

CSO Co-Permitting

QUESTION

The following question was sent to members of the Facility & Collection System Committee via e-mail on April 16, 2007:

"Is any NACWA member aware of a situation where a municipality without its own treatment plant has been named as a CSO co-permittee with the treating municipality? In this case, the non-treating municipality is the sole source of flows to the CSO structure, but the treating municipality owns the structure."

RESPONSES

NACWA received many responses from members saying they were unable to provide any information regarding the question asked. However, the following responses were able to provide some specific information, and are presented by the state from which they came:

Minnesota: There are circumstances in Minnesota similar to what is described in the question. The Metropolitan Council and the City of Minneapolis are co-permittees on a CSO permit. The situation is as follows: Flows from outlying, separated, communities are conveyed by their local lines into our interceptor system. As the system comes through the City of Minneapolis, Minneapolis conveys combined sewage (primarily from downtown Minneapolis) to interceptors owned by the Metropolitan Council during wet weather events. The Council has done extensive flow monitoring and determined that the flow from the outlying communities does not contribute to wet weather overflows. The community flows are ultimately conveyed to the Council's Metropolitan Wastewater Treatment Plant. The Council owns and operates the Metro Plant and the City of Minneapolis is not involved in this.

New Jersey: The Middlesex County Utilities Authority (MCUA) had a similar experience to that described in the question. The MCUA is the regional treatment plant and one of its collection system members owns and operates CSO's. The New Jersey Department of Environmental Protection (NJDEP) renewed MCUA's discharge permit with the municipality as a co-permittee. MCUA adjudicated the permit and eventually had the municipality removed from the permit.

Massachusetts: The cities of Boston (Boston Water and Sewer Commission - BWSC), Cambridge, Chelsea, and Somerville are Massachusetts Water Resources Authority (MWRA) member communities with combined sewer systems and CSO regulators and outfalls. Each of these communities has its own CSO permit for the outfalls it owns and operates, with BWSC owning and operating most of them by far. None of these communities owns a wastewater treatment facility of any kind (primary, secondary or CSO). Their wastewater flows are collected into the MWRA regional sewer system for treatment at Deer Island. Some of their combined flows are released at MWRA CSO outfalls, including outfalls associated with MWRA CSO treatment facilities, during large storms. MWRA has its own permit for the CSO outfalls and CSO facilities it owns and operates, with the same permit covering the Deer Island Treatment Plant.

Co-permittee status does exist at a few specific locations where MWRA has responsibility for meeting treatment limits and both MWRA and the community have limits in their respective permits for the frequency and volume of discharge. They include:

1. The CSO outfall associated with MWRA's Fox Point CSO treatment facility is in BWSC's permit as BOS089 and in MWRA's permit as MWR209. The discharge location in BWSC's permit is at the end of the outfall conduit where it discharges to South Dorchester Bay. The "discharge" (sampling) location in MWRA's permit is at the treatment facility.
2. The CSO outfall associated with MWRA's Commercial Point CSO treatment facility is in BWSC's permit as BOS090 and in MWRA's permit as MWR211. The discharge location in BWSC's permit is at the end of the outfall conduit where it also discharges to South Dorchester Bay. The "discharge" (sampling) location in MWRA's permit is at the treatment facility.
3. The CSO outfall associated with MWRA's Somerville Marginal CSO treatment facility is in the City of Somerville's permit as SOM007A and in MWRA's permit as MWR205A. The discharge location in Somerville's permit is at the end of the outfall conduit where it discharges to the Mystic River Basin. The "discharge" (sampling) location in MWRA's permit is at the treatment facility.
4. The CSO outfall associated with MWRA's Union Park CSO treatment facility is in BWSC's permit as BOS070 and will be in MWRA's permit renewal (not yet in effect) as MWR215. The discharge location in BWSC's permit is at the end of the outfall conduit where it discharges to Fort Point Channel. The "discharge" (sampling) location that will be in MWRA's permit is at the treatment facility. This new treatment facility was only recently constructed to be physically and hydraulically connected to BWSC's Union Park Pump Station, which is 30 years old. Because the treatment facility was just brought on-line (April 2007) in advance of completing MWRA's permit renewal, EPA chose to add the co-permittee provisions and MWRA limits as a modification to BWSC's permit, but these are expected to be in MWRA's new permit eventually.

In these four cases, the community's permit limits include narrative limits and average annual frequency and volume in accordance with MWRA's long-term CSO control plan. MWRA's permit includes the same annual frequency and volume limits, but also includes water quality limits associated with treatment. MWRA is not responsible for water quality at the discharge point, primarily because MWRA does not own the outfall conduit and because other community flows (mostly stormwater, but also CSO in the case of BOS070) enter the conduit downstream of the treatment facility.

The co-permittee status is driven by ownership of infrastructure (pipes, treatment facility), not by the source of flows. This point is clearly demonstrated at outfall MWR023, which discharges to the Charles River Basin. MWR023, which is not associated with treatment, carries overflows entirely from BWSC's combined sewer system, as well as large volumes of brook flow and stormwater entirely from BWSC's drainage system. The discharge is permitted to MWRA only, simply because MWRA owns a (inoperable) gatehouse and the last couple hundred feet of the outfall conduit. The thousands of feet of conduit upstream of the gatehouse and all tributary pipes are owned by BWSC.