

# INTERSTATE SANITATION COMMISSION

*A TRI-STATE ENVIRONMENTAL AGENCY*

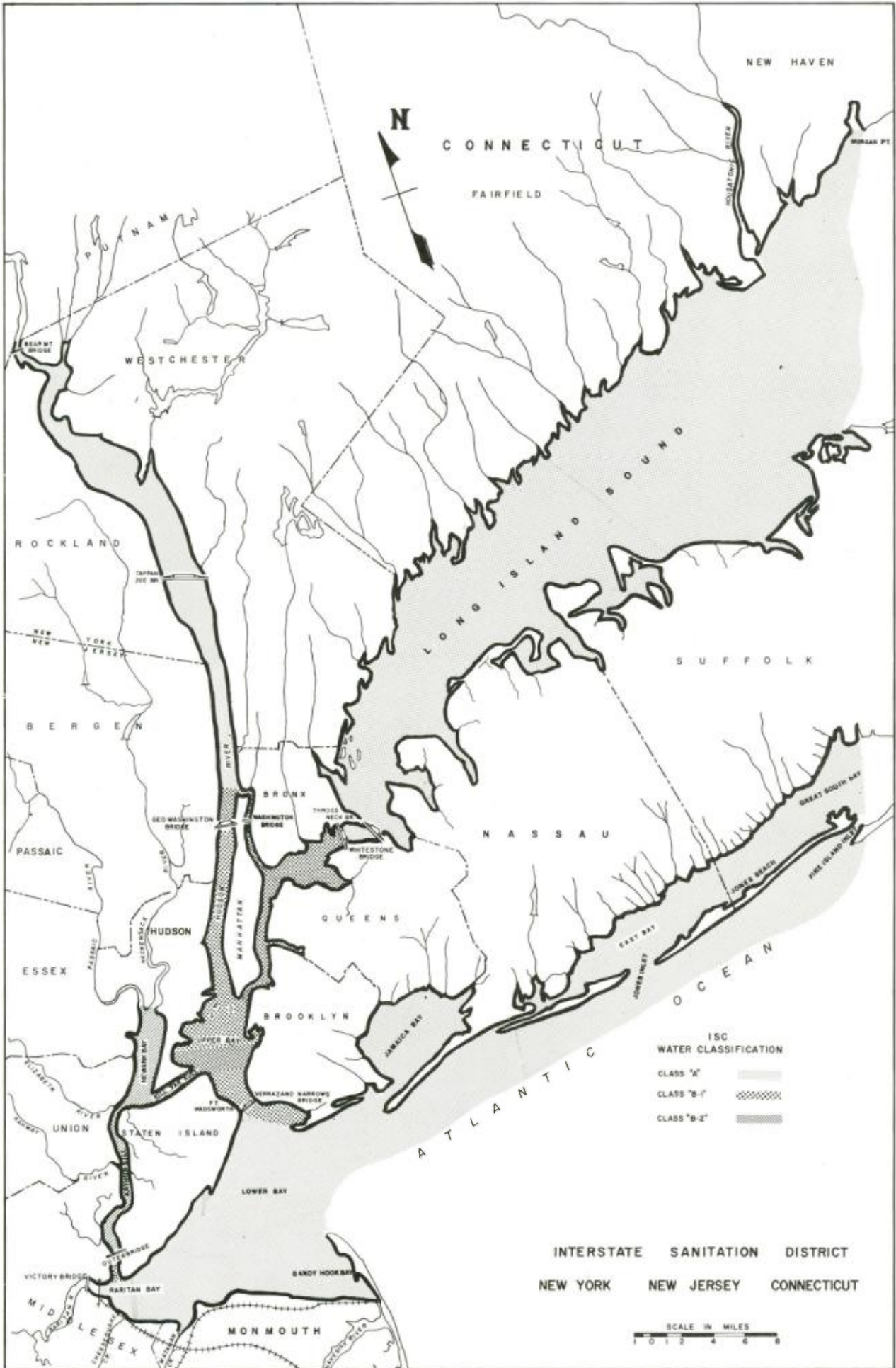
50 YEARS  
OF  
ENVIRONMENTAL PROGRESS



1986

IN BRIEF

NEW YORK    NEW JERSEY    CONNECTICUT



# INTERSTATE SANITATION COMMISSION

A TRI-STATE ENVIRONMENTAL AGENCY

311 WEST 43rd STREET • NEW YORK, N.Y. 10036

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1986

IN BRIEF

## INTERSTATE SANITATION COMMISSION

### 1986 IN BRIEF

In the 50 years since the Interstate Sanitation Commission (ISC) was created, it has seen a growing awareness of the need for a good quality environment and a sense that, with proper effort, it is attainable. Shortly after the Commission was formed, the war effort took precedence over maintenance and improvement of environmental quality in the nation and the Metropolitan Region. Of course, along the way, there have been pauses and attempts at rollbacks, but many sewage treatment plants have been built and much air pollution control equipment has been required to the benefit of the environment. The results have been an overall improvement in environmental quality, but conditions are spotty. Much remains to be done; some goals are nearer achievement than others.

During this past year, the ISC has undertaken work in several emerging areas which will assume increasing importance in the future. The Commission will shortly be completing work on a Combined Sewer Overflow (CSO) report that is the first of its kind -- a comprehensive inventory of all CSOs in the Interstate Sanitation District. This report will be a step forward in recognizing and planning to alleviate this significant problem. ISC has also begun looking at toxic discharges in the District, a topic of great importance that has also been receiving increased attention. Similarly, resource recovery, a technology that the Commission supports if the proper safeguards are taken, is being used more frequently as a chosen method for municipal solid waste disposal in a move away from relying entirely on landfills.

As in the past, the Commission will continue to monitor the environmental quality of the District and to look toward the future in ascertaining the problems yet to be addressed in the District and to determine its role in helping to solve them.

#### ENFORCEMENT - WATER QUALITY

The areas that contribute the greatest part of the waste discharges into the District now have, or will shortly have, the capability to adequately treat their sewage and industrial wastes. Those communities that do not, must still be required to construct such facilities which, according to law, they should have done some years ago. For most communities or waste disposal areas, however, the problem is not that of building additional facilities, but of making sure that existing plants are properly operated and maintained. This problem is exacerbated by temptations to save comparatively small sums by skimping on operating

expenditures, thereby discharging poorer quality effluents than they are capable of producing.

The Interstate Sanitation Commission, by its actions in denying concurrences with the applications of many municipal and regional facilities under Section 301(h) of the Clean Water Act, blocked efforts to reduce the treatment provided by existing secondary treatment plants. In some instances, the effect was to prevent facilities which have not yet upgraded from avoiding or reducing their obligations to improve their treatment systems. More recently, there is some indication that efforts to relax treatment requirements may be shifting to attempts to obtain Pollution Discharge Elimination System Permits containing more lenient values.

There are many avenues by which dischargers can seek to avoid full compliance with pollution discharge limitations. These include variances of several kinds, credits for industrial wastes, and violations of existing requirements. The Commission's Water Quality Regulations contain several provisions that are generally regarded as stricter than those of the agencies of the individual states and of U.S. EPA. Consequently, there is special need for enforcement activity on the part of the Commission. Until now, ISC has placed primary reliance on insisting on the presence of its requirements in the permits, which all waste dischargers into the waters must obtain from the internal state environmental departments. This approach must continue. In addition, direct enforcement through issuance of its own orders, in appropriate cases, and action in the courts is becoming increasingly necessary.

In April 1986, U.S. EPA reopened litigation against the communities in Hudson County, New Jersey. The municipal and regional agencies responsible for treating that area's wastes are now one of the last remaining parts of the Metropolitan Region where sewage treatment plants afford only primary treatment. The U.S. EPA suits were designed to force upgrading of these facilities to secondary treatment or to induce conveyance of the wastes to plants which do provide this greater measure of treatment.

Upon examining the U.S. EPA complaints in these suits (now consolidated into a single action), ISC found that they did not cover compliance with the more stringent requirements of the Commission, particularly those for 6-hour periods.

To obtain inclusion of the ISC requirements in any order issued in the litigation, the Commission has intervened as a party plaintiff in the litigation. The ISC 6-hour regulations are especially important because the Commission routinely samples treatment plant effluents for 6-hour periods. As a practical matter, the 30-day and 7-day period requirements are tested ei-

ther very rarely or not at all by regulatory agencies or only by the dischargers themselves as reported on their Discharge Monitoring Reports (DMRs). For enforcement purposes, the Commission prefers to rely on data collected by its staff or those of other enforcement agencies. DMRs are useful, however, when they demonstrate noncompliance, which is an admission of violation.

### COMBINED SEWERS

For many years, ISC has pointed out the importance of combined sewers as a major contributor to the degradation of the waters of the Region. As the treatment plants have been built and upgraded, combined sewer overflows have come to loom ever larger as a problem. The nature of the difficulty is twofold. During periods of precipitation, these sewers become filled with rapidly flowing storm water. The treatment plants cannot possibly handle the combined flows of domestic wastes, commercial and industrial wastes, and storm water. To prevent inundation and damage to treatment facilities, regulators divert the waste streams from the plants and cause them to overflow, thus discharging untreated pollutants into the waterways of the District. Not only are the wastes generated during the immediate precipitation period discharged, but accumulations of solid and semisolid materials, which have previously settled at the bottoms of the sewers, are flushed into the waterways, also untreated. The second aspect of the problem is that poor maintenance has resulted in the improper working and jamming of the regulators. Consequently, in many instances, there are overflows even in dry weather.

During the past year, ISC undertook a compilation of combined sewers in its District as an essential part of analyzing their current impact on water quality throughout the District. This work had not proceeded very far when it was determined that the available information on the outfall locations and regulator discharge points for the combined sewers was seriously incomplete and, in some cases, incorrect. To remedy the situation, ISC has undertaken to check, by physical inspection in the field, all of these locations. Phase 1 of the ISC report on CSOs will present as much verified information as possible. Subsequent phases of the report will contain additional information on outfall locations. This work is essential to developing a regionwide approach to ameliorating the CSO problem.

### TOXICS

Toxics have been dumped onto the land or buried under it, discharged into waterbodies, and emitted to the ambient air for generations, if not longer. Although the situation may have existed for a long time, the dangers from the toxic accumulations

from past disposal and ongoing toxic wastes discharged to the air and water have only begun to be appreciated.

Based on their location and history, it is probable that the waters of the District contain significant amounts of toxics and are detrimental to the environment and to human health. However, at the present time, there is an inadequate data base on toxic concentrations throughout the District. ISC has done some sampling and analysis for heavy metals and pesticides in the past. However, detection and measurement of most organic toxics require analysis with the aid of a gas chromatograph/mass spectrophotometer, which the Commission has only recently acquired. In view of ISC's limited budget, it was not possible to make the purchase before this year. With this piece of equipment, it is now possible for the Commission to include toxics analysis as part of its regular monitoring program.

The Commission has also acted as a coordinator at meetings of the three member States regarding toxic standards within the District. The Commission has an interest in monitoring the numeric standards imposed by each State on dischargers in the District. ISC will continue its actions by ensuring that the toxic standards in the three States are compatible with each other, as well as with any standards the Commission may adopt.

#### RESOURCE RECOVERY

Disposal of the vast amounts of solid waste generated in the Metropolitan Region has been a problem of staggering proportions for a long time. Even if viewed solely on its own terms, the situation is perplexing. Tens of thousands of tons of municipal solid wastes are generated daily and industrial and commercial wastes add very substantially to the immensity of the disposal task.

Disposing of garbage and trash into the Region's waters was the old issue that inflamed interstate relations and caused much local rancor at the beginning of the present century. These practices have been discontinued, but the need for a more lasting and satisfactory solution remains. Landfills have been the principal means of disposal, but they present environmental problems of their own. Destruction of the waste is a better alternative; yet this must be done without merely shifting the burden to other equally essential and vulnerable parts of the environment. Simple incineration has been tried in the past. It had the advantage of substantially reducing the amount of waste, but the earlier methods caused unacceptable levels of air pollution.

Incineration is once more being considered, although as part of a more complex process known as resource recovery. This tech-

nology combines materials recovery and steam generation with incineration under stringent pollution controls. Within the Region, there has been movement toward resource recovery as a method of municipal solid waste disposal. The New York City efforts involve the largest volume of waste and the largest number of projects by any one governmental unit.

The Commission is following progress in all three States and intends to provide testimony and recommendations in the proceedings relating to resource recovery projects. In fact, it has already done so with respect to the first of the New York City proposed undertakings -- the Brooklyn Navy Yard Project. The Commission is also a member of a task force set up by the New York State Department of Environmental Conservation to study the affects that a proposed Perth Amboy, New Jersey hazardous waste incinerator may have on New York State.

In 1985 and 1986, hearings were held prior to the Board of Estimate's authorization of a resource recovery facility for the Brooklyn Navy Yard site. ISC took the position that it would support resource recovery facilities with recycling as a disposal technology, provided that "state of the art" air pollution control equipment is installed to minimize emissions to the outdoor atmosphere and that the ash residue is disposed of in a secure landfill. There is also need to make sure that liquid wastes generated by the facilities are treated in a manner which complies with applicable water quality requirements, including those of the Commission.

The approach frequently taken by applicants for permits to site, construct, and operate such facilities is that each project should be considered by itself and should be judged largely or solely on its impact on the environment, without reference to the existence or likelihood of other air emissions from other resource recovery plants and the variety of activities that discharge contaminants into the Region's ambient air. While proceedings relating to a particular project must pay special attention to its character and effects, it is the Commission's position that the cumulative effects of all known and clearly foreseeable projects and activities which will emit contaminants affecting the common air shed must also be taken into account.

#### AIR POLLUTION COMPLAINTS AND CITIZEN INVOLVEMENT

So far as the general public is concerned, the most obviously identifiable air pollution is odors. Stenches or otherwise disagreeable smells are not only easily detectable, but they interfere with the comfort and enjoyment of living. Furthermore, they have adverse health effects. Many people who are subjected to repeated or prolonged odor pollution suffer headaches, diges-



tive difficulties, and nervous stress. This is quite apart from the damage resulting when the substances causing foul smells are toxic.

The Commission maintains a citizen complaint response service. Most of the complaints which ISC receives are triggered by odors. The ISC investigates individual episodes and traces the sources by field observation. For the 12-month period ending September 30, 1986, the Commission received 3,475 air pollution complaints. Since its authority does not include direct action of its own against dischargers of air pollutants, the results of an investigation that justify enforcement action are referred to those state and local agencies having statutory enforcement powers.

ISC's field staff is very small. In fact, even if the numbers of governmental personnel assigned to detect objectionable air quality conditions were many times what they could reasonably be, citizen cooperation would still be an essential part of detection and investigation. For this reason, the Commission is training members of the general public in the recognition of specific odors. Citizens who have the ability to accurately identify the odors they experience can provide inspectors with much more valuable information than if they are merely able to complain that something smelled bad. The improved information will be advantageous to the investigative personnel in tracking emissions to their sources.