

DOCKET NO. D-1993-074 CP-6

DELAWARE RIVER BASIN COMMISSION

**Shoemakersville Municipal Authority
Wastewater Treatment Plant
Shoemakersville Borough, Berks County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an application submitted to the Delaware River Basin Commission (DRBC or Commission) on October 29, 2020 (Application), for renewal of the docket holder's existing wastewater treatment plant (WWTP) and its discharge. The Pennsylvania Department of Environmental Protection (PADEP) issued National Pollutant Discharge Elimination System (NPDES) Permit No. 30 for this discharge. The PADEP issued Water Quality Management Permit No. 0608402 for recent sludge handling construction project.

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 Berks County Planning Commission agency has been notified of pending action. A public hearing on this project was held by the DRBC on August 11, 2021.

A. DESCRIPTION

- 1. Purpose.** The purpose of this docket is to the renew approval of the docket holder's existing 0.75 million gallons per day (mgd) WWTP its discharge.
- 2. Location.** The docket holder's WWTP is located at Second Street in Shoemakersville Borough, Berks County, Pennsylvania. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.5 – 92.3 (Delaware River – Schuylkill River).

Specific location information has been withheld for security reasons.

- 3. Area Served.** The docket holder's WWTP will continue to serve Shoemakersville Borough and portions of Perry Township both located in Berks 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 docket holder's 0.75 mgd WWTP utilizes a vertical loop activated sludge treatment process with chlorine disinfection. The sludge handling construction project consists of replacing 2 grinders with a mechanical bar screen and replacing the existing belt filter press with a screw dewatering press and building.

5. **Facilities.** The WWTP facilities consist of 3 raw sewage pumps, 2 grinders, which will be replaced with a mechanical bar screen, 2 aeration tanks, 2 final settling tanks, 2 chlorine disinfections units. Existing sludge handling facilities consist of 2 aerobic digester units, a belt filter press to be replaced with a screw dewatering press and conveyor.

The docket holder's WWTP is located completely within the 100-year floodplain with some facilities within the floodway. The docket holder indicated in the application that the WWTP facilities where construction is to occur is not located in the floodway, additionally, all existing facilities are built 1 foot above the 100-year floodplain elevation. The proposed sludge dewatering building is not located in the floodway and is proposed to be flood proofed up to the flood protection elevation (one foot above the 100-year flood elevation).

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

6. **Water Withdrawals.** The potable water supply in the project service area is provided by groundwater wells owned by the docket holder. The water withdrawal was approved by the Commission via Docket No. D-1990-007 CP-4 on September 16, 2015.

7. **NPDES Permit / DRBC Effluent Requirements.** NPDES Permit No. PA0024074 issued by the PADEP includes final effluent limitations for the project discharge to surface waters classified by the PADEP as supporting warm water fishes (WWF). 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 0.75 mgd.

8. **Relationship to the Comprehensive Plan.** The existing WWTP was added to the Comprehensive Plan by Docket No. D-1972-105 CP on July 26, 1972. The WWTP approval was renewed and/or modified by Docket Nos. listed in the table below. Issuance of this docket will renew and continue the WWTP and its discharge in the Comprehensive Plan.

DOCKET NO.	DATE OF APPROVAL
D-1993-074 CP-1	March 23, 1994
D-1993-074 CP-2	July 15, 2009
D-1993-074 CP-3	December 8, 2010
D-1993-074 CP-4	June 10, 2015
D-1993-074 CP-5	June 10, 2020

B. FINDINGS

The docket holder submitted an application to renew approval of their existing 0.75 mgd WWTP, its discharge and approve the proposed project to replace its existing belt filter press with a new screw dewatering press.

1. Total Dissolved Solids (TDS)

Section 3.10.4.D.2 of the Commission's *Water Quality Regulations (WQR)* states the following:

"Total dissolved solids shall not exceed 1000 mg/l, or a concentration established by the Commission which is compatible with designated water uses and stream quality objectives and recognizes the need for reserve capacity to serve future dischargers."

The Commission's basin-wide TDS effluent limit is 1,000 mg/l (Water Quality Regulations Section 3.10.4.D.2.). The Commission's basin-wide in-stream TDS criteria is: 1) the receiving stream's resultant TDS concentration be less than 133% of the background (WQR Section 3.10.3.B.1.b.), and 2) the receiving stream's resultant TDS concentration be less than 500 mg/l (WQR Section 3.10.3.B.1.c.).

Docket No. D-1993-073 CP-2 approved a TDS determination for the WWTP discharge of TDS with effluent concentration limits of 4,000 mg/l (daily maximum) and 3,300 mg/l (average monthly) for Outfall No. 001. This TDS determination was continued in Docket Nos. D-1993-074 CP-3, D-1993-074 CP-4, and D-1993-074 CP-4. This docket continues the TDS determination consisting of TDS effluent limits of 4,000 mg/l (daily maximum) and 3,300 mg/l (average monthly).

At the docket holder's WWTP discharge, the Schuylkill River has an estimated seven-day low flow with a recurrence interval of ten years (Q_{7-10}) of 56.9 mgd (88.1 cfs). The ratio of this low flow to the hydraulic design wastewater discharge rate from the 0.75 mgd WWTP is 76 to 1.

The nearest surface water intake of record for public water supply is located on the Schuylkill River approximately 36 River Miles downstream of the docket holder's WWTP and is operated by the Borough of Pottstown.

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-1993-074 CP-6 below, the project described in Docket No. D-1993-074 CP-5 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-1993-074 CP-6; Docket No. D-1993-074 CP-5 is terminated and replaced by Docket No. D-1993-074 CP-6; and the project and the appurtenant facilities described in Section A “DESCRIPTION” of this docket shall be continued 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 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 (Discharging to the 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
CBOD ₅ (at 20° C)	25 mg/l (Minimum 85% Removal)	As required by NPDES Permit
BOD ₅ (at 20°C) Influent	Monitor & Report	As required by NPDES Permit
Ammonia Nitrogen	20 mg/l	As required by NPDES Permit
Fecal Coliform (5-1 to 9-30)	200 colonies per 100 ml as a geo. avg.	As required by NPDES Permit
(10-1 to 4-30)	2000 colonies per 100 ml as a geo. avg.	
Color	200 Pt-Co Units	As required by NPDES Permit
Total Dissolved Solids*	3,300 mg/l Monthly Average 4,000 mg/l Daily Maximum °	As required by NPDES Permit

* See DECISION Condition C. 9

2. 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.
3. Within 30 days of the date of project completion, the docket holder shall notify the DRBC of the project completion date.
4. 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.

Other Conditions

5. Sound practices of excavation, backfill and reseeded shall be followed to minimize erosion and deposition of sediment in streams.
6. The WWTP modifications shall be completed prior to the date of docket expiration (December 31, 2027) or the docket holder shall demonstrate to the Executive Director that it has expended substantial funds (in relation to the cost of the project) in reliance upon this docket approval. If the modifications have not been completed prior to docket expiration and the docket holder does not submit a cost analysis demonstrating substantial funds have been expended, Commission approval of the modifications to the existing WWTP shall expire. If the docket expires under this condition, the docket holder shall file a new application with the Commission and receive Commission approval prior to initiating construction of any modifications.
7. Nothing in this docket constitutes a defense to any penalty action for past conduct of the docket holder or ongoing activity not authorized by this approval. In particular, renewal of this docket does not resolve violations – whether in the past or continuing – of provisions of the Delaware River Basin Compact (“Compact”) or any rule, regulation, order or approval duly issued by the Commission or the Executive Director pursuant to the Compact. The Commission reserves its right to take appropriate enforcement action against the docket holder, including but not limited to recovery of financial penalties consistent with Section 14.17 of the Compact, for any and all such prior or continuing violations.
8. 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*.
9. 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.

10. 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.

11. 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.

12. 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.

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

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

15. 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.

16. 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.

17. 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.

18. 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).

19. 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.

20. 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).

21. 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).

22. 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).

23. 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.

24. 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 9, 2021

EXPIRATION DATE: December 31, 2027