



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

OCT 28 2008

Stephen J. Gallo,  
Executive Director  
Bayonne Municipal Utilities Authority  
630 Avenue C  
Bayonne, New Jersey 07002

Dear Mr. Gallo:

This is in response to your request for a categorical exclusion (CATEX) from substantive environmental review requirements, pursuant to 40 CFR Part 6, for the Bayonne Municipal Utilities Authority's proposed pilot study of the effectiveness of various pre-treatment and disinfection technologies, to be located in the City of Bayonne, Hudson County, New Jersey.

The proposed pilot study is being partially funded through a federal Special Appropriations Act grant. The study will help determine the required dosage rates and effectiveness of various pre-treatment and disinfection technologies to improve combined sewer overflow discharge water quality through the reduction of key pathogens to acceptable target levels.

Based on our review of the supporting documentation, EPA approves a CATEX for the project. Please be reminded that EPA may revoke this CATEX if any of the following conditions occur:

- changes in the proposed action render it ineligible for exclusion;
- new evidence indicates that serious local or environmental issues exist; or
- federal, state, or local laws would be violated.

This CATEX is available for public viewing on EPA Region 2's website, <http://www.epa.gov/renion02/spmm/r2nepa.htm#r2docs>. Should you have any questions regarding this decision, please address them to John Filippelli, Chief, Strategic Planning and Multi-Media Programs Branch, at the above address.

Sincerely,

A handwritten signature in blue ink that reads "Alan J. Steinberg".

Alan J. Steinberg  
Regional Administrator

Enclosure

cc: J. Rolak, Jr., Hatch Mott McDonald

## ENCLOSURE

### Bayonne Municipal Utilities Authority Combined Sewer Overflow Improvement Project Hudson County, New Jersey

#### Background

In 2004, the New Jersey Department of Environmental Protection required all municipalities with combined sewer systems to undertake a Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP). One of the elements of the LTCP is to evaluate pre-treatment and disinfection alternatives for CSO for various discharge objectives. The Bayonne Municipal Utilities Authority (BMUA), one member of the New Jersey CSO Group, is proposing to conduct a pilot study to help determine the required dosage rates and effectiveness of various pre-treatment and disinfection technologies to improve CSO discharge water quality through the reduction of key pathogens to acceptable target levels.

The Oak Street Pumping Station (OSPS) is comprised of a sewage pumping station and a combined sewer overflow pumping station. Modeling conducted as part of the **BMUA's** Long Term Control Plan showed that CSO discharges **from** the pumping station have an average duration of 14 hours, making it an ideal location for a pilot study designed to determine the most effective methods of treating these discharges. In addition, most of the construction components of the decommissioned Oak Tree Primary Treatment Plant, which previously occupied the site, were not destroyed, providing useful base **infrastructure** not available at other locations. In consideration of the factors noted above, the BMUA believes that the aforementioned pilot study could be undertaken at this site for a reasonable cost and with no long **term** environmental impact, and would serve as a valuable component in its efforts to reduce the environmental impacts of current CSO discharges.

#### Proposed Action

The proposed modifications to the OSPS site will be limited to the retrofit or improvement to an existing facility. There will be no disturbance outside of areas previously disturbed by the construction of the existing facilities. The proposed pilot study may include, but not be limited to, the rehabilitation of existing or previously existing facilities, including retrofitting the chemical feed and control room to meet the needs of the disinfection technology, and retrofitting the existing structures or piping to provide for the diversion of wastewater flows and sampling. It is anticipated that all modifications can be accomplished with a minimal ground disturbance and with no loss of vegetation.

#### Alternatives Considered

In addition to the proposed action, the "No Action" alternative was considered. However, the "No Action" alternative would not provide for the opportunity to obtain valuable data to assist in determining the most effective pre-treatment and disinfection technologies to improve the quality of CSO discharge water.

Further, the OSPS site was one of a number of locations surveyed to determine suitability for the pilot study. This site is logistically sound in terms of the availability of structural components from the prior primary sewage treatment plant, as well as the availability of electrical power, security, chemical feed and storage capacity, CSO sampling and testing capabilities. The discharge channel and piping allow for multiple sampling locations and provide the ability to track the disinfectant concentration over the estimated 20 minute travel period to the receiving waters. For these reasons, the OSPS site was selected for the proposed pilot study.

### Criteria for Granting a Categorical Exclusion

The proposed pilot study meets the general Categorical Exclusion (CATEX) eligibility criteria found in 40 CFR 6.204(a)(1)(ii). The regulations allow CATEXs for "actions relating to existing infrastructure systems (such as sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) that involve minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system components (such as the sewer collection network and treatment system; the system to collect, treat, store and distribute drinking water; and stormwater systems, including combined sewer overflow systems) or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities."

This project does not involve a new or relocated discharge to surface or ground water; an increase in the volume or loading of pollutants to receiving water; or an increased capacity to serve a population 30 percent greater than the existing population. Further, it is not contrary to any state or regional growth plan or strategy; and it is not primarily for the purpose of **future** development.

### Extraordinary Circumstances

Review of the available information provided by the applicant on the proposed action indicates that none of the extraordinary circumstances listed in 40 CFR 6.204(b)(1) through (10) are involved.

### Conclusion

The proposed action conforms to the category of actions eligible for exclusion under 40 CFR 6.204(a)(1)(ii). Accordingly, EPA approves this request for a CATEX **from** detailed environmental review pursuant to our procedures for implementing the National Environmental Policy Act.