



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

OCT 10 2008

Bryan J. Christiansen  
Executive Director  
Passaic Valley Sewerage Commissioners  
600 Wilson Avenue,  
Newark, New Jersey 07105

Dear Mr. Christiansen:

This is in response to the Passaic Valley Sewerage Commissioners' (PVSC) August 22, 2008 request for a categorical exclusion (CATEX) from substantive environmental review requirements, pursuant to 40 CFR Part 6, for the proposed upgrade of the PVSC Oxygenation Facilities in the City of Newark, Essex County, New Jersey. The project is being partially funded through a federal Special Appropriation Act grant.

The Passaic Valley Sewerage Commissioners wastewater facility sits on 172 acres and is capable of treating an average of 330 million gallons per day (MGD). The facility is a specialized secondary treatment plant designed to remove approximately 93% of the biochemical oxygen demand and 94% of the total suspended solids. The secondary treatment approach utilizes a pure oxygen-activated sludge process with wet air oxidation for sludge treatment.

The proposed project consists of upgrades to the existing oxygenation facilities which include: restoring the concrete within each of the twelve oxygenation tanks, installing metal nosing plates on the concrete support columns, upgrading the existing building which houses the instrumentation and controls, and upgrades on the electrical system for this facility.

The project meets the CATEX eligibility criteria found in 40 CFR 6.204(a)(1)(ii). This category includes, "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 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.

Additionally, the available information on the proposed action indicates that the specific criteria for not granting a CATEX, found in 40 CFR 6.204(b)(1) through (b)(10), are not present.

Based on our review, EPA approves the request for the CATEX. 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.

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. Please note this CATEX will be available on EPA Region 2's website at <http://www.epa.gov/region02/spmrn/r2nepa.htm>.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan J. Steinberg". The signature is written in a cursive, flowing style.

Alan J. Steinberg  
Regional Administrator

Sheldon Lipke, P.E., PVSC