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*"Protecting Public Health and the Environment"*

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November 6, 2015

**VIA CERTIFIED MAIL**

Mayor and Council  
Borough of Glen Ridge  
825 Bloomfield Avenue  
Glen Ridge, New Jersey 07028

Re: Municipal Sewer Collection System Planning

Dear Mayor and Governing Body Members:

As you are aware, the Passaic Valley Sewerage Commission ("PVSC") is a publicly-owned wastewater treatment plant that serves your community in whole or in part. As PVSC's Executive Director, I write to you and to all municipalities within PVSC's treatment district regarding a sewer infrastructure issue that will affect PVSC and all of its contributing municipalities in the coming years.

PVSC operates its treatment works under a permit issued by the New Jersey Department of Environmental Protection ("NJDEP"). PVSC's current permit – permit number NJ0021016 – has an effective date of July 1, 2015 (the "Permit"). Part of the Permit addresses the issues of "infiltration" and "inflow," known collectively as "I/I." "Infiltration" is defined as ground water that seeps into sanitary or combined sewer systems through manhole chambers or cracks/leaks in sewer pipes. "Inflow" is defined as storm water which enters a sanitary or combined sewer system through direct connections, including downspouts, basement pumps, driveway drains, etc.

The Permit imposes significant new mandates on PVSC with regard to Infiltration and Inflow. The specific mandates, which can be found in the "Combined Sewer Management" section of the Permit, apply to both combined and separately sewered communities. Section F(1)(H)(2) of the Permit, under "Nine Minimum Control Requirements," provides as follows:

The permittee shall review its rules, ordinances, and/or its sewer use agreements and create an anticipated schedule to revise them within 6 months of the EDP (effective date of permit) if necessary. In

general, this schedule shall not extend beyond the due date for the LTCP (Long Term Control Plan) as per Part IV.D.3.b.iv. The schedule shall require the customer municipalities to:

(ii) Identify I/I and reduce it to meet the definition of non-excessive infiltration (in combined and separately sewered areas) and non-excessive inflow (in separately sewered areas) where both terms are defined in N.J.A.C. 7:14a-1.2.

Section F(1)(J)(xii) of the Permit requires PVSC's member municipalities to:

Provide for ongoing I/I reduction strategies to meet the definition of non-excessive infiltration (in combined and separately sewered areas) and non-excessive inflow (in separately sewered areas) as defined in N.J.A.C. 7:14A-1.2 through the identification of excessive I/I sources and the prioritization and implementation of I/I reduction projects.

Section F(7)(c) provides:

The permittee [PVSC] shall submit a schedule to revise applicable rules, ordinances and sewer use agreements to address the reduction of inflow and infiltration (I/I) into the collection system in accordance with Part IV.F.I.h.

PVSC has appealed the inclusion of these and other I/I requirements in the Permit. In furtherance of the appeal, on April 13, 2015, PVSC filed a request for an adjudicatory hearing with NJDEP as well as a request to stay enforcement of the contested I/I provisions. NJDEP has granted PVSC an adjudicatory hearing on this matter (along with many other matters). However, NJDEP denied PVSC's request for a stay of enforcement of the contested provisions pending the outcome of the appeal. To date, no hearing date has been scheduled.

Accordingly, and pending the adjudication of PVSC's appeal of the Permit provisions, NJDEP is requiring that PVSC undertake steps to direct the municipalities in its system to perform I/I studies and report the findings to PVSC. If I/I studies result in a finding that there exists excessive I/I in a given municipality, NJDEP will further require PVSC to direct that municipality to undertake the steps necessary to meet the I/I levels defined as non-excessive at N.J.A.C. 7:14A-1.2. NJDEP would accomplish this goal by forcing PVSC to revise its Rules and Regulations governing the users of its system to include language regarding I/I requirements for all municipalities.

Within the next several weeks, a representative of PVSC will contact you to set up a meeting to discuss the implications of the cited Permit provisions for both your municipality and PVSC. In the interest of promoting mutual cooperation, please advise as to a designated representative of the municipality to whom future correspondence and discussions with regard to a meeting can be addressed.

I appreciate your time and attention and I look forward to working with you on this important issue.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gregory A. Tramontozzi". The signature is fluid and cursive, with the first name "Gregory" being the most prominent.

Gregory A. Tramontozzi  
Executive Director

cc: Michael Rohal, Glen Ridge Municipal Clerk (via e-mail ([mjrohal@glenridgenj.org](mailto:mjrohal@glenridgenj.org)))  
Bridget McKenna, Chief Operating Officer, PVSC