



## NEW JERSEY CLEAN WATER COUNCIL MEETING

July 11, 2023 @ 10:00 A.M.

### Microsoft Teams meeting

#### Meeting Summary

##### INTRODUCTIONS

Tony McCracken called meeting to order at 10:05 AM

**Council Participants (7):** George Bakun, Amy Goldsmith, Anthony McCracken, Pamela Goodwin, James Cosgrove, Maria Connolly, Gerald Reiner, Sandra Howland

**DEP Participants (6):** Kerri Standowski, Susan Rosenwinkel, Jennifer Feltis Cortese, John Murray, Joe Mannick, Dwayne Kobesky

**Public Participants (1):** Wale Adewunmi

##### APPROVAL OF MEETING HIGHLIGHTS

- June 13, 2023 – Approved: George Bakun Motioned, Maria Connolly Second

##### DEP UPDATES

**CSO Public Hearing:** The Division of Water Quality conducted its third virtual public hearing on June 12, 2023 (afternoon and evening sessions) for the renewal NJPDES CSO permits, issued May 9, 2023, for the Joint Meeting of Essex and Union Counties Wastewater Treatment Plant and the City of Elizabeth. Approximately 30 unique participants (not including DWQ staff) attended in total. Comments focused on shortening the timeframe for completion of projects, more GI earlier, and a reanalysis of affordability given new EPA guidance, historic levels of funding being available in furtherance of shorter timeframes in LTCP implementation, and a need for lower costs for overburdened communities.

**PVSC Wet Weather Improvements:** On May 30, 2023, the Municipal Finance and Construction Element issued an Authorization to Advertise for Bids to the Passaic Valley Sewerage Commissioners (PVSC) for NJ Water Bank. Next steps include Authorization to Award, contract certification to the NJ Infrastructure Bank, and award of a short-term loan. Principal forgiveness will be confirmed when the short-term loan is awarded. This project includes modifications to the secondary treatment processes at the wastewater treatment facility to increase wet weather treatment capacity from 400 million gallons per day (gpd) to 720 million gpd and implementation of sludge train improvements. This is an important component of the PVSC's Long-Term Control Plan for the reduction of combined sewer overflows and will be eligible for 80% principal forgiveness through the award of American Rescue Plan funds.

**Other:**

Tony McCracken reminded the Council of the DEP announcement regarding a recent settlement with Solvay. The public announcement by the DEP and OAG regarding PFAS and the settlement with Solvay can be found at <https://dep.nj.gov/solvay/> and <https://www.youtube.com/watch?v=96qIX3QQmrA>. Another Council member responded that there is a Delaware River component to the settlement and that Solvay will be paying back DEP for any of the work they have done already.

**OLD BUSINESS**

Discussion about Council subcommittees: It has been suggested to divide members of the Council into subcommittees (examples include CSO, Planning, etc) and explore new ideas, utilizing specialists in the group to bring issues to the Council. A request was made to include this as an Agenda item for the September meeting.

**NEW BUSINESS**

Presentation on Combined Sewer Overflow Permit Update by Sue Rosenwinkel - Assistant Director, Water Pollution Management Element | Division of Water Quality

- Introductions of WPME staff- Joe Mannick - Section Chief and Dwayne Kobesky - Environmental Specialist.
- A Council member asked if is the 85% capture by the system vs 85% capture per municipalities? The DEP responded that there are two options for the PVSC system, and the permittees and DEP are still working this out, but the regional approach is \$0.5B cheaper.
- The Council member emphasized the importance of GI and the public's involvement and education of the topic. While the Council stressed that there needs to be more on GI and where GI can fit in, it's recognized that DEP is pushing permittees to incorporate more GI. DEP and permittees maintain continuous discussions over improved GI as the implementation of the LTCPs are underway.
- Some Council members observed that flooding has been an ongoing problem. The DEP is focused on flooding and, through the CSO Supplemental Team, will seek information as to where flooding is still occurring.
- One member of the Council suggested that there be additional coordination with Green Acres to combat ongoing flooding issues as this is currently challenging due to the 2:1 diversion requirements. Additional challenges include that the Water Bank does not allow the purchase of property and confusion over the administrative rules to navigate the Water Bank. The Department responded that we work with permittees on a case-by-case basis GI projects have been coordinated with Green Acres (Bayonne and Elizabeth as current examples).
- A public participant discussed the American Rescue Plan funds, asking if a permittees' approach could change knowing there are additional funds available. DEP shared that permittees have thorough LTCPs that are solution based, however the additional funds have enabled some to move up their implementation schedule with plans for an earlier completion. In short, projects within a LTCP may proceed while permits are being drafted and final permits are issued.
- Another suggestion by a Council member to relieve pressure on collection systems serving multiple communities was to spread the load by potentially altering peak/off-peak hours,

sharing pump stations (Trenton Ave.), and the utilization of emerging technology, “smart sewers.”

- One member suggested consideration of a broad approach that would possibly have many beneficial solutions. The concept presented would be to redirect and reuse flood waters to alleviate drought conditions in times of need. The redirecting flood waters could potentially result in the reduction of CSO occurrences. Challenges in execution can be the limitations presented by defined collection areas, municipalities, land uses, permits, etc. With a coordination effort there remains a possibility that a resolution may be achieved with much lower cost.
- One participant inquired about NJDEP's understanding of how our state neighbors in PA and NY are coordinating their CSO efforts and their effectiveness on the various estuaries, such as the New York Harbor. The NJDEP remains focused on reducing and eliminating CSOs within New Jersey and does not monitor neighboring states. These efforts have been assisted with EPA's not issuing consent decrees.

## **ANNOUNCEMENTS**

Upcoming Stakeholder meeting regarding public engagement Guidance for NJPDES CSO permit on July 19, 2023 @ 2:00PM. Please see the Division's website for more information.

Note: Tony McCracken would like members to provide at least one topic at the September meeting.

Next meetings:

- August 8, 2023 (Canceled)
- September 12, 2023
- October 10, 2023

## **ADJOURNMENT**

Motion to adjourn from James Cosgrove and second by Amy Goldsmith at 11:01AM.