

**DOCKET NO. D-97-19 CP-2**

**DELAWARE RIVER BASIN COMMISSION**

**Concord Township Sewer Authority  
Wastewater Treatment Plant Expansion  
Concord Township, Delaware County, Pennsylvania**

**PROCEEDINGS**

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by the Concord Township Sewer Authority on August 31, 2004 (Application), for review of a wastewater treatment plant (WWTP) expansion. The Pennsylvania Department of Environmental Protection (PADEP) approved National Pollutant Discharge Elimination System (NPDES) Permit No. PA0055212 on August 4, 2005, for this project. The PADEP approved Water Quality Management Permit No. 2306402 on July 20, 2006 for this 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 Delaware County Planning Department has been notified of pending action. A public hearing on this project was held by the DRBC on September 24, 2008.

**A. DESCRIPTION**

- Purpose.** The purpose of this project is to approve the expansion of the Concord Township WWTP from 1.2 mgd to 1.8 mgd and all appurtenant facilities related thereto.
- Location.** The project WWTP is located in the Chester Creek Watershed, at River Mile 82.93 – 8.9 – 5.4 (Delaware River – Chester Creek – West Branch Chester Creek). The project WWTP is located in Concord Township, Delaware County, Pennsylvania as follows:

<b>OUTFALL NO.</b>	<b>LATITUDE (N)</b>	<b>LONGITUDE (W)</b>
001	39° 53' 24"	75° 30' 10"

3. **Area Served.** The WWTP serves only Concord Township. For the purpose of defining the Area Served, the Application is incorporated herein by reference consistent with conditions contained in the DECISION section of this docket.

4. **Physical features.**

a. **Design criteria.** The existing 1.2 mgd WWTP provides tertiary treatment for Concord Township’s residential and commercial community. Growth in the Township has required the WWTP to be expanded to 1.8 mgd.

b. **Facilities.** The expanded 1.8 mgd WWTP will consist of a comminutor/bar screen assembly cast into the lift station wet well, a wet well aeration diffuser, an aerated surge tank, a pH control system, a dual path extended aeration package plant with a combined 1.8 mgd capacity, a chemical feed system for phosphorous removal, a chlorination system, and an aerobic digester. In addition, emergency power is supplied by a diesel powered electric generator.

The bulk of the project facilities are located outside the floodplain, above the 100-year flood zone elevation. A small portion of the project is located within the 100-year floodplain. However, the portion located within the floodplain is built so that the structure is at least one foot above the 100-year flood elevation as is required by the Commission’s Flood Plain Regulations.

Wasted sludge will be hauled off-site by a licensed hauler for deposit at a (State-approved) facility.

c. **Water withdrawals.** The potable water supply in the project service area is primarily comprised of individual on-lot wells that are not docketed by the DRBC.

d. **NPDES Permit / DRBC Docket.** The NPDES Permit No. PA0055212, approved by PADEP on August 4, 2005 includes final effluent limitations for the project discharge of 1.8 mgd to surface waters classified by the PADEP as Trout Stocking/Migrating Fishery (TSF/MF) Waters. 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 A-1: DRBC Parameters Included in NPDES Permit**

<b>OUTFALL 001 (WWTP)</b>		
<b>PARAMETER</b>	<b>LIMIT</b>	<b>MONITORING</b>
pH (Standard Units)	6 to 9 at all times	As required by NPDES permit
Total Suspended Solids	30 mg/l (85% minimum removal*)	As required by NPDES permit
Dissolved Oxygen	5.0 mg/l (minimum at all times)	As required by NPDES permit

OUTFALL 001 (WWTP)		
PARAMETER	LIMIT	MONITORING
CBOD(5-Day at 20° C),(5/1-10/31) (11/1-4/30)	20 mg/l (85% minimum removal*) 25 mg/l (85% minimum removal*)	As required by NPDES permit
Ammonia Nitrogen (5-1 to 10-31) (11-1 to 4-30)	2.0 mg/l 6.0 mg/l	As required by NPDES permit
Fecal Coliform	200 colonies per 100 ml as a geo. avg.	As required by NPDES permit
Total Copper	0.015 mg/l	As required by NPDES permit

\* DRBC Requirement

(PADEP has required a phosphorous limit of 2.0 mg/l for the 1.8 mgd WWTP.)

**EFFLUENT TABLE A-2:** DRBC Parameters Not Included in NPDES Permit for Outfall 001

OUTFALL 001 (WWTP)		
PARAMETER	LIMIT	MONITORING
Total Dissolved Solids*	1,000 mg/l *	One Per Quarter **

\* DRBC Requirement

\*\* See Condition II.u.

**e. Cost.** The overall cost of this project is estimated to be \$1,820,000.

**f. Relationship to the Comprehensive Plan.** The project was previously included in the Comprehensive Plan on September 26, 1990 by DRBC Docket No. D-89-61 CP. The WWTP expansion from 1.2 mgd to 1.8 mgd will be incorporated into the Comprehensive Plan, by approval of this docket.

**B. FINDINGS**

On September 26, 1990 the DRBC approved Docket No. D-89-61 CP. Docket No. D-89-61 CP approved the construction of a 0.600 mgd WWTP in Concord Township, Delaware County, Pennsylvania. The FINDINGS Section of Docket No. D-89-61 CP clearly states, “*The Central STP has been designed to allow for future expansion from 0.6 mgd to 1.2 mgd. However, the PADER (now PADEP), has approved only the 0.6 mgd plant. Any future expansion will require both PADER and DRBC approval.*”

On May 22, 1997 the docket holder applied for expansion of the WWTP from 0.6 mgd to 1.2 mgd (Docket Application No. D-97-19 CP). It was found during the review of Docket Application No. D-97-19 CP that since the expansion was mentioned in the “Design Criteria”

section of Docket No. D-89-61 CP that a new docket and approval was not necessary. The Commission never acted upon Docket Application No. D-97-19 CP.

The docket holder submitted an Application on September 2, 2004 requesting approval for the expansion of the same facility from 1.2 mgd to 1.8 mgd. Even though Docket No. D-97-19 CP was never approved by the Commission, DRBC staff conclude failure to act on Docket Application No. D-97-19 CP was in error. Therefore, the expansion of the Concord Township WWTP from 1.2 mgd to 1.8 mgd will be referred to as Docket Application No. D-97-19 CP-2.

The 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 *Water Quality Regulations* of the DRBC.

The closest surface water withdrawal for municipal supply downstream of the project discharge is located 0.6 miles from the mouth of the West Branch Chester Creek in Middletown Township, on the main stem of Chester Creek, at River Mile 82.93 – 7.8. The withdrawal is for 6.0 mg/day and was approved by Docket No. D-85-29 CP on December 18, 1985.

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.

### **C. DECISION**

- I. Effective on the approval date for Docket No. D-97-19 CP-2 below:
  - a. Docket No. D-89-61 CP is terminated and replaced by Docket No. D-97-19 CP-2.
  - b. The project and the appurtenant facilities described in the Section A “Physical Features” of this docket shall be added to the Comprehensive Plan.
- II. The project and appurtenant facilities as described in the Section A “Physical features” of this docket are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:
  - a. Docket approval is subject to all conditions, requirements, and limitations imposed by the PADEP in its NPDES permit (and Part II Permit if appropriate), and such

conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission's. Commission approval of this docket is contingent on the PADEP's approval of the NPDES permit.

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

c. The facility shall be operated at all times to comply with the requirements of the *Water Quality Regulations* of the DRBC.

d. The docket holder shall comply with the requirements contained in the Effluent Tables in Section A.4.d. of this docket. The docket holder shall submit DRBC required monitoring results directly to DRBC (Project Review Section). The monitoring results shall be submitted annually absent any observed limit violations. If a DRBC effluent limit is violated, the docket holder shall submit the results and provide a written explanation within 30 days of the violation the action(s) the docket holder has taken to correct the violation and protect against a future violation.

e. 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*.

f. 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.

g. 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.

h. The discharge of wastewater shall not increase the ambient temperatures of the receiving waters by more than 5°F, nor shall such discharge result in stream temperatures exceeding 87°F.

i. Sound practices of excavation, backfill and reseeded shall be followed to minimize erosion and deposition of sediment in streams.

j. 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.

k. Upon completion of construction of the approved project, the docket holder shall submit a statement to the DRBC, signed by the docket holder's engineer or other responsible agent, advising the Commission that the construction has been completed in compliance with the approved plans, giving the final construction cost of the approved project and the date the project is placed into operation.

l. This docket approval shall expire three years from date below unless prior thereto the docket holder has commenced operation of the subject project or has expended substantial funds (in relation to the cost of the project) in reliance upon this docket approval.

m. The docket holder is permitted to treat and discharge the categories of wastewaters defined in the "Area Served" section of this docket.

n. The docket holder shall make wastewater discharge in such a manner as to avoid injury or damage to fish or wildlife and shall avoid any injury to public or private property.

o. 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).

p. Nothing in this docket approval shall be construed as limiting the authority of DRBC to adopt and apply charges or other fees to this discharge or project.

q. 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.

r. A complete application for the renewal of this docket, or a notice of intent to cease the operations (withdrawal, discharge, etc.) approved by this docket by the expiration date, must be submitted to the DRBC at least 12 months prior to the expiration date below (unless permission has been granted by the DRBC for submission at a later date), using the appropriate DRBC application form. 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 this docket will remain fully effective and enforceable against the docket holder pending the grant or denial of the application for docket approval.

s. 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.

t. The docket holder and any other person aggrieved by a reviewable action or decision taken by the Executive Director or Commission pursuant to this docket may seek an administrative hearing pursuant to Articles 5 and 6 of the Commission's *Rules of Practice and Procedure*, and after exhausting all administrative remedies may seek judicial review pursuant to Article 6, section 2.6.10 of the *Rules of Practice and Procedure* and section 15.1(p) of the Commission's *Compact*.

u. 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.

**BY THE COMMISSION**

**DATE APPROVED:**

**EXPIRATION DATE: August 4, 2010**