



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUN 28 2010

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 (BMUA) Phase I Aqueduct Rehabilitation Project, to be located in the City of Bayonne, Hudson County, New Jersey.

This project is being partially funded through Federal Special Appropriations Act grants XP 97272705 and XP 97272805. As part of this project, the BMUA proposes to rehabilitate an existing 48-inch diameter aqueduct used to convey potable water from a North Jersey Water Supply Commission main in North Arlington, New Jersey, to the City of Bayonne. A 2,636-foot section of pipe is in need of repair, as it is currently leaking two million gallons of water per day. It is proposed that this section will be sliplined with a new linear high density polyethylene pipe, which will be connected at both ends to the existing pipe.

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 you provided concerning the proposed action indicates that none of the specific criteria for not granting a CATEX, found in 40 CFR 6.204(b)(1) through (b)(10), are present.

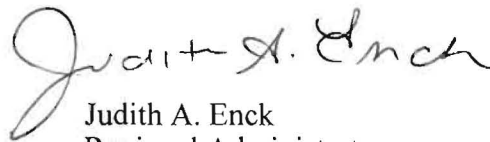
Based on our review of the supporting documentation, EPA approves a CATEX for the project. Please be reminded that EPA may revoke this CATEX if any of the following conditions occur:

- 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.

Furthermore, EPA strongly encourages project sponsors to incorporate green practices into all phases of a project, including planning, design and construction. Such practices can promote sustainable infrastructure, support development of a “green” workforce, and reduce long-term operation and maintenance costs. Accordingly, EPA hopes to see green practices incorporated as a standard part of the BMUA’s future projects. Towards that end, we are enclosing a fact sheet that identifies a variety of recommendations that should be given consideration for this project and henceforth.

Should you have any questions regarding this decision, please address them to Grace Musumeci, Chief, Environmental Review Section, at the above address. Please note that this CATEX will be made available for public viewing on EPA Region 2’s website at <http://www.epa.gov/region02/spmm/r2nepa.htm#r2docs>.

Sincerely,



Judith A. Enck
Regional Administrator

Enclosure

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

EPA Region 2 Green Project Recommendations and Resources

EPA strongly encourages that the concepts outlined below be considered by those receiving federal grant assistance for water, wastewater, stormwater, or water quality protection projects. In this regard, project sponsors are encouraged to use local and/or recycled materials; to recycle materials generated onsite; to utilize low-emissions technologies and fuels; and to incorporate renewable-energy (e.g., solar, wind, geothermal, biogas, and biomass) and energy-efficient and environmentally sustainable technology in project design, construction, and operation.

- **Utilize Clean Diesel Technology** <http://www.epa.gov/otaq/diesel/>
Diesel controls, cleaner fuel, and cleaner construction practices can be utilized for both on-road and off-road equipment used for transportation, excavation, and other construction activities. Particular consideration should be given to the following concepts:
 - 1) Strategies and technologies to reduce unnecessary idling, including auxiliary power units, the use of electric equipment, and establishing and enforcing limits on idling time.
 - 2) The use of ultra low sulfur diesel fuel in non-road applications.
 - 3) The use of add-on control technologies like diesel oxidation catalysts and particulate filters, repowering, or newer, cleaner diesel equipment.
<http://www.mass.gov/dep/air/diesel/conretro.pdf>
 - 4) Contract specifications can be used to require contractors to use advanced pollution controls and clean fuels. <http://www.epa.gov/diesel/construction/contract-lang.htm>. A model specification is available online at <http://www.northeastdiesel.org/pdf/NEDC-Construction-Contract-Spec.pdf>.

- **Use Alternative and Renewable Energy**
The U.S. Department of Energy's "Green Power Network" (GPN) provides information and markets that can be used to supply alternative generated electricity. The following link identifies several suppliers of renewable energy.
http://apps3.eere.energy.gov/greenpower/buying/buying_power.shtml

- **Incorporate onsite energy generation and energy efficient equipment upgrades into projects at drinking water and wastewater treatment facilities**
Promote the use of captured biogas in combined heat and power systems and/or renewable energy (wind, solar, etc.) to generate energy for use onsite as well as upgrades to more energy efficient equipment (pumps, motors, etc.).
http://www.epa.gov/waterinfrastructure/bettermanagement_energy.html

- **Utilize Energy Star/Multi-media building and land design practices**
Consideration should be given to including building practices which have multi-media benefits, including energy efficiency, water conservation, and healthy indoor air quality. Apply building rating systems and tools, such as Energy Star, Energy Star Indoor Air Package, and Water Sense for building construction. http://www.energystar.gov/index.cfm?c=business.bus_bldgs and <http://www.usgbc.org/>

- Implement Water Efficiency**
 Water efficiency can make infrastructure systems more sustainable by reducing the quantity of water treated and distributed through the water supply system, and subsequently by the wastewater treatment and disposal systems. EPA is promoting water use practices that increase efficiency, eliminate waste, and conserve water resources, resulting in a decreased burden on our water resources. The WaterSense program, <http://www.epa.gov/watersense>, promotes the market for water-efficient products through the use of WaterSense-labeled products and the use of contractors certified through a WaterSense-labeled program. Water supply utilities can also decrease the burden on water and wastewater treatment systems by reducing the amount of drinking water lost from their leaking water distribution pipes. Additional details on the Sustainable Infrastructure Initiative can be found at <http://www.epa.gov/waterinfrastructure>.
- Source Management for Stormwater Runoff**
 Green infrastructure and low impact development approaches can reduce, capture, and treat stormwater runoff at its source. Site-specific practices, such as green roofs, downspout disconnections, rain harvesting/gardens, planter boxes, and porous pavements are designed to mimic natural hydrologic functions and decrease the amount of impervious area and stormwater runoff. Preserving and recreating natural landscape features can create functional and appealing site drainage that treats storm water as a resource rather than a waste product.
<http://www.epa.gov/nps/lid>, and
<http://cfpub.epa.gov/npdes/greeninfrastructure/technology.cfm>
- Encourage cost-efficient, environmentally-friendly landscaping**
 EPA's GreenScapes program provides cost-efficient and environmentally friendly solutions for landscaping. Designed to help preserve natural resources and prevent waste and pollution, GreenScapes encourages companies, government agencies, other entities, and homeowners to make holistic decisions regarding waste generation and disposal and the associated impacts on land, water, air, and energy use. <http://www.epa.gov/osw/conserves/rrr/greenscapes/index.htm>
- Use recycled materials in highway and construction projects.**
 Many industrial and construction byproducts are suitable and available for use in road or infrastructure construction. <http://www.epa.gov/osw/conserves/rrr/imr/index.htm> Use of these materials can save money and reduce environmental impact. The Recycled Materials Resource Center has user guidelines and specifications for recycled material.
<http://www.recycledmaterials.org/tools/uguidelines/index.asp>.
- Safely Reuse and/or Recycle Project-related Debris and Waste**
 The *Federal Green Construction Guide for Specifiers* includes a construction waste management specification. <http://www.wbdg.org/design/greenspec.php>
- Utilize environmentally preferable purchasing**
 Promote markets for environmentally preferable products by referencing EPA's multi-attribute Environmentally Preferable Purchasing guidance. <http://www.epa.gov/epp>