

DOCKET NO. D-1979-026-4

DELAWARE RIVER BASIN COMMISSION

**Cleveland-Cliffs Plate LLC - Conshohocken
Industrial Wastewater Treatment Plant
Plymouth Township, Montgomery County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an application submitted to the Delaware River Basin Commission (DRBC or Commission) on November 9, 2021 (Application), for renewal of the docket holder's existing industrial wastewater treatment plant (IWTP) and its discharge. National Pollutant Discharge Elimination System (NPDES) Permit No. PA0050326 for this discharge was issued by the Pennsylvania Department of Environmental Protection (PADEP).

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 August 10, 2022.

A. DESCRIPTION

- Purpose.** The purpose of this docket is to renew approval of the docket holder's existing 1.2 million gallons per day (mgd) IWTP and its discharge.
- Location.** The docket holder's Conshohocken steel production and finishing facility is located between Conshohocken Road and the Schuylkill River, just south of a railroad bridge owned by the docket holder that spans the Schuylkill River, in Plymouth Township, Montgomery County, Pennsylvania. The IWTP will continue to discharge to the Schuylkill River at River Mile 92.47 – 21.5 (Delaware River – Schuylkill River).

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

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
001	40° 05' 22"	75° 19' 15"

- Area Served.** The docket holder's IWTP will continue to receive industrial wastewater and cooling water flows from the docket holder's steel production and finishing facility in Plymouth Township, Montgomery County, Pennsylvania.

For the purpose of defining the Area Served, the Type of Discharge and Service Area sections of the docket holder's Application are incorporated herein by reference, to the extent consistent with all other conditions contained in Section C. DECISION of this docket.

4. **Design Criteria** The 1.2 mgd IWTP treats process industrial wastewater and both contact and non-contact cooling water used for slab surface descaling and non-contact cooling at the hot rolling mill, and contact cooling at the heat production facilities. The cooling water is combined with process water prior to treatment. The treatment processes include 1) oil skimming of the top of a concentrator; 2) coagulant (ferric chloride) and flocculent (cationic polymer) addition for settling; 3) decanting off the top of the clarifier; and 4) sludge conditioning through lime slurry addition and sludge dewatering through a filter press. Filtrate from the sludge filtering is returned to the influent stream.

5. **Facilities**. The existing IWTP facilities consist of an influent flume, a concentrator, 125-foot diameter clarifier, a recirculation pump house, an oil/water separator, a scale pit, a sludge lagoon and ancillary equipment.

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

Wasted sludge will continue to be hauled off-site for disposal.

6. **Water Withdrawals**. Water withdrawn for the use of process water and contact cooling and non-contact cooling is from on-site wells and a surface water withdrawal owned and operated by the docket holder. The withdrawal was approved by DRBC Docket No. D-2009-039-2 on June 9, 2021. Potable water supply to the facility is provided by Pennsylvania American Water Company's Norristown System.

7. **NPDES Permit / DRBC Effluent Requirements**. NPDES Permit No. PA0050326 issued by the PADEP includes final effluent limitations for the project discharge to surface waters classified by the PADEP as supporting Warm Water Fishes and Migratory Fishes (WWF, MF). EFFLUENT TABLE C-1 included in Section C. DECISION Condition C.1. of this docket, 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 1.2 mgd.

B. FINDINGS

The docket holder Applied to renew the approval of their existing 1.2 mgd IWTP and its discharge. No modifications to the IWTP are proposed.

1. Total Dissolved Solids (TDS)

The previous docket and PADEP NPDES permit required TDS monitoring on a quarterly frequency with an average effluent limit of 1,000 mg/l. The docket holder indicated that continuation of the effluent limit of 1,000 mg/l may not be achievable once steel rolling operations resume at the facility. Rolling operations have been idle since 2018 and may resume over the next five years. Samples collected in August 2022, from the FMS Well, Q&T Well and the wastewater treatment plant discharge over a six-week period show that nearly all the TDS in the effluent is attributed to the groundwater supply. The docket holder requested that the 1,000 mg/l effluent limit for TDS be established as a net limit where the discharge concentration would be reported as the difference between the measured Outfall 001 concentration and the measured groundwater supply concentration. The reported concentration would then be represented by the industrial TDS contribution to the discharge.

DRBC staff accept this approach in lieu of providing a higher TDS concentration limit through a TDS determination. The reported TDS concentration shall be equal to the discharge effluent concentration minus the TDS concentration of a representative sample of groundwater collected concurrently on a quarterly basis. The docket holder shall maintain records of influent and effluent TDS concentration sample results and be provided to the DRBC upon request of the DRBC Executive Director.

2. Other

Near the project site, the Schuylkill River has an estimated seven-day low flow with a recurrence interval of ten years (Q_{7-10}) of 227.5 mgd (352 cfs). The ratio of this low flow to the average design process water discharge from the facility (1.2 mgd) is 190 to 1.

The nearest surface water intake of record for public water supply downstream of the project discharge is the Queen Lane intake operated by the Philadelphia Water Department on the Schuylkill River, located approximately 9 miles downstream of the project outfall.

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 conform with Commission effluent quality requirements, where applicable.

The project is designed to produce a discharge that meets 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-1979-026-4 below, Docket No. D-1979-026-3 is terminated and replaced by Docket No. D-1979-026-4. 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.gov on the **Annual Effluent Monitoring Report Form** located at this web address: <https://www.nj.gov/drbc/programs/project/docket-app-info.html#3>. 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

OUTFALL 001 (Schuylkill River)		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9 at all times	As required by NPDES Permit
Total Suspended Solids	30 mg/l	As required by NPDES Permit
Color	Monitor & Report	As required by NPDES Permit
Total Dissolved Solids*	1,000 mg/l **	As required by NPDES Permit
Temperature	110 ° F (Max)	As required by NPDES Permit

* See DECISION Condition C.3.

** Report net effluent concentration. Net concentration be calculated from TDS effluent concentration minus concurrent representative source influent TDS concentration.

Other Conditions

2. 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*.

- 3.** The docket holder may request 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.
- 4.** Section 2.3.10 of the Commission's Rules of Practice and Procedure (18 C.F.R. 401.41), limiting the Commission's approval to three years in the absence of an expenditure of substantial funds by the project sponsor in reliance on the approval, is hereby waived for good cause shown in accordance with Section 2.9.3 (18 C.F.R. 401.123) of the same regulations. This approval shall expire on the expiration date set forth below unless prior thereto the docket holder has applied to the Commission to renew or extend this approval.
- 5.** 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 DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. If 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 pending the grant or denial of the application for docket approval.
- 6.** 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 the Type of Discharge and Service Area sections of the docket holder's Application to the extent consistent with all other conditions of this section.
- 7.** In accordance with the Commission's regulations at 18 C.F.R. Part 440, the docket holder is prohibited from discharging wastewater from high volume hydraulic fracturing ("HVHF") or HVHF-related activities to waters or land within the Basin. The docket holder is further prohibited from discharging hydraulic fracturing wastewater, whether treated or untreated, from sources within or outside the Basin, without obtaining the Commission's prior review and express approval in the form of a revised docket. Violation of this or any condition of this docket approval may result in enforcement, including the risk of financial penalties, pursuant to Section 14.17 of the Delaware River Basin Compact and Section 2.7.8 (18 CFR 401.98) of the Commission's Rules of Practice and Procedure.
- 8.** The facility and operational records shall be available at all times for inspection by the DRBC.
- 9.** The facility shall be operated at all times to comply with the requirements of the Commission's WQR.

- 10.** 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.
- 11.** 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.
- 12.** 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.
- 13.** 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).
- 14.** 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, to ensure proper control, use and management of the water resources of the Basin.
- 15.** 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).
- 16.** 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).
- 17.** 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).
- 18.** 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.

19. 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: September 7, 2023

EXPIRATION DATE: July 31, 2028