

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF WATER RESOURCES MANAGEMENT (WRM)
COORDINATION**

Adopted Amendment to the Sussex County Water Quality Management Plan

Public Notice

Sussex County Municipal Utilities Authority - Solid Waste Facility

Take notice that on **JAN 11 2016**, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., the Statewide Water Quality Management (WQM) Planning rules (N.J.A.C. 7:15-3.4) and Public Law (P.L.) 2011, c.203, as amended and supplemented by P.L. 2013, c.188, an amendment to the Sussex County WQM Plan was adopted by the Department of Environmental Protection (Department). This amendment (Public Interest No. 435459; Activity No. AMD150001), submitted on behalf of the Sussex County Municipal Utility Authority, modifies the Sussex County Wastewater Management Plan (WMP) and the Sussex County Future Wastewater Service Area (FWSA) Map 3 to include approximately 97.4 acres within the Sussex County Municipal Utilities Authority's (SCMUA) Solid Waste Facility as sewer service area (SSA) of the SCMUA Upper Wallkill Water Pollution Control Facility (WPCF). The SCMUA Solid Waste Facility, located on Block 14, Lots 33.05, 34, 37 and 38.01 in Lafayette Township, Sussex County is situated at the intersection of State Routes 94 and 15 in Lafayette Township.

Currently, SCMUA operates both the Upper Wallkill WPCF (NJPDES No. NJ0053350) and the Solid Waste Facility. As regulated under Department Significant Indirect User permit (#NJ0103811) since February 2003, up to approximately 35,000 gallons per day (gpd) of leachate, accumulated from the landfill leachate collection system and a Class "A" recycling facility, is stored in two tanks and hauled, on a periodic basis, via tanker trucks to SCMUA's Upper Wallkill WPCF

for final treatment and disposal. The SCMUA's Upper Wallkill WPCF is located approximately six miles to the north in Hardyston Township. At this time, less than 2,000 gpd of sanitary wastewater, generated from the Solid Waste Facility offices and maintenance buildings, is discharged to an onsite individual subsurface sewage disposal (septic) system.

The expansion of the Upper Wallkill WPCF SSA will encompass approximately 97.4 acres of disturbed area within the Solid Waste Facility property related to the landfill operations that generate leachate, from both the existing and future solid waste containment cells, the recycling facility and the sanitary waste from the maintenance and office buildings. This amendment would also allow for the construction of associated treatment works, including a pump station and force main, for the conveyance of all generated wastewater directly to the Upper Wallkill WPCF.

The SCMUA Upper Wallkill WPCF NJPDES permit includes stage flow of 2.5 million gallons per day (MGD) and 3.0 MGD to be discharged to surface water. Presently, the monthly average flow as reported on the Department's most recent discharge monitoring reports for the period of May 2014 to April 2015 indicate that this facility is discharging an average of 1.3 MGD of wastewater. As up to 35,000 gpd from the existing leachate collection system is currently transported and treated at the SCMUA Upper Wallkill WPCF this flow volume is accounted for as part of the WPCF's existing wastewater flow. Subsequently, no expansion to the Upper Wallkill WPCF is anticipated as a result of this amendment.

This amendment has been reviewed in accordance with the Water Quality Management Planning rules at N.J.A.C. 7:15 and P.L. 2011, c.203 as amended and supplemented by P.L. 2013, c.188. This notice represents the Department's

determination that this amendment is in compliance with the regulatory criteria pursuant to N.J.A.C. 7:15-5.24 and 5.25.

In accordance with N.J.A.C. 7:15-5.24 environmentally sensitive areas (ESAs) are assessed to determine what areas of the property are appropriate for inclusion in the proposed SSA. ESAs are defined based on a composite geographic information systems (GIS) analysis, as any contiguous area of 25 acres or larger consisting of habitat for threatened and endangered species as identified on the Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species, Natural Heritage Priority Sites, Category One (C1) special water resource protection areas, and wetlands, alone or in combination. ESAs are required to be excluded from the SSA except as provided in accordance with N.J.A.C. 7:15-5.24(e)-(h).

As described below, the Department determined that inclusion of the 97.4 acres of new expanded SSA within the SCUMA Solid Waste Facility is compliant with N.J.A.C. 7:15-5.24.

In accordance with N.J.A.C. 7:15-5.24(b)1, to determine areas designated as threatened or endangered species habitat, the Department utilized the Division of Fish and Wildlife's Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species, Landscape Project version 3.1. Areas identified by the Landscape Project as being suitable habitat for threatened and endangered species Ranks 3 (State threatened), 4 (State endangered), and 5 (Federal endangered or threatened) are not to be included in proposed SSAs except as provided under N.J.A.C. 7:15-5.24(e)-(h). The Department determined no threatened or endangered species habitat or other priority species habitats were identified on the SCUMA Solid Waste Facility property.

In accordance with N.J.A.C. 7:15-5.24(b)2, areas mapped as Natural Heritage Priority Sites are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-5.24(e)-(h). A site review of the SCUMA Solid Waste Facility property determined that no Natural Heritage Priority Sites exist on site.

In accordance with N.J.A.C. 7:15-5.24(b)3, special water resource protection areas along Category One (C1) waters and their tributaries established under the Stormwater Management rules, N.J.A.C. 7:8, are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-5.24(e)-(h). The Department determined that no classified C1 water bodies exist within the location of the SSA proposed as part of this amendment.

In accordance with N.J.A.C. 7:15-5.24(b)4, areas mapped as wetlands pursuant to N.J.S.A. 13:9A-1 and 13:9B-25 are not to be included in SSA except as provided under N.J.A.C. 7:15-5.24(e)-(h). No area identified as a regulated wetland or buffer on the property is proposed as SSA as part of this amendment.

In accordance with N.J.A.C. 7:15-5.24(d)1, areas with Federal 201 grant limitations that define and prohibit the extension of sewers into specific ESAs are not applicable to this amendment. Furthermore, all other ESAs as defined at N.J.A.C. 7:15-5.24(c)1-3; lands within certain coastal planning areas (Coastal Fringe, Coastal Rural, and Coastal Environmentally Sensitive Planning Areas) are not applicable to this proposed amendment location nor are any ESAs as defined at N.J.A.C. 7:15-5.24(d)2-4; beaches, coastal high hazards area or dunes as defined under N.J.A.C.7:7E.

In accordance with N.J.A.C. 7:15-5.25(h)3, the Department evaluated the water supply availability for the proposed amendment. As previously discussed, all

existing leachate for the collection system is currently transported and treated at the SCMUA Upper Wallkill WPCF and no new development is proposed as a result of this amendment. Therefore, the Department determined that no additional water supply is required and the water supply analysis has been satisfied.

In accordance with N.J.A.C. 7:15-5.25(h)4, a project or activities stormwater impact must be evaluated. The Department has determined that, as all operations at the SCMUA Solid Waste Facility are monitored and/or regulated for compliance with the applicable stormwater management regulations and since the proposed wastewater conveyance infrastructure would be installed under State or County roadways or right-of-ways, these activities are not major development that would create or increase impervious surfaces as defined under N.J.A.C. 7:8. Consequently, the requirements of N.J.A.C. 7:15-5.25(h)4 for stormwater control have been satisfied.

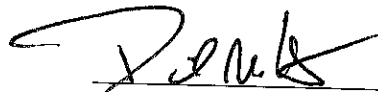
In accordance with N.J.A.C. 7:15-5.25(h)5, no portion of the proposed new development on site is identified as within a riparian zone as established at N.J.A.C. 7:15-5.25(g)2-5 or within areas with a steep slope in accordance with N.J.A.C. 7:15-5.25(h)6.

This amendment was noticed in the Department Bulletin, Volume 39; Issue 20, on October 21, 2015 and no comments were received during the public comment period.

This proposed amendment represents only one part of the permit process and other issues may need to be addressed prior to final permit issuance. These issues may include, but are not limited to, the following: compliance with stormwater regulations; antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works; development in wetlands and flood prone areas, or other environmentally sensitive areas which are subject to regulation

under Federal or State statutes or rules. Approval of this amendment does not eliminate the need for any permits, approvals or certifications required by any Federal, State, County or municipal review agency with jurisdiction over this project/activity.

Sewer service to any particular project is subject to contractual arrangements between municipalities, authorities and/or private parties, and is not guaranteed by this amendment.



Daniel Kennedy, Assistant Commissioner
Water Resource Management
Department of Environmental Protection

1/10/16
Date