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DOCKET NO. D-2026-002 CP-1

DELAWARE RIVER BASIN COMMISSION

**Burlington County Board of County Commissioners
Burlington County Resource Recovery Complex
Industrial Wastewater Treatment Plant
Florence and Mansfield, Burlington, New Jersey**

PROCEEDINGS

This docket is issued in response to an application submitted to the Delaware River Basin Commission (DRBC or Commission) on June 24, 2026 (Application), to include the proposed industrial wastewater treatment plant (IWTP) in the Comprehensive Plan. The New Jersey Department of Environmental Protection (NJDEP) issued New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0055395 for this discharge. The NJDEP issued Treatment Works Approval (TWA) Permit No. 26-0030 for this proposed facility on August 11, 2026.

The application to the DRBC was reviewed for inclusion of the project in the Comprehensive Plan. Review of the project under Section 3.8 of the *Delaware River Basin Compact* was completed in accordance with the 2024 Administrative Agreement with The New Jersey Department of Environmental Protection. The Burlington County Planning Board has been notified of pending action. A public hearing on this project was held by the DRBC on November 4, 2026.

A. DESCRIPTION

1. **Purpose.** The purpose of this docket is to include the docket holder's proposed 0.13 million gallons per day (mgd) IWTP and its discharge in the DRBC's Comprehensive Plan in accordance with Article 11 of the DRBC Compact.
2. **Location.** The docket holder's IWTP is proposed to be located at Burlington-Columbus Road in Mansfield Township, Burlington County, New Jersey. The IWTP is proposed to discharge treated effluent to Assiscunk Creek, at River Mile 119 – 8.7 (Delaware River – Assiscunk Creek).

The location of the IWTP outfall in the Assiscunk Creek Watershed is as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
001A (tentative)	40° 4' 10.1"	74° 46' 0.6"

3. **Area Served.** The docket holder's IWTP will serve the Burlington County Resource Recovery Complex located in Florence and Mansfield Townships, Burlington County, New Jersey. 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 0.13 mgd IWTP will utilize an ultrafiltration treatment process.

The IWTP was designed and authorized by the approved NJPDES Permit No. NJ0055395 to be operated in two phases. The first phase will allow the IWTP to discharge up to 0.07 mgd as a monthly average flow. As part of the final phase, the IWTP will have the option to expand to a monthly average discharge flow of up to 0.13 mgd when the 12-month rolling average discharge flow exceeds 0.07 mgd for three consecutive months. A TWA amendment and complete construction are required before the IWTP can operate at the Phase 2 discharge flow of 0.13 mgd as a monthly average.

The IWTP is designed for a monthly average flow of 0.07 mgd, with the option to expand to a monthly average flow of 0.13 mgd, and a hydraulic design capacity of 0.15 mgd.

5. **Facilities.** The IWTP facilities will utilize the former WWTP's leachate storage tanks for receiving and storage of the wastewater influent. The new IWTP will be equipped with ultrafiltration and reverse osmosis systems. Sodium hydroxide will be added to the wastewater to raise the pH, before the effluent is discharged through existing Outfall No. 001A (designated by NJDEP as DSN-001A) to Assiscunk Creek.

The influent to be treated by the IWTP will consist of landfill leachate, leachate and condensate from co-composting facilities, floor wash water, filter backwash water, and sanitary wastewater.

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

The docket holder is in the process of applying for a Notice of Authorization under NJPDES Master General Permit No. NJ0253553 for the residuals from the IWTP.

6. **Water Withdrawals.** The potable water supply in the project service area is provided by an on-site potable water well. The groundwater withdrawal is operated at a withdrawal rate below the DRBC groundwater withdrawal review threshold and is not subject to Commission review and approval.

7. **NJPDES Permit / DRBC Effluent Requirements.** NJPDES Permit No. NJ0055395 issued by the NJDEP includes final effluent limitations for the project discharge to surface waters classified by the NJDEP as Freshwater Non-Trout (FW2-NT) waters and a tributary to Zone 2 of the Delaware River. Effluent requirements for Outfall No. 001 are based on a discharge rate of 0.07 mgd for the first phase and 0.13 mgd for the final phase.

8. **Relationship to the Comprehensive Plan.** Issuance of this docket will include the project in the Comprehensive Plan. Review under Section 3.8 of the DRBC Compact was completed in accordance with the 2024 Administrative Agreement with The New Jersey Department of Environmental Protection. Under which, DRBC requirements have been included in the NJDEP NJPDES Discharge to Surface Water (DSW) Permit.

9. **Estimated Construction Cost.** The total construction cost is estimated at approximately \$3,075,000. The construction of the system has already commenced.

B. FINDINGS

The docket holder applied for approval of their proposed 0.13 mgd IWTP and its discharge. The docket holder operated the existing on-site IWTP until 1997, when it began trucking its untreated wastewater to various nearby WWTP's. Burlington County has since re-evaluated the existing wastewater management practices and has recently determined it would be beneficial to construct a new IWTP for on-site treatment and disposal of wastewater rather than continuing to truck the wastewater elsewhere. Wastewater may continue to be exported on occasion due to extreme weather events, and the IWTP has obtained agreements with the receiving facilities to accept the exported wastewater on an as needed basis.

The existing and since abandoned WWTP did not have a previously approved docket from the Commission, as the average annual discharge flow was below the Commission's review threshold.

1. Permits Required

The following permits are expected to be required for a surface water discharge to Assiscunk Creek:

- Water Quality Management Plan
- New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge to Surface Water Permit and Treatment Works Approval
- Soil Erosion & Sediment Control
- NJDEP Environmental Impact Assessment

2. Other

Near the docket holder's IWTP discharge, the Assiscunk Creek has an estimated seven-day low flow with a recurrence interval of ten years (Q_{7-10}) of 0.255 mgd (0.394 cfs). The ratio of this low flow to the hydraulic design wastewater discharge rate from the 0.15 mgd IWTP is 1.7 to 1.

The nearest surface water intake of record for public water supply is located on the Delaware River approximately 16 River Miles downstream of the docket holder's IWTP and is the Baxter Intake, operated by the Philadelphia Water Department.

The project as approved herein does not impair or conflict with the Comprehensive Plan.

The effluent limits in the NJPDES Permit meet or exceed 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)*.

The DRBC has recommended to NJDEP, effluent parameters for inclusion in the NJPDES DSW Permit for compliance with Commission effluent quality requirements and 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-2026-002 CP-1 below, 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:

1. Within 10 days of the date that construction of the project has started, the docket holder shall notify the DRBC of the starting date and scheduled completion date. Within 30 days of the date of project completion, the docket holder shall notify the DRBC of the project completion date.
2. Within 30 days of completion of construction of the approved project, the docket holder is to submit to the attention of the Project Review Section of DRBC a Construction Completion Statement ("Statement") signed by the docket holder's professional engineer for the project. The Statement must (1) either confirm that construction has been completed in a manner consistent with any and all DRBC-approved plans or explain how the as-built project deviates from such plans; and (2) indicate the date on which the project was (or is to be) placed in operation.
3. Sound practices of excavation, backfill and reseedling shall be followed to minimize erosion and deposition of sediment in streams.

4. In accordance with 18 C.F.R. 401.8. of the Commission's *Rules of Practice and Procedure (RPP)*, if at any future time the Project is changed materially from the Project as described in this docket, it will be deemed to constitute a new and different project for the purposes of Article 11 of the *Delaware River Basin Compact* and will require Commission amendment of the Comprehensive Plan. In accordance with the same section of the *RPP*, whenever a change to the Project is made, the sponsor must advise the Executive Director, who will determine whether the change is deemed material for purposes of this provision.
5. In accordance with Section 2.3.10 of the Commission's Rules of Practice and Procedure (18 C.F.R. 401.41), this approval for the construction of the facilities described in this docket shall expire five years from the approval date below unless prior thereto the docket holder has completed construction of the subject project or the Commission extends the 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. Any expansion beyond that included in Section A.3. Area Served is subject to DRBC review and approval in accordance with Section 3.8 of the *Compact*.
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. 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 C.F.R. 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 C.F.R. 401.43).
17. The docket holder shall request a name change 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).
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 (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: