

Application Type Renewal
Facility Type Sewage
Major / Minor Major

**NPDES PERMIT FACT SHEET
ADDENDUM**

Application No. PA0027006
APS ID 480064
Authorization ID 1144225

Applicant and Facility Information

| | | | |
|-------------------------------|--|------------------|--|
| Applicant Name | <u>Borough of Tamaqua</u> | Facility Name | <u>Borough of Tamaqua WWTP</u> |
| Applicant Address | <u>320 East Broad Street</u> <u>Tamaqua, PA 18252</u> | Facility Address | <u>Sewage Plant Road</u> <u>Tamaqua, PA 18252</u> |
| Applicant Contact | <u>Kevin Steigerwalt</u> | Facility Contact | <u>Richard Baddick</u> |
| Applicant Phone | <u>(570) 668-3444</u> | Facility Phone | <u>(570) 668-0669</u> |
| Client ID | <u>62429</u> | Site ID | <u>253253</u> |
| SIC Code | <u>4952</u> | Municipality | <u>Tamaqua Borough & Walker Township</u> |
| SIC Description | <u>Trans. & Utilities - Sewerage Systems</u> | County | <u>Schuylkill</u> |
| Date Published in PA Bulletin | <u>April 30, 2022</u> | EPA Waived? | <u>No</u> |
| Comment Period End Date | <u>May 30, 2022</u> | If No, Reason | <u>Major Facility</u> |
| Purpose of Application | <u>Renewal of existing NPDES permit.</u> | | |

Internal Review and Recommendations

Public notification of draft permit issuance was published in the PA Bulletin on April 30, 2022. Comments were received from the permittee's consultant and the US EPA during the 30-day comment period. Changes made to the permit in response to the comments require a third draft permit to be issued and published for public comment. The comments and DEP responses are below.

Tamaqua Comment 1. Heptachlor Monitoring Requirement

"The Effluent Limits Table on page 3 of the revised draft NPDES includes a Heptachlor monitor-only requirement. The monitoring frequency is once per quarter for this parameter.

Gannett Fleming's March 4, 2022 comment letter to PADEP regarding the January 2022 draft NPDES Permit requested that Heptachlor monitoring be removed from the final NPDES Permit. PADEP indicated in the Fact Sheet Addendum of the revised draft Permit that this monitoring will remain in the final Permit unless the Borough chooses to conduct additional monitoring during the public comment period. The Borough is currently collecting three (3) additional weekly samples for Heptachlor and analyzing at a QL of < 0.05 mg/L. The results will be submitted to PADEP once they are all received from the contract laboratory. We request that the Department consider these sample results when finalizing the Borough's NPDES Permit."

DEP Response:

Please note that the target QL for Heptachlor is 0.05 µg/L and not 0.05 mg/L. The Department will consider the additional sampling results before finalizing the NPDES permit. The same opportunity is available for Bis(2-Ethylhexyl)Phthalate (see 2nd draft permit fact sheet addendum).

Tamaqua Comment 2. Total Zinc Discharge Limit

"The Effluent Limits Table on page 7 of the draft NPDES includes new Total Zinc discharge limits. These limits will be effective beginning four (4) years after NPDES Permit effective date. During the first 4 years of the Permit cycle, a monitor-only requirement is included. The monitoring frequency throughout the first four (4) years of the Permit cycle is once per month and then increases to once per week during the last year of the Permit cycle (when the limit is implemented).

| Approve | Return | Deny | Signatures | Date |
|---------|--------|------|--|---------------|
| X | | | <i>Brian Burden</i> Brian Burden, E.I.T. / Project Manager | July 12, 2022 |
| X | | | Amy M. Bellanca (signed) Amy M. Bellanca, P.E. / Environmental Engineer Manager | 7-13-22 |

Internal Review and Recommendations

Gannett Fleming's March 4, 2022 comment letter to PADEP regarding the January 2022 draft NPDES Permit requested that the Borough be allowed to analyze additional final effluent samples for Total Zinc prior to PADEP making a final decision on this limit. PADEP has indicated in the Fact Sheet Addendum of the revised draft Permit that the Borough can conduct additional monitoring during the public comment period. The Borough is currently collecting seven (7) additional weekly samples for Total Zinc and analyzing at a Quantification Limit (QL) of 5 mg/L. The results will be submitted to PADEP once they are all received from the contract laboratory. We request that the Department consider these sample results when finalizing the Borough's NPDES Permit."

DEP Response:

Please note the target QL for Total Zinc is 5 µg/L, not 5 mg/L. As indicated in the previous fact sheet addendum, the permittee may submit seven additional analytical results for Total Zinc, at a minimum, to generate an AMEC (average monthly effluent concentration) using the Department's TOXCONC spreadsheet. The AMEC concentration would then be input into the Toxics Management Spreadsheet instead of the maximum reported concentration to determine reasonable potential. The additional samples should be taken one week apart. If the permittee chooses not to submit additional samples during the draft permit comment period, then they may choose to conduct the site-specific studies outlined in Part C.X to modify the WQBELs in the future.

Tamaqua Comment 3. Industrial Pretreatment Program Development and Implementation

"Part C.IX on page 38 of the revised draft Permit includes new requirements to develop, implement, and operate a United States Environmental Protection Agency (USEPA) -approved municipal industrial pretreatment program. This is standard language that USEPA includes in the NPDES Permits of all municipal WWTPs with permitted annual average flows greater than 5.0 mgd. While the Borough would not typically fall under this regulation, it appears that the WWTP process upset in December 2021 has triggered this requirement.

The Borough understands and agrees that oversight and control of the significant industrial users (SIUs) within the entire service area is necessary. Implementation of a USEPA-approved industrial pretreatment program, however, appears excessive given the limited manpower of the Borough, the size of the Borough WWTP service area, and the relative number of SIUs in the service area. The Borough believes that a requirement to develop and implement an industrial pretreatment program is appropriate but wishes to establish such a program that is more reflective of the needs of the community. The Borough requests that oversight of the development and implementation of its pretreatment program be with PADEP rather than USEPA. We understand that PADEP has recently assumed oversight of the pretreatment programs of private wastewater companies such as Pennsylvania American Water and we believe that having PADEP as the "Approval Authority" for the Borough's program may be more appropriate.

The Borough requests that the Part C.IX Special Conditions be revised to specify PADEP as the Approval Authority and that the implementation schedule under Part IX.B be revised as follows:

| Milestone | Comments | Duration | Completion Date |
|---|---|-----------------|---|
| <i>Submit Local Limits Sampling Plan (to PADEP)</i> | <i>With only limited existing data available, the Pollutants of Concern (POC) will only be the 15 National POC and other existing NDPEs Permit limit parameters</i> | <i>---</i> | <i>3 months after Permit issuance</i> |
| <i>Conduct Local Limits Supplemental Sampling</i> | <i>With only limited existing data, a minimum of 8 weekly sampling events will be required.</i> | <i>8 weeks</i> | <i>3 months after Sampling Plan acceptance by PADEP</i> |

Internal Review and Recommendations

| Milestone | Comments | Duration | Completion Date |
|---|--|-----------------|---|
| Submit Local Limits Re-Evaluation Report (to PADEP) | USEPA standard NPDES Permit language allows for 12 months to submit the Re-Evaluation. | --- | 12 months after Permit issuance |
| Conduct industrial discharger survey (and submit findings to PADEP) | This survey will involve reviewing sewer billing records to identify non-residential users, mailing surveys to select non-residential users, follow-up phone calls (as needed), and site visit/inspections to select industrial users. | 4 months | 4 months after Permit issuance |
| Adopt the revised Borough Sewer Use Ordinance | Coordination with the Solicitor will be necessary | 6 months | 6 months after Permit issuance |
| Adopt the revised Rush Township Intermunicipal Agreement | Coordination with the Solicitor will be necessary as well as discussions and negotiations with Rush Township | 6 months | 6 months after Permit issuance |
| Develop Industrial Pretreatment Program documents (IU Permits, ERP) | --- | 6 months | 6 months after Permit issuance |
| Begin Implementation of the Industrial Pretreatment Program | Permitting of IUs can only occur after Local Limits are finalized and adopted. | --- | 3 months after PADEP approval of the Local Limits Re-Evaluation |

DEP Response:

PA DEP is not the pretreatment program Approval Authority for POTWs and cannot accommodate this request. The standard template condition remains in the permit.

EPA Comment 1: “The revised schedule provides that Milestone #3 will begin within 18 months after the completion of the TRC WQBEL Effluent Limitation Compliance Study. The concern here is the 12 month time in between the Milestone #2 and Milestone #3. It would be helpful to understand better why 12 months is necessary between plan submission and implementation. Does PADEP need 12 months to review the compliance plan and provide approval?”

EPA recommends combining Milestones #2 & #3 into one milestone which requires submission **and** implementation of the TRC Effluent Compliance Plan within 12 months after the effective date of the permit and include a progress report 24 months after the effective date of the permit.

So that the schedule could say:

- Submit TRC WQBEL effluent limitation compliance study to DEP detailing the capability of the WWTP to meet final TRC WQBELs – Within 6 months of permit effective date
- Submit TRC WQBEL effluent limitation compliance plan and begin implementation of TRC effluent limitation compliance plan – Within 12 months of permit effective date
- Submit Progress Report – Within 24 months of permit effective date
- Finish implementation of TRC effluent limitation compliance plan and comply with final TRC WQBEL limit – 36 months after permit effective date”

DEP Response: The Part C.VI condition has been revised to be consistent with DEP’s latest revised TRC template condition, which includes a 36-month final limitation effective date and interim milestones. A similar compliance schedule was developed for the final Total Zinc limitations and can be found in Part C.X.

EPA Comment 2: “In Parts A. I. C & E the time period is referred to as years. EPA recommends referring to the timeframe in terms of months to be consistent with the Part C. VI. A schedule and to provide clarity. As written it is not clear that the effluent limits in Part A.I.E take effect after 36 months. It appears to take effect after 48th months.

Internal Review and Recommendations

Existing: Part A. I. C. 1. The permittee is authorized to discharge during the period from **One Year After Permit Effective Date** through **Four Years After Permit Effective Date**. To Suggested: Part A. I. C. 1. The permittee is authorized to discharge during the period from **Twelve months After Permit Effective Date** through **36 Months after Permit Effective Date**”

Existing: Part A.I.E.1. The permittee is authorized to discharge during the period from **Four Years After Permit Effective Date** through **Permit Expiration Date**. Suggested: Part A.I.E.1. The permittee is authorized to discharge during the period from **Thirty Seven Months after Permit Effective Date** through **Permit Expiration Date.**”

DEP Response: The 48-month milestone was left in the previous draft permit inadvertently; the final limitation effective date is now 3 years after the permit effective date. The Part A timeframes will be changed to months as requested; however, the recommended use of 37 months will not be utilized and 36 months will be used in its place.

EPA Comment 3: “Regarding Part C.VI.A.2, any modification to the existing schedule must be done before the final limit comes into effect. After that time, any proposed change to the WQBEL will need an anti-backsliding evaluation to determine if any such changes are acceptable.”

DEP Response: DEP agrees with this comment.

EPA Comment 4: “EPA recommends that the sentence in Part C.VI.A.3 be removed. It implies the either/or scenario between site specific study and compliance schedule.”

DEP Response: The condition has been updated to the revised standard template condition which addresses this issue.

EPA Comment 5: “EPA recommends that Part C.VI.A. make a reference to Part B.I.A of the permit for reporting requirements. This is to ensure the permittee is aware of the reporting requirements as it pertains to the compliance schedule.”

DEP Response: The condition has been updated to the revised standard template condition. A reference to Part B.I.A is included as requested in part C.VI.1.