

This DRAFT Docket has been prepared for the purposes of the scheduled public hearing and may be substantially modified as a result of the public hearing process prior to Commission action.

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**DOCKET NO. D-2017-014-1**

**DELAWARE RIVER BASIN COMMISSION**

**Discharge to a Tributary of Special Protection Waters**

**Gessner Products Company, Inc.  
Non-Contact Cooling Water Discharge  
Ambler Borough, Montgomery County, Pennsylvania**

**PROCEEDINGS**

This docket is issued in response to an application submitted to the Delaware River Basin Commission (DRBC or Commission) on December 7, 2017 (Application), for approval of the existing Gessner Products Facility and its discharge of Non-Contact Cooling Water (NCCW). National Pollutant Discharge Elimination System (NPDES) Permit No. PA0050865 for this discharge was issued by the Pennsylvania Department of Environmental Protection (PADEP) on July 2, 2018.

The application was reviewed for approval under Section 3.8 of the *Delaware River Basin Compact*. The Montgomery County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on February 13, 2019.

**A. DESCRIPTION**

- 1. Purpose.** The purpose of this docket is to approve the existing 0.10 million gallons per day (mgd) discharge of non-contact cooling water (NCCW).
- 2. Location.** The Gessner facility is located at Main Street in Ambler Borough, Montgomery County, Pennsylvania. The facility will continue to discharge to an unnamed tributary (UNT) to Wissahickon Creek (referred to as Rose Valley Creek) at River Mile 92.47 – 12.6 – 13.8 – 0.5 (Delaware River – Schuylkill River – Wissahickon Creek – UNT Wissahickon Creek) via Outfall No. 001.

The NCCW outfall is located in the Schuylkill River Watershed as follows:

| OUTFALL NO. | LATITUDE (N) | LONGITUDE (W) |
|-------------|--------------|---------------|
| 001         | 40° 9' 30"   | 75° 13' 30"   |

3. **Area Served.** The NCCW discharge will continue to serve Gessner Products Company for industrial manufacturing located in Montgomery 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. **Design Criteria.** The existing 0.10 mgd NCCW discharge is sourced from onsite groundwater before it is discharged by gravity to adjacent stormwater sewer system.

5. **Facilities.** The Gessner facilities consist of two metered-groundwater wells for withdrawals for maintenance of the molding presses and a back-flow preventer. Wells are located at the north and south ends of the facility and utilize a common water supply header system. Facilities consist of sixteen thermal injection molding presses and forty-six compression molding presses where NCCW is utilized for thermal maintenance.

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

6. **Water withdrawals.** The potable water supply in the project service area is provided by on-site groundwater wells. The docket holder's water withdrawal is described in detail in Docket No. D-2009-042-1, which was approved on June 9, 2011.

7. **NPDES Permit / DRBC Effluent Requirements.** NPDES Permit No. PA0050865 was issued by the PADEP on July 2, 2018 and includes final effluent limitations for the project discharge to surface waters classified by the PADEP as supporting trout stocking (TSF) and migratory fishes (MF). EFFLUENT TABLES C-1 & C-2 included in Section C.1 contains effluent requirements for DRBC parameters that must be met as a condition of this approval. Effluent requirements for Outfall No. 001 are based on a discharge rate of 0.076 mgd.

## B. FINDINGS

The purpose of this docket is to approve the existing 0.10 million gallons per day (mgd) discharge of non-contact cooling water (NCCW).

At the docket holder's NCCW discharge, the UNT Wissahickon Creek has an estimated seven-day low flow with a recurrence interval of ten years ( $Q_{7-10}$ ) of 0.065 mgd (0.1 cfs). The ratio of this low flow to the hydraulic design wastewater discharge from the 0.10 mgd NCCW discharge is 0.65 to 1.

The nearest surface water intake of record for public water supply is located on Schuylkill River approximately 14 River Miles downstream of the NCCW discharge and is operated by the Philadelphia Water Department.

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 NPDES 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

Effective on the approval date for Docket No. D-2017-014-1; the project and appurtenant facilities as described in Section A of this docket are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

#### Monitoring and Reporting

1. The docket holder shall comply with the requirements contained in the EFFLUENT TABLES below. The docket holder shall submit the required monitoring results electronically to the DRBC Project Review Section via email [aemr@drbc.state.nj.us](mailto: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. 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 C-1: DRBC Parameters Included in NPDES Permit**

| <b>OUTFALL 001 (Discharging NCCW to UNT to Wissahickon Creek)</b> |                     |                             |
|---|---------------------|-----------------------------|
| <b>PARAMETER</b>  | <b>LIMIT</b>        | <b>MONITORING</b>           |
| pH (Standard Units)   | 6 to 9 at all times | As required by NPDES Permit |
| Temperature   | 110 ° F (Max)       | As required by NPDES Permit |

The following monitoring requirements and average monthly effluent limits are for DRBC parameters not listed in the NPDES Permit.

**EFFLUENT TABLE C-2: DRBC Parameters Not Included in NPDES Permit**

| OUTFALL 001 (Discharging NCCW to UNT to Wissahickon Creek) |   |   |
|--|---|---|
| PARAMETER  | LIMIT   | MONITORING  |
| Total Dissolved Solids*                                    | Monitor & Report                              | Quarterly   |
| CBOD <sub>5</sub> (at 20° C)                               | Monitor & Report                              | Quarterly   |
| CBOD <sub>5</sub> (at 20° C)                               | Monitor & Report Influent and Percent Removal | Quarterly, paired with CBOD <sub>5</sub> effluent monitoring sample |
| Ammonia Nitrogen   | Monitor & Report                              | Quarterly   |
| Total Suspended Solids                                     | Monitor & Report                              | Quarterly   |

\* See DECISION Condition C.14.

### **Other Conditions**

2. 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.

3. 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).

4. 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).

5. The docket holder is permitted to treat and discharge wastewater 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.

6. 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.

7. 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.
8. 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.
9. 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.
10. 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).
11. 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.
12. 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).
13. 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*.
14. The docket holder may request of the Executive Director in writing the substitution of specific conductance for TDS. The request should include information that supports the effluent specific correlation between TDS and specific conductance. Upon review, the Executive Director may modify the docket to allow the substitution of specific conductance for TDS monitoring.
15. 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.
16. 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.

**BY THE COMMISSION**

**APPROVAL DATE:**

**EXPIRATION DATE: August 31, 2023**

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