

RESOLUTION NO. 2018-54

**RESOLUTION OF THE BORDENTOWN SEWERAGE
AUTHORITY, IN THE COUNTY OF BURLINGTON, NEW
JERSEY ENDORSING A TREATMENT WORKS
APPROVAL PERMIT APPLICATION PROVIDED TO THE
AUTHORITY BY GS REALTY CORPORATION AND
FURTHER AUTHORIZING THE AUTHORITY'S EXECUTIVE
DIRECTOR TO SIGN THE ENDORSEMENT PORTION OF
THE TREATMENT WORKS APPROVAL PERMIT
APPLICATION**

WHEREAS, GS Realty Corporation (the "Developer") is intending to develop land identified on the official tax map of Bordentown Township as Block 137.02, proposed Lots 1, 11.03, & Parcel VX35C2 (the "Property");

WHEREAS, the Property is vacant land is located on Old York Road, County Route 660, south of Rising Sun Road;

WHEREAS, the Developer is desirous of constructing certain sanitary sewerage improvements on the Property which when constructed, will direct wastewater from the Property to the Bordentown Sewerage Authority ("Authority") for treatment;

WHEREAS, in order for the Developer to construct the proposed sanitary sewerage improvements, it must first obtain from the State of New Jersey, Department of Environmental Protection, Division of Water Quality certain approvals and permits;

WHEREAS, in order to obtain the approvals and permits, the Developer must also obtain the consent and endorsement of the local authority who has the responsibility for collecting and treating wastewater collected from the Property;

WHEREAS, the Developer is intending on presenting the Authority with a Treatment Works Approval Permit Application seeking said endorsement; and

WHEREAS, the Authority wishes through this resolution to memorialize its review and endorsement of the Developer's application and to further authorize the Authority's Executive Director to sign the Developer's application.

NOW, THEREFORE, BE IT RESOLVED BY THE BORDENTOWN SEWERAGE AUTHORITY, IN THE COUNTY OF BURLINGTON, NEW JERSEY, THAT:

1. The Treatment Works Approval Permit Application submitted to the Authority by GS Realty Corporation (attached hereto as Exhibit "A") is hereby approved and endorsed for submittal to the New Jersey Department of Environmental Protection.
2. The Authority hereby authorizes its Executive Director, Richard Eustace to sign the endorsement/consent section of the Developer's application.

Adopted this 16th day of July, 2018

THE BORDENTOWN SEWERAGE AUTHORITY

By: 

James E. Lynch, Jr., Chairman

Attest:


Joseph R. Malone, III, Secretary

Exhibit "A"

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Water Quality

Reset Form

STATEMENTS OF CONSENT

A supplement to the TWA-1 or NJPDES-1 Forms

General Information

Applicant/Owner/Operator

Location of Work Site

Name of Project/Facility

Type of permit application
(TWA, NJPDES/SIU)

NJPDES Permit Number (if applicable)

A-1 Consent By Governing Body**

(Consent by the municipality in which the project is located.)

As an authorized representative of the governing body, I hereby certify that the

(Name of Municipality or Municipal Authority)

consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of all municipal ordinances.

Signed* _____ Date

Type Name and Position

* Cite authorization to sign for the governing body

Resolution# Dated

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the Governing Body's full resolution, consenting to the project, must be submitted with the application.)

** Note

For most Treatment Works Approval (TWA) applications, this section may be omitted if a sewerage entity (for example, sewerage authority, utilities authority, municipal utilities authority, joint meeting, etc.) has responsibility for regulating the construction and operation of wastewater treatment and conveyance facilities within the municipality. In such cases, the governing body consent requirement may be satisfied by completing Section A-2. Applicants for TWAs for industrial/commercial facilities discharging pursuant to NJPDES/DSW or DGW permits must complete section A-1.

A-2 Consent by Sewerage Authority**

As an authorized representative of this agency, I hereby certify that the

Bordentown Sewerage Authority

(Name of Agency)

consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of this agency.

Signed* Richard D. Eustace Date 1/4/19

Type Name and Position Richard D. Eustace, Executive Director

* Cite authorization to sign for the agency

Resolution# 2018-54 Dated 7/16/2018
(Submit the resolution with the application. If no such resolution granting authority to sign exists, the Governing Body's full resolution, consenting to the project, must be submitted with the application.)

** Note

For TWA applications, this section must be completed when a sewerage entity (for example, sewerage authority, utilities authority, municipal utilities authority, joint meeting, etc.) has responsibility for regulating the construction and operation of wastewater treatment and conveyance facilities within the municipality.

A-3 Consent by Owner of Wastewater Treatment Facility**

(For NJPDES/SIU applications only)

As an authorized representative of this agency, I hereby certify that the

N/A

(Name of Agency)

consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of this agency and the agency agrees to accept wastewater from the project for treatment.

Signed* _____ Date _____

Type Name and Position _____

* Cite authorization to sign for the agency

Resolution# _____ Dated _____
(Submit the resolution with the application. If no such resolution granting authority to sign exists, the Agency's full resolution, consenting to the project, must be submitted with the application.)

** Note

For NJPDES/SIU applications, this section must be completed when the owner of the receiving wastewater treatment plant is different that the entity listed under A-2.

OLD YORK ROAD

B. Certification by Wastewater Conveyance System Owner**

By agreeing to accept wastewater from the project, I (we) hereby certify that to the best of my (our) knowledge the wastewater conveyance system, into which the project proposed under this application will connect, has adequate capacity in accordance with N.J.A.C. 7:14A-1.2 ("Adequate conveyance capacity"). Furthermore, I (we) am (are) not aware of inadequate conveyance capacity conditions in any portion of the downstream facilities necessary to convey the wastewater from this project to the treatment plant.

Name of Municipality or Authority Bordentown Sewerage Authority

Signed* Richard D. Eustace Date 1/4/19

Type Name and Position Richard D. Eustace, Executive Director

* Cite authorization to sign for the governing body

Resolution# 2018-54 Dated 7/16/18

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the governing body's full resolution, consenting to the project, must be submitted with the application.)

** Note

- 1. For TWA applications, this section must be completed by the owner/operator of the wastewater conveyance system into which the project named herein will directly connect.
- 2. For NJPDES/SIU applications, this section must be completed when the owner/operator wastewater conveyance system into which the project named herein will directly connect is different that the entity listed under A-3.

C. Certification by Wastewater Treatment Facility Owner**

(For TWA applications that include a sewer connection/extension.)

I (we) hereby certify that the committed flow*** to the

Bordentown Sewerage Authority

(Name of Wastewater Treatment Plant)

does not exceed the presently permitted design capacity and with the additional flow proposed by this application, the permitted design capacity is not anticipated to be exceeded. I (we) further certify that the treatment plant is currently complying with its conventional and non-conventional NJPDES permit requirements (see N.J.A.C. 7:14A-22.17(b)-(d), percent removal and toxicity requirements excluded from this certification) as determined by a rolling average of the three most recent monthly discharge monitoring reports that were required to be submitted to the Department as of this date, and based upon my (our) assessment of all information pertinent to this permit request, is anticipated to continue to do so with the additional flow from this project.

Accepted for Treatment by Bordentown Sewerage Authority

(Name of Treating Authority)

Signed* Richard D. Eustace Date 1/4/19

Type Name and Position Richard D. Eustace, Executive Director

Name of project and/or location

* Cite authorization to sign for the governing body

Resolution# 2018-54 Dated 7/16/18

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the governing body's full resolution, consenting to the project, must be submitted with the application.)

** For TWA applications, this section must be completed by the owner of the wastewater treatment facility receiving the wastewater identified in this application.

OLD YORK ROAD

*** For the purposes of this certification, committed flow means the sum of the 1) actual metered flow, 2) flow from DEP approved TWA applications (not yet operational), and 3) flow from locally approved projects that do not require DEP approval.

Additional Information (For TWA Applications)

1. Approvals, permits, service contracts, or other reservations of flow capacity issued or agreed to by any participating municipality or sewerage agency do not constitute the required approval of the DEP.
2. For computation of actual flow at the receiving wastewater treatment plant, the average flow processed by the facility for the three (3) month period immediately preceding the submission of the application shall be used. Pursuant to the NJPDES regulations (N.J.A.C. 7:14A), no application shall be submitted to the DEP if the wastewater treatment facility is not meeting its discharge permit requirements.

Lack of Consent*

1. The affected sewerage authority or municipality must consent to the application or submit comments to the DEP within 60 days of the applicant's request for consent. Prior to the expiration of the 60-day period to respond to a request for a written statement of consent, the municipality or sewerage authority may request a 30-day time extension.
2. Any document issued by a sewerage authority or municipality which is a tentative, preliminary, or conditional approval shall not be considered a statement of consent.
3. When the affected sewerage authority or municipality does not consent to a project, it shall state all reasons for rejection or disapproval in a resolution and send a certified copy of the resolution to the DEP.
4. When the affected sewerage authority or municipality expressly denies a request for a written statement of consent for a project, the permit application may be determined by the DEP to be incomplete for processing; or in the alternative, the DEP may review the reasons for denial. Any such reasons shall be considered by the DEP in determining whether to issue a draft permit in accordance with N.J.A.C. 7:14A-15.6, or a Treatment Works Approval or sewer connection approval in accordance with N.J.A.C. 7:14A-22.
5. When the affected sewerage authority or municipality does not issue a written statement of consent in accordance with (1) above, or a denial in accordance with (3) above, the DEP, upon receipt of proof that the applicant has delivered to the affected agency a written request for a statement of consent, shall review the reasons therefore, if known on the basis of reasonably reliable information. Any such reasons shall be considered by the DEP in determining whether to issue a draft permit in accordance with N.J.A.C. 7:14A-15.6, or a Treatment Works Approval in accordance with N.J.A.C. 7:14A-22. The DEP, may in its discretion, deem the application to be incomplete pending the expiration of the time period set forth in (1) above.

* This section has been excerpted from the NJPDES regulations for guidance purposes only. Please refer to N.J.A.C. 7:14A-22.8(a)3 for the complete requirements concerning statements of consent.

Notice: False statements, representations, or certifications, in any application, record, or document are subject to fines and penalties as set forth in the Water Pollution Control Act (N.J.S.A. 58:10A-10F 2 and 3.