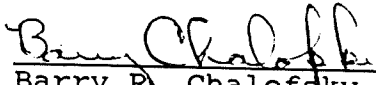
This amendment proposal was noticed in the New Jersey Register on June 21, 1993. Comments in opposition to the amendment were received from the BCUA during the public comment period and are summarized below with the Department's responses.

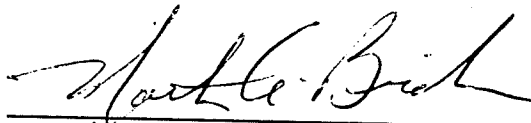
COMMENT: The petition to amend the Northeast Water Quality Management Plan (WQMP) indicates that the amendment would "transfer responsibility for the wastewater operations and services provided by the BCUA to the County of Bergen". While the County can seek planning responsibility as defined in N.J.A.C. 7:15-5.3(b), it has no authority to seek facility operating authority through the WQMP amendment process.

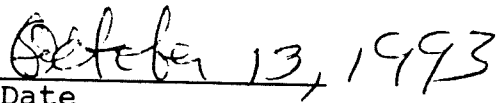
RESPONSE: The BCUA is correct in that the County can not seek to transfer responsibility for the wastewater operations and services provided by BCUA to the County as part of an amendment to the Northeast WQMP. As specified in the public notice for the amendment which was published in the June 21, 1993 New Jersey Register, and June 24, 1993 Star Ledger, the proposed amendment only addressed the transfer of WMP responsibility if and when the BCUA is dissolved. The amendment petition submitted on behalf of Bergen County has been revised to delete reference to transfer of responsibility for wastewater operations and services.

COMMENT: The BCUA indicates that there are a number of issues which need to be resolved prior to dissolution of the BCUA and that the amendment to transfer WMP responsibility is premature. The request for a WQMP amendment should come after dissolution has been fully implemented rather than prior to dissolution.

RESPONSE: The adopted amendment does not supersede the various issues which may need to be addressed as part of the dissolution of the BCUA. It only allows for WMP responsibility transfer to Bergen County if and when the BCUA is dissolved. It is appropriate for the amendment to be processed prior to dissolution of the BCUA since without the County as the WMP agency upon dissolution of the BCUA, WMP responsibility would automatically transfer to each municipality under N.J.A.C. 7:15-5.4 - 5.8.

  
Barry R. Chalofsky, P.P.  
Professional Planner in  
Responsible Charge

  
Martin A. Bierbaum  
Administrator  
Office of Land and Water  
Planning  
Department of Environmental  
Protection and Energy

  
Date

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