

DOCKET NO. D-2013-013 CP-3

DELAWARE RIVER BASIN COMMISSION

**Schuylkill County Municipal Authority
Mt. Laurel Water Filtration Plant
New Castle Township, Schuylkill County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an application submitted to the Delaware River Basin Commission (DRBC or Commission) on June 27, 2022 (Application), for renewal of the docket holder's existing Water Filtration Plant (WFP) and its discharge. The Pennsylvania Department of Environmental Protection (PADEP) issued National Pollutant Discharge Elimination System (NPDES) Permit No. PA0062197 for this discharge.

The application was reviewed for continuation of the project in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact*. The Schuylkill County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on August 9, 2023.

A. DESCRIPTION

- Purpose.** The purpose of this docket is to renew approval of the docket holder's existing 0.072 million gallons per day (mgd) treated filter backwash.
- Location.** The docket holder's WFP will continue to discharge backwash wastewater to Mud Run at River Mile 92.47 – 125.2 – 4.02 – 1.40 – 0.57 (Delaware River – Schuylkill River – Mill Creek – Stony Creek – Mud Run) in New Castle Township, Schuylkill County, Pennsylvania.

The location of the WFP Outfall 001 is as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
001	40° 46' 15.00"	76° 13' 44.00"

- Area Served.** The docket holder's Mt. Laurel WFP is one of three facilities operated by the docket holder that supplies drinking to a total of fifteen cities, townships, and boroughs in Schuylkill County, Pennsylvania as described in Docket No. D-1990-049 CP-4 which was approved by the commission on May 6, 2009. For the purpose of defining the Area Served, the Type of Discharge and the Service Area sections from 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 docket holder's 0.072 mgd WFP utilizes chemical treatment, clarification, and filtration. All water is treated with potassium permanganate, powdered carbon, aluminum sulfate, coagulant aid, filter aid, zinc orthophosphate, caustic soda, and chlorine. Filter backwash is directed to two sedimentation basins, typically operating in parallel for settling. Sedimentation supernatant is recirculated back to the WFP and the sedimentation basin overflow discharges to Mud Run at a flow of up to 0.072 mgd.

5. **Facilities.** The WFP facilities consist of a chemical feed chamber, an in-line static mixer, two flocculation tanks, a filtration system, two one-million-gallon tanks and a five hundred-thousand-gallon tank for potable water storage distribution, and two sedimentation basins.

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

Wasted sludge will continue to be handled in accordance with the NPDES Permit No. PA062197.

6. **Water Withdrawals.** The potable water supply in the project service area is provided by the docket holder's distribution system. The docket holder's water withdrawal is described in detail in Docket No. D-1990-049 CP-4, which was approved on May 6, 2009.

7. **NPDES Permit / DRBC Effluent Requirements.** NPDES Permit No. PA0062197 issued by the PADEP includes final effluent limitations for the project discharge to surface waters classified by the PADEP as supporting migratory fishes (MF) and cold-water fishes (CWF). 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 0.072 mgd.

8. **Relationship to the Comprehensive Plan.** The existing WFP was included in the Comprehensive Plan by Docket No. D-2013-013 CP-1 on March 12, 2014. The WFP approval was renewed by Docket No. D-2013-013 CP-2 on March 14, 2018. Issuance of this docket will continue the WFP and its discharge in the Comprehensive Plan.

B. FINDINGS

The docket holder applied to renew approval of their existing 0.072 mgd WFP and its discharge.

At the WFP discharge location, Mud Run has an estimated seven-day low flow with a recurrence interval of ten years (Q_{7-10}) of 0.07 mgd 0.11 (cfs). The ratio of this low flow to the hydraulic design wastewater discharge rate from the 0.072 mgd WFP is 0.97 to 1 (0.07 mgd/0.072).

The nearest surface water intake of record for public water supply is located on the Schuylkill River approximately 76 River Miles downstream of the docket holder's WFP and is operated by Pottstown Borough Authority.

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-2013-013 CP-3 below, the project described in Docket No. D-2013-013 CP-2 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-2013-013 CP-3; Docket No. D-2013-013 CP-2 is terminated and replaced by Docket No. D-2013-013 CP-3; and the project and the appurtenant facilities described in Section A "DESCRIPTION" of this docket shall be included in the Comprehensive Plan. 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 TABLE 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 (Discharging to Mud Run)		
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

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. Section 2.3.10 of the Commission's *Rules of Practice and Procedure (RPP)* (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.

4. 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 C.F.R. 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.

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 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.

6. 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.

7. The facility and operational records shall be available at all times for inspection by the DRBC.

8. The facility shall be operated at all times to comply with the requirements of the Commission's *WQR*.

9. 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.

10. 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.

11. 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.

12. 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).

13. 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.

14. The docket holder shall be subject to applicable DRBC regulatory program fees, in accordance with duly adopted DRBC resolutions and/or regulations (see 18 C.F.R. 401.43).

15. 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 C.F.R. 401.43).

16. 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 C.F.R. 401.43).

17. 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.

18. 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 (RPP)*. 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: May 31, 2028