

## **BWA, Pocono Township and Downstream Municipalities Reach Agreement on Regional Wastewater Management**

(BWA Streamlines, July 2008)

A lawsuit filed by the BWA in November 2007 is about to be settled with a new cooperative regional agreement for wastewater management which, although not perfect, furthers the BWA's efforts to safeguard the Pocono area's highly prized streams and rivers while recognizing regional needs to protect local jobs and respond to current and future local growth and development.

BWA challenged a permit granted to Pocono Township Supervisors by the Pennsylvania Department of Environmental Protection. The permit authorized the discharge of 2 million gallons per day (MGD) of wastewater from a treatment plant Pocono Township intended to build along the Pocono Creek in Bartonsville.

In addition to the new plant, the Pocono plan called for a six mile pipe that would discharge water into a section of the Brodhead Creek designated as a coldwater and migratory fishery, and central to the Brodhead Creek Greenway, the Levee Loop Trail system, and its adjoining regional parks – among the most heavily used recreation areas in Monroe County.

The core of the agreement is a commitment from Pocono Township to relinquish plans to build its own plant. Instead, Pocono would join with Stroud and Stroudsburg as part of the **Brodhead Creek Regional Authority** to expand and upgrade the wastewater facility owned by Stroud and Stroudsburg.

The upgrade would include technological advances anticipated to lead to a discharge of treated water that would be cleaner than the current Stroudsburg discharge.

Brian Glass, an environmental attorney associated with Citizens for Pennsylvania's Future (PennFuture) has been representing BWA,

Stroud Township and the boroughs of Stroudsburg and East Stroudsburg in

opposing Pocono Township's wastewater plan, described the agreement as "a happy resolution of a very difficult problem."

Theresa Merli, past BWA president and current Monroe County Commissioner, noted during negotiations that this agreement "calls on all parties to show trust and to share a regional vision for the environment and the economy."

The agreement expressly recognizes BWA's right and intention "to continue to advocate for decentralized wastewater management, and to submit data relevant to water use determinations."

The parties agreed not to oppose Sanofi Pasteur's interim efforts to obtain approval for an increase in its discharge to Swiftwater Creek a discharge that would be reduced when the collection and treatment services outlined in the primary agreement were on line.

Dr. Jerilyn Jewett-Smith, president of BWA, Frank Herting (Vice President), Edie Stevens (Treasurer), Theresa Merli (Director), Don Baylor (Director), as well as Anne Fetherman and Dr. Patricia Kennedy participated in various phases of the negotiations that led to the agreement.

[Read more](#), including the full agreement and other documents