

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE SEPTEMBER 8, 2020 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATER RESOURCE MANAGEMENT

DIVISION OF WATER MONITORING AND STANDARDS

Adopted Amendment to the Atlantic County Water Quality Management Plan

Public Notice

Take notice that on 7/27/2020 pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11-1 et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15, the New Jersey Department of Environmental Protection (Department) adopted an amendment to the Atlantic County Water Quality Management (WQM) Plan. The amendment (Program Interest No. 435445, Activity No. AMD170002) allows for an increase in the permitted flow of the Buena Borough Municipal Utility Authority (BBMUA) Sewage Treatment Plant (STP), NJPDES No. NJ0021717, from 0.4 million gallons per day (MGD) to 0.6 MGD. This change has been reflected in the BBMUA Wastewater Treatment Plant Facility Table in the WQM Plan. This amendment does not include any changes to the BBMUA STP currently approved sewer service area (SSA) as delineated on the map entitled "Future Wastewater Service Area (FWSA), Atlantic County New Jersey" adopted on November 6, 2013 (45 N.J.R. 2499(a)) and modified by the Pinelands Future Wastewater Service Area (FWSA) map amendment adopted on January 15, 2016 (48 N.J.R. 448(a)). A Preliminary notice for this proposed amendment was published in the New Jersey Register on December 16, 2019 at 51 N.J.R. 1860(a) and a public hearing was held by Atlantic County, as the Designated Planning Agency, on January 22, 2020. No comments were received during the comment period or at the County public hearing.

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This amendment is being adopted to implement, in part, a Memorandum of Agreement (MOA) executed between the New Jersey Pinelands Commission, the BBMUA, and the Township of Buena Vista on March 27, 2007 and amended on May 26, 2011. Over the past several years, the BBMUA has worked with the New Jersey Pinelands Commission to investigate alternative methods of wastewater discharge from the existing wastewater treatment plant. Extensive hydrogeologic and geologic studies were performed to determine if wastewater discharge to ground water would be a feasible alternative to the continued discharge into the Deep Run Creek. Based on analysis of soil test boring data and computer modeling, it was concluded that the soils located on the subject parcel were not suitable for wastewater infiltration and percolation since it was likely that significant ponding and overflow of wastewater would occur. Therefore, the New Jersey Pinelands Commission agreed that wastewater can continue to be discharged into the Deep Run Creek under the condition that the BBMUA installs and operates Membrane Bioreactor (MBR) treatment technology in order to reduce pollutant concentrations in the existing discharge. In accordance with N.J.A.C. 7:15-3.2(c), a change in the permitted flow not already addressed in a WQM plan requires a review of the WQM plan. As part of this review, a Buildout Analysis of the SSA delineated in the current WQM Plan was submitted to the Department on behalf of the BBMUA. The analysis found that existing flows conveyed to the BBMUA STP are approaching the permitted capacity of the facility. The BBMUA submitted a Capacity Analysis Report to the Department's Division of Water Quality on September 12, 2019, in accordance with the requirements at N.J.A.C. 7:15-4.5(b)6 and N.J.A.C. 7:14A-22.16. The report identified several alternatives for addressing the facility's capacity deficit, including water conservation measures, inflow and infiltration reduction, capital improvements and maximizing current capacity. The strategy for maximizing current capacity includes applying for a modification of the NJPDES Permit to increase the permitted flow from 0.4 MGD to 0.6 MGD. The report

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stipulates that the BBMUA STP is capable of effectively treating up to 1.5 MGD of wastewater and still meeting current effluent limitations. The strategy for capital improvements includes installation of the MBR treatment technology identified in the MOA. The MBR treatment technology was installed and the BBMUA STP has consistently met Total Nitrogen and Total Phosphorus discharge limits specified in the MOA since 2013. Based on successful operation of the MBR treatment technology and the additional deficit reduction strategies, including additional inflow and infiltration reduction measures, the Department determined that the permitted flow at the BBMUA STP can increase to 0.6 MGD and still meet applicable NJPDES permit effluent limits. On April 16, 2018, the New Jersey Pinelands Commission issued a letter that endorsed the BBMUA's plan amendment application in accordance with N.J.A.C. 7:15-3.5(h).

In accordance with N.J.A.C. 7:15-3.5(g)6, the Department instructed the applicant to request written statements of consent from Buena Vista Township, the Buena Borough Municipal Utilities Authority, Buena Borough, and the Atlantic County Board of Chosen Freeholders. Buena Vista Township adopted Resolution 233-2019 on December 23, 2019, consenting to the proposed amendment. The Buena Borough Municipal Utilities Authority adopted Resolution R-4-2020 on January 8, 2020, consenting to the proposed amendment. Buena Borough adopted Resolution 52-20 on April 13, 2020, consenting to the proposed amendment. The Atlantic County Board of Chosen Freeholders adopted Ordinance 1 on March 6, 2020, approving the proposed amendment.

The amendment will not add any acreage to the SSA; therefore, the Department has determined that the regulatory criteria at N.J.A.C. 7:15-4.4 does not apply.

Sewer service or facility expansion is not guaranteed by adoption of this amendment since it represents only one part of the permit process and other issues may need to be addressed. Approval of

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this amendment does not eliminate the need to obtain all necessary permits, approvals or certifications required by any Federal, State, county, or municipal review agencies with jurisdiction over this project/activity.

Date 7/27/2020



Kimberly Cenno, Bureau Chief
Bureau of Environmental Analysis, Restoration and Standards
Division of Water Monitoring and Standards