

Application Type Renewal
Facility Type Sewage
Major / Minor Major

**NPDES PERMIT FACT SHEET
ADDENDUM**

Application No. PA0026824
APS ID 820242
Authorization ID 988913

Applicant and Facility Information

Applicant Name	<u>Clairton Municipal Authority</u>	Facility Name	<u>Clairton Municipal Authority STP</u>
Applicant Address	<u>1 North State Street</u> <u>Clairton, PA 15025-2172</u>	Facility Address	<u>1 North State Street</u> <u>Clairton, PA 15025-2172</u>
Applicant Contact	<u>Mr. Ryan Potts</u>	Facility Contact	<u>Same as Applicant</u>
Applicant Phone	<u>(412) 233-3246</u>	Facility Phone	<u>Same as Applicant</u>
Client ID	<u>5935</u>	Site ID	<u>249758</u>
SIC Code	<u>4952</u>	Municipality	<u>Clairton City</u>
SIC Description	<u>Trans. & Utilities - Sewerage Systems</u>	County	<u>Allegheny</u>
Date Published in PA Bulletin	<u>May 22, 2021</u>	EPA Waived?	<u>No</u>
Comment Period End Date	<u>June 21, 2021</u>	If No, Reason	<u>Major Facility, Pretreatment</u>
Purpose of Application	<u>Application for a renewal of an NPDES permit for discharge of treated Sewage</u>		

Internal Review and Recommendations

The Draft Permit Notification was published in the PA Bulletin on Saturday, May 22, 2021.



On March 9, 2021, US EPA Region III made the following statement:

“According to our Memorandum of Agreement, the Environmental Protection Agency (EPA) Region III has received the draft National Pollutant Discharge Elimination System (NPDES) permit for:

Clairton Municipal Authority STP
NPDES Number: PA00268244
EPA Received: May 7, 2021
30-day response due date: June 6, 2021

This is a major permit that discharges to Peters Creek and an Unnamed Tributary to Peters Creek and is affected by the Peters Creek Watershed TMDL. EPA has chosen to perform a limited review of the draft permit based on the wasteload allocation (WLA) requirements of the approved TMDL, WET, and CSO requirements. EPA has completed its review and offers the following comments:

- The fact sheet states that due to the ongoing construction at the STP, PADEP waived the WET testing requirement; however, federal regulations don't allow for the waiving of WET testing for permit applications. As discussed in a phone call between yourself and EPA on Wednesday, June 2, 2021, the WET testing requirement in the permit is going to be modified to require quarterly testing within 6 months of plant expansion and then annual tests (provided all quarterly tests pass) thereafter.
- We would like to note that EPA's review of the CSO portion of this permit reflects the recent understanding between

Approve	Return	Deny	Signatures	Date
X			 William C. Mitchell, E.I.T. / Project Manager	October 19, 2021
X			 Christopher Kriley, P.E. / Program Manager	October 19, 2021

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the EPA Region III Water Director and PADEP Deputy Secretary for Water Programs regarding how to proceed with reissuance of permits with CSOs and LTCPs consistent with Section 402(q) of the CWA and EPA's 1994 CSO Policy. As you know, consistent with that understanding, PADEP has committed to making changes to its CSO program as noted in its June 9, 2020 letter to EPA and its April 15, 2020 memo (see attached). PADEP's memo documents its commitment to initiate the regulatory revisions process for modifying its compliance schedule regulations at 25 Pa. Code § 92a.51(a), so that schedules for LTCP implementation can be placed in an NPDES permit. PADEP will draft CSO permits using the template language agreed upon by PADEP and EPA. EPA notes that once PADEP's compliance schedule regulations are revised and final, the template language will need to be modified to incorporate a CSO compliance schedule that meets the requirements of 40 CFR 122.47 and includes the final compliance date for LTCP implementation. EPA's Phase 2 e-Reporting rule requires electronic reporting of Sewer Overflow/Bypass Events, and PADEP will need to make modifications to this template that will be necessary to address the requirements of the e-Reporting rule that is effective at the time that the permit is issued.

In addition, consistent with the understanding between EPA and PADEP, since PADEP's proposed seasonal E. coli became effective in March 2021, PADEP will begin to incorporate E. coli monitoring in subsequently reissued NPDES permits and ensure it is included in CSO post-construction compliance monitoring (PCCM) plans to verify compliance with water quality standards and designated uses. Consistent with the CSO Policy, EPA notes that there will also need to be a requirement added to implement a PCCM plan with an established schedule in NPDES permits once a facility begins to implement its approved plan.

EPA offers the following CSO comments based on the draft permit, LTCP and supporting documents:

- Regarding the Fact Sheet:
 - We would recommend that the fact sheet clarify that the CSO-related bypass will discharge through the STP's main outfall. This point was discussed during the 6/2/21 phone call, because the process flow diagram in the LTCP update was unclear.
- Regarding the Permit:
 - The permit includes the CSO performance standard and the design conditions under which it applies. The design condition is written as "a running annual average of precipitation events over a 5 year period." The LTCP update that EPA reviewed did not discuss the design conditions for the 85% capture standard. If this is the standard the permittee has proposed in its LTCP, then it should remain in the permit. Generally, design conditions are evaluated as a "typical year" rainfall condition under which the CSO controls were designed to operate and the 85% capture by volume is to be achieved. A running annual average of precipitation events over a 5 year period seems to infer that the design conditions are a bit of a moving target, which could make documenting compliance with the 85% standard challenging. EPA just wants to be sure that the permittee and PADEP are confident that these are the correct design conditions to be represented in the permit.
 - PADEP has indicated that the LTCP implementation schedule may be revised to verify and update the proposed projects and their completion dates. As discussed, PADEP will share such changes with EPA once they are addressed.
 - The LTCP implementation schedule includes submission of a PCCM plan, and as a reminder, PCCM plans will need to include monitoring to address PA's new seasonal E. coli standard. "

On June 18 & July 16, 2021, KLH Engineers, Inc. commented on behalf of CMA and submitted a revised LTCP Implementation Schedule. The July 16, 2021 comment letter is attached.

As a result, the following changes have been made to the Fact Sheet:

- The MBR process is designed for peak flow of 20.18 MGD. Flows in excess of 20.18 MGD will be diverted to the CSO treatment process, which includes primary clarification and disinfection, for a combined peak flow capacity of 38.23 MGD. The initial flow of 18.05 MG will be held in the CSO processing units to be diverted back through the MBRs as the flow rate drops below 20.18 MGD.
- The CSO Related Bypass with Primary Treatment and Disinfection has its own outfall. Outfall 001 and CSO Outfall 010 (CSO Related Bypass) do not mix until after discharge into Peters Creek. The Latitude & Longitude of CSO

Internal Review and Recommendations

Outfall 010 is 40° 18' 13.83" & -79° 52' 57.30". CSO Outfall 010 can only discharge when the maximum daily flow to the STP exceeds 38.23 MGD as stated in Part C.II, Maximizing Treatment at the Existing POTW, of the permit.

- Part C.II states that in the event of a CSO-related bypass, the permittee shall minimize the discharge of pollutants to the receiving water. At a minimum, the CSO-related bypass flows must receive primary clarification, solids and floatables removal, and disinfection. The bypass may not cause the effluent from the POTW either to exceed the effluent limits (Outfall 001) contained in its permit or to cause or contribute to a violation of water quality standards.
- The following effluent limitations and monitoring requirements will be placed on Outfall 010.

Parameters	Mass Units (lbs/day)		Concentrations (mg/L)			
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	IMAX
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.1	XXX	0.3
Carbonaceous Biochemical Oxygen Demand (CBOD5)	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Fecal Coliform (No./100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX

- Monitoring requirements for Flow, Dissolved Oxygen, CBOD5, TSS, E. Coli, and Ammonia-Nitrogen will be imposed per Chapter 92.a.61.
- Effluent limitations for pH will be imposed under Federal Regulation 133.102(c) and State Regulation 95.2(1).
- Seasonal effluent limitations for Fecal Coliform will be imposed under State Regulation 92a.47(a)(4) & 92a.47(a)(5).
- Based upon the TRC_CALC model, a WQBEL effluent limit of 0.1 mg/l will be imposed on this outfall.
- Effluent limitation and monitoring requirements will be reevaluated during the next permit renewal cycle. Based upon eDMR data additional Water Quality / Technology Based effluent limitation may be imposed.

As a result, the following changes have been made to the NPDES Permit:

- Part A.I.A.1 has been revised to state that the permittee is authorized to discharge during the period from Permit Effective Date through June 30, 2026, which is consistent with the revised LTCP Implementation Schedule.
- Part A.I.B.1 has been revised to state that the permittee is authorized to discharge during the period from July 1, 2026 through Permit Expiration Date, which is consistent with the revised LTCP Implementation Schedule.
- Part A.I.D has been added to establish Effluent Limitations and Effluent Monitoring requirements for Outfall 010, STP Combined Sewer Overflow Related Bypass with Primary Treatment and Disinfection. CSO Outfall 010 can only discharge when the maximum daily flow to the STP exceeds 38.23 MGD. Grab samples will be required daily when discharging.
- Part C.III.C.2 has been revised to state the permittee shall comply with the following performance standards that apply during Average Design Conditions Upon Which Controls Are Based.
- Part C.III.C.3 has been revised to reflect an updated LTCP Implementation Schedule. Please note this condition states that If this permit is administratively extended, the permittee shall continue to implement its approved LTCP and approved PCCM Plan, as applicable, in accordance with the approved LTCP schedule.

Internal Review and Recommendations

Milestone	Completion Date
Submit Annual CSO Status Report	March 31 of each year
Submit CSO DMR	Within 28 days of the end of a month
Begin STP Phase 2 Construction	November 30, 2023
Begin Operation of all STP Phase 2 Facilities	July 1, 2026

- Part C.V.B.1 has been revised to state WET testing shall be conducted annually, at a minimum, during the period January 1 – December 31. Annual WET tests must be completed at least 6 months apart and shall start in the year the permit becomes effective if the permit effective date is prior to October 1.

The Department approved the LTCP Update on September 7, 2021.



July 16, 2021
Ref. No. 273-128

Mr. William C. Mitchell, E.I.T.
Pennsylvania Department of Environmental Protection
Southwest Regional Office - Clean Water Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745

Dear Mr. Mitchell:

**Clairton Municipal Authority
Clairton Municipal Authority Sewage Treatment Plant
DRAFT NPDES Permit – Comments on LTCP Schedule
NPDES Permit No. PA0026824
Authorization ID No. 988913**

I am writing on behalf of the Clairton Municipal Authority (the Authority), to follow up on the June 18, 2021 comment letter that was sent to you for issued Draft NPDES Permit No. PA0026824. Your June 29, 2021, email acknowledged receipt of our comment letter. Additionally, per your email, you have requested that we verify the tasks/milestones in the current approved Long Term Control Plan (LTCP) of September 13, 2018. I have reviewed the current status of the tasks/milestones and the completion dates for the LTCP Implementation Schedule. The following Tasks have been completed:

- WWTP Phase I Facilities Construction Complete.
- Submit WWTP Phase 2 WQM Permit Application.

The remaining Tasks and Completion Dates are still pending due to lack of funding available for project completion, soaring construction material costs, and high equipment costs. Therefore, KLH Engineers, Inc. (KLH) on behalf of the Authority recommends that PADEP consider the following revisions for implementation when issuing the Final NPDES Permit PA0026824:

- The Authority requests that the proposed permit effective date for the expanded sewage treatment facilities be extended to July 01, 2026. This additional time will allow for the WWTP Phase 2 Construction to be completed and WWTP Facilities be fully operational to meet the final NPDES effluent permit limits. Please refer to Part A of the draft NPDES Permit PA0026824.
- The Authority requests that the following proposed LTCP Implementation Schedule be incorporated into the final NPDES Permit. I have added, for informational purposes only the current status of each Task/Milestone:

273-128 CMA_Revised Comment Letter for LTCP Schedule_Draft NPDES Permit PA0026824_RBv_ju_07.16.21.docx

5173 Campbells Run Road Pittsburgh, PA 15205 Phone: 412.494.0510 Fax: 412.494.0426 info@klhengineers.com

www.klhengineers.com

Pennsylvania Department of Environmental Protection
 July 16, 2021
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Proposed LTCP Implementation Schedule:

Task/Milestone	Current Status	Completion Date
Begin WWTP Phase 2 Construction	Phase 2 Contractor Bid Results were high due to high material costs, equipment costs and labor shortages. Authority plans to rebid the project, pushing back the construction start date.	November 30, 2023
Begin Operation of all WWTP Phase 2 Facilities		July 1, 2026
Eliminate Seventh Street/Golden gate "Unpermitted Wet Weather Bypass" Outfall	Phase 1 of 2 complete. Phase 2 Design Complete. Lack of funding has delayed project completion.	October 1, 2026
Replace Dry Run Interceptor	Phase 1 is complete. The full project is designed and permitted. Lack of funding has delayed project completion.	October 1, 2027
Eliminate McVay (CSO #7) Discharges and obtain NPDES Permit Authorization for St. Claire Street CSO Discharges	McVay – CSO #7 can be eliminated once the Dry Run Interceptor is replaced.	October 1, 2027
Eliminate Elm Avenue (NOMH ID87) Discharges.	Elm Avenue and NOMH ID87 are the same "unpermitted wet weather bypass" discharge locations. Discharge events are metered as "Bailey Way" in the CSO Reports. Construction has not started due to lack of funding.	October 1, 2028
Eliminate Locust Avenue "Unpermitted Wet Weather Bypass" Discharges	Lack of funding has delayed project completion.	July 1, 2029
Eliminate Miller Avenue "Unpermitted Wet Weather Bypass" Discharges	Lack of funding has delayed project completion.	October 1, 2029
Eliminate the Wilson Ejector Station (New Jersey Avenue Discharges)	The ejectors pumps are operating at maximum capacity during wet weather events. Lack of funding has delayed project completion.	April 1, 2030
Submit PCCMP		January 1, 2031
Implement PCCMP		Upon Department Approval

273-128 CMA_Revized Comment Letter for LTCP Schedule_Draft NPDES Permit PA0026824_RBV_Ju_07.16.21.docx

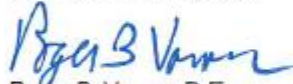
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As stated in the above schedule, lack of funding has delayed the collection and conveyance system task schedules. The Authority had two bond issues, one for the collection and conveyance system and one for the WWTP. The collection and conveyance system bond funding has been expended as of December 2018. In order to complete the collection and conveyance system work, the Authority applies for grant funding when the opportunities arise. The Authority has been focused on the WWTP upgrades project as there is remaining bond funding and Penn Vest funding to be used. Once the WWTP is fully upgraded, the influent gates will no longer need throttled, and the flows will be conveyed and treated through the WWTP which will significantly reduce the overflow events. At the completion of the WWTP Upgrades, the Authority will continue to monitor and report CSOs, and will be seeking grant funding to complete the implementation schedule tasks.

If you have any questions regarding this correspondence, please feel free to contact me directly at (412)-494-0510, extension 142 or rvarner@klhengineers.com.

Sincerely,

KLH ENGINEERS, INC.



Roger B. Varner, P.E.
Project Engineer

Cc: Ryan Potts, Clairton Municipal Authority
John Mowry, P.E., KLH Engineers, Inc.
Joe Gianvito, P.E., KLH Engineers, Inc.



September 7, 2021

VIA ELECTRONIC MAIL:

Mr. Ryan Potts
Clairton Municipal Authority
One North State Street
Clairton, PA 15205

Re: LTCP Update – Sewage
Clairton Municipal Authority STP
NPDES Permit No. PA0026824
City of Clairton, Allegheny County

Dear Mr. Potts:

On July 16, 2021, the Department received a Clairton Municipal Authority (CMA) Long Term Control Plan Schedule Update (LTCP Update). The LTCP Update proposes to comply with the Presumption Approach Criteria of the EPA CSO Policy by eliminating or capturing for treatment, or storage and subsequent treatment, at least 85% of the system-wide combined sewage volume collected in the combined sewer system during precipitation events under design conditions.

The following LTCP Update Task Implementation Schedule is approved:

Milestone	Completion Date
Begin STP Phase 2 Construction	November 30, 2023
Begin Operation of all STP Phase 2 Facilities	July 1, 2026
Eliminate Seventh Street/Golden Gate "Unpermitted Wet Weather Bypass" Outfall	October 1, 2026
Replace Dry Run Interceptor	October 1, 2027
Eliminate McVay (CSO Outfall No. 007) Discharges and Obtain NPDES Permit Authorization for St. Clair Street CSO Discharges	October 1, 2027
Eliminate Elm Avenue (NOMH ID87) Discharges	October 1, 2028
Eliminate Locust Avenue "Unpermitted Wet Weather Bypass" Discharges	July 1, 2029
Eliminate Miller Avenue "Unpermitted Wet Weather Bypass" Discharges	October 1, 2029
Eliminate the Wilson Ejector Station (New Jersey Avenue Discharges)	April 1, 2030
Submit PCCMP	January 1, 2031
Implement PCCMP	Upon Department Approval

Clairton Municipal Authority
STP LTCP Update

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This LTCP Update Approval is not an authorization to construct facilities. Appropriate permit applications and approvals are required before CMS may construct the above proposed facilities.

The NPDES Permit establishes specific reporting requirements regarding progress toward compliance with CSO Policy Obligations including submission of an Annual CSO Status Report as an addendum to the annual "Municipal Wasteload Management Report" required by 25 Pa. Code § 94. 12. Each Annual CSO Status Report must detail efforts undertaken to implement the Nine Minimum Controls, efforts taken to prioritize and afford protection to environmentally Sensitive Areas, actions taken to implement the LTCP, and CMA's adherence to the LTCP Implementation Schedule. Please ensure the annual report is submitted in a timely fashion and includes sufficient detail and documentation to measure LTCP compliance progress.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

Clairton Municipal Authority
STP LTCP Update

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IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions, please contact me at 412.442.4344 or willimitch@pa.gov.

Sincerely,



William C. Mitchell, E.I.T.
Project Manager
Clean Water Program

cc: Mr. Roger B. Varner, P.E. – KLH Engineers, Inc.
Allegheny County Health Department
SW Regional Office - DEP
Operations - DEP