



State of New Jersey

PHILIP D. MURPHY

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Governor

WATER RESOURCE MANAGEMENT

DIVISION OF WATER

ENFORCEMENT NORTHERN  
REGION

SHAWN M. LATOURETTI  
Commissioner

TAHESHA L. WAY  
Lt. Governor

Cedar Knolls, New Jersey 07927  
Fax. (973) 656-4400

Honorable Angie Devanney, Mayor

CERTIFIED MAIL / RRR 7022 2410 0003 3283 2575 April 4, 2024 Berkeley Heights Township 29 Park Avenue

RE: Compliance Evaluation and Assistance Inspection

Berkeley Heights, NJ 07922 Berkeley Hts Water Pollution Control Facility — Lined Surface Impoundment Permit

PROGRAM INTEREST ID # 46122 PROGRAM: Water Quality NJPDES Permit No. NJG0159379 - LSI

Compliance Activity # SCI 240004 Berkeley Heights Township / Union County Dear Mayor Devanney:

A Compliance Evaluation Inspection of the Berkeley Heights Water Pollution Control Facility's

("BHWPCF") Lined Equalization Basin was conducted by representatives of this Bureau on February 5, 2024.

A copy of the completed inspection report is enclosed for your information. The Department noted the following deficiencies: 1.

BHWPCF failed to certify to the Department that its liner passed an integrity test within 18 months of authorization of your present Permit (December 1, 2020) in accordance with Part I, Section El. BHWPCF is hereby REQUIRED, within 60 days of receipt of this report, to have this integrity test completed. See the attached Notice of Violation ("NOV"). 2.

Material (sludge, solids, leaves) was noted in basins 1 and 2 and should be cleaned. See the attached photos. Such material could clog your bar screen and impede returning flow. Your October 30, 2006 O&M Manual states that the basins should be cleaned of debris twice per year. BHWPCF provided the Department with records documenting that the basin was last cleaned in 2018.

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BHWPCF had no records to document that its liner is inspected annually for wear and tear as noted in your O&M Manual. Furthermore, no records exist to document that the conveyance piping system and in/out structure were also inspected annually. 4.

Level sensors are not operational in basins 1 or 2. As a result, BHWPCF operators are not aware of the effluent level in both basins without visiting in person. The basins are approximately  $\frac{1}{4}$  mile from the wastewater plant. These levels should be readily available for operators, especially during periods of heavy rain. Level sensors should also alert operators of an emergency that could result in a overflow. In accordance with your O&M Manual, these sensors were not operational when it was last updated in 2006. The O&M Manual further recommended that they be fixed. 5.

Following the review of your EQ Basin O&M Manual, the following deficiencies were noted:

- a. The Manual does not recommend routine inspections of the basin. This writer recommends that the basin be inspected monthly. Records should be maintained to document each inspection.
- b. The Manual does not recommend inspections following heavy rain events in which the basin was near capacity. Records of such inspections should be maintained for future review by the Department.

With your response to this inspection report, BHWPCF should update its EQ Basin O&M Manual and provide this writer with a copy.

Note that you may also review your inspection report as well as many other. DEP reports online at [www.nj.gov/dep/inspections](http://www.nj.gov/dep/inspections). This website also gives you the opportunity to provide us feedback about our operations. We would appreciate your input and will share all results with you upon your completion of a survey.

The deficiencies noted herein have placed your facility in violation of the terms and conditions of your NJPDES permit and/or the New Jersey Water Pollution Control Regulations (N.J.A.C. 7:14A-1 et seq.). You are therefore REQUIRED to institute corrective measures. A written report concerning specific details of remedial measures to be instituted, as well as an implementation timetable, must be submitted to this Department, within thirty (30) calendar days of the date of this correspondence.

Please direct all correspondence and inquiries to this writer, who can be reached at 609-439-6422, by letter through this Office, or at [Andrew.Coleman@dep.nj.gov](mailto:Andrew.Coleman@dep.nj.gov).

Sincerely,

 K-

Andrew Coleman

Environmental Specialist III C: Alan Kennedy, Wastewater Treatment Director, 29 Park Ave, Berkeley Heights, NJ 07922

enclosure

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# Compliance Evaluation Summary and Checklist with Included flag sorted by PI

Page 1 of

SCI 240004 \*Standard Compliance Inspection (46122)

Date Printed: Activity: BHWPCF FY24 T1 DGW CEI Title Description: Start Date/Time: 02/05/2024 End Date/Time:  
BERKELEY HEIGHTS  
WPCF 46122 (NJPDES) Program Interest: 29 SNYDER BERKELEY HEIGHTS TWP, UNIONCOUNTYMailing Address: 29 PARK AVE Berkeley Heights NJ  
07922 Program Interests included in Inspection: Responsibility Entity(s): Berkeley Heights Twp 46122 (Njpdcs) Block(s) and Lot(s): Block 208 Lot 40

Lead Investigator Other Investigators Persons Interviewed Witn essesColeman, Andrew Marshall, Tyler Wastewater Treatment &  
Licensed Operator. Phone #848-247-0768 General Comments

BHWPCF operates this lined EQ basin to hold up to 3.5 MG of partially treated effluent during periods of high flow due to uncontrolled I&I within the collection system. Effluent has been treated through its primary clarifier, trickling filter and secondary clarifier. It is held before being returned to the plant for de-nitrification, sand filtration and disinfection. The basin is approximately 1/4 mile from the plant in the woods.

Some townhomes are located in the area, Odors were noted only while standing over the basins. No odor complaints have been reported in many years according to representatives.

Flow to and from the basin is by gravity. Unfortunately, even with 3.5 MG of capacity, the WWTP often bypasses its sand filters during high flow conditions.

Inspection Attribute(s):

Quantity(s)	Number of Attributes:	46122 LSI 0 - Lined Surface Impoundment (GP)	Requirement	RTC Status
Results or Comments	Reqt Source Ref # Rept. Type	IC - In ND - Compliance N - NA - NotPV - H - NI - Not		
Determine Applicabl Violatio	NC - No ON - Out of	Y - Yes OC - Out DC - S -	RTC - Return Concer Non-	Complianc Collectio
Headin Complianc				

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Page 2 of 46122 LSI 0 - Lined Surface Impoundment (GP) Requirement Status RTC

## Results or Comments Reqt Source

Does the lined impoundment have an outlet with a discharge to surface water or sanitary sewer, or a closed loop recirculation system?. [N.J.A.C. 7:14A- 7.13(b)]		No outlet to surface water Basin reportedly designed not to NA overflow.	DGW 190001
Did the permittee operate the facility as specified in its O&M Manual?. [N.J.A.C. 7:14A- 6.12(a)]	Failure of the permittee to operate the facility as specified in its O&M Manual. See the OC cover letter for details.	Did the permittee restrict unauthorized access to the site or unit and minimize the potential for contact with the pollutants when a regulated unit poses a potential health risk or hazard. [N.J.A.C. 7:14A- 6.7(b)2]	DGW 190001 15T
Did the permittee have any unpermitted discharges from the lined surface impoundment?. [N.J.A.C. 7:14A- 7.2(a)]	No unpermitted discharge reported or observed.	IC	DGW 190001 18T
Facility is fenced and locked. DGW 190001 17T	Did the permittee obtain a New Jersey Licensed Professional Engineer certification prior to putting a repaired basin back into service? . [N.J.A.C. 7:14A- 6.12(a)]	NA	DGW 190001 19T
Did the permittee put an impoundment back into service before that portion of the surface impoundment that failed was repaired?. [N.J.A.C. 7:14A- 6.12(a)]	NA No impoundment failures. DGW 190001 20T	IC	DGW 190001 30T
Did the permittee allow an authorized representative of the Department to enter for the purpose of inspection and to access /copy any records that must be kept under the conditions of this permit?. [N.J.A.C. 7:14A- 2.11(e)2]	IC - In ND - Compliance N - NA -	IC - In ND - Compliance N - NA -	DGW 190001 32T
Permittee is cooperative. DGW 190001 30T	IC - In ND - Compliance N - NA -	IC - In ND - Compliance N - NA -	DGW 190001 32T
PV - H - NI - Not Determine Applicabl Violatio NC - No ON - Out of Y - OC - Out DC - S - RTC - Return	IC - In ND - Compliance N - NA -	IC - In ND - Compliance N - NA -	DGW 190001 32T
Concer Non- Compliant Collectio Headin Compliant	IC - In ND - Compliance N - NA -	IC - In ND - Compliance N - NA -	DGW 190001 32T
Did the permittee retain records as required by the permit?. [N.J.A.C. 7:14A- 6.6(a)]	No records were available to document inspections or maintenance of the basin.	DGW 190001 25T	DGW 190001 27T

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Page 3 of **46122 LSI 0 - Lined Surface Impoundment (GP) Requirement**

For existing facilities with lined basins, did the permittee submit certification of a valid liner integrity test within 18 months of permit authorization? The integrity test must have been conducted within three (3) years of authorization under this general permit. [N.J.A.C. 7:14A- 6.12

Failure to submit certification of a valid liner integrity test within 18 months of permit OC authorization.

**Status RTC Results or Comments Reqt Source Ref # Reqt. Type (a)]**

Is the most recent version of the O&M Manual as well as all records of maintenance and inspections kept on-site at all times and made available for inspection upon request by the Department?. [N.J.A.C. 7:14A- 6.12(c)1]

O&M Manual was on site, however no records were available to document ON maintenance and inspections. DGW 190001 45 T

Did the O&M Manual include a list of all pollutants generated and/or discharged to all units regulated by this permit. [N.J.A.C. 7:14A- 6.12(c)3iv]

Did the O&M Manual include a schedule of maintenance and inspections of the processes including the pollutant conveyance and the lined surface impoundment(s)?. [N.J.A.C. 7:14A- 6.12 (a)5] The Department recommends the O&M Manual be modified with additional inspection responsibilities. See the cover ON letter for details.

Did the O&M Manual include procedures for correcting emergency situations?. [N.J.A.C. 7:14A- 6.12(d)3iii]

Is a protective cover maintained on earthen dikes to prevent erosion and maintain integrity, and are the dikes free of vegetation having invasive T roots? . [N.J.A.C. 7:14A- 6.12(a)] IC

Did the O&M Manual include a course of action to be implemented in the event the surface impoundment(s) must be removed from service for reasons other than routine maintenance and/or scheduled rotation of permitted discharge areas?. [N.J.A.C. 7:14A- 6.12(a)]

ICDGW 190001 57 T  
IC - In  
ON - Out of  
Y - <sup>103</sup> OC - Out

			DGW 190001 38 T
			DGW 190001 42 T
Did the permittee prepare an Operation and Maintenance (O&M) Manual within 180 days of EDPA?. IN.J.A.C. 7:14A- 6.12(c)l			DGW 190001 43 T


PdgE3 1 of 4 46122 LSI 0 - Lined Surface Impoundment (GP) Requirement **Status RTC Results or Comments** Reqt Source Ref # Reqt. Type

Were repaired or replaced liners tested for integrity prior to resuming discharge?. [N.J,A.C. No liner malfunctions reported

7:14A- 6.12(a)] NA or observed. DGW 190001 58T ----- IC - In Compliance ND - Compliance Not






**N** - NA - PV - Potential H - Heading NI - Not Inspected Determined Applicable Violation NC - No Obvious ON - Out of Compliance, Y -Yes OC - Out of DC - Data S - Sub-

RTC - Return to Concern Non- Compliance Collection Heading Compliance -



PHOTOGRAPHIC DOCUMENTATION

	Photo No.



1Description: Solids and debris in basin1.









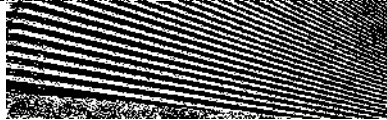


Photo No. 2Description: Solids and debris near bar screen outlet structure.



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