

DELAWARE RIVER BASIN COMMISSION

MEETING OF MARCH 11, 2015

Minutes

Commissioners Present: Angus Eaton, New York, Chair
Bryan A. Ashby, Delaware, Vice Chair
Lieutenant Colonel Michael A. Bliss, United States, Second Vice Chair
Daniel M. Kennedy, New Jersey
The Pennsylvania Commissioner was unavailable.

DRBC Staff Participants: Steven J. Tambini, Executive Director and Hearing Officer
Kenneth J. Warren, Warren Glass LLP, General Counsel
Pamela M. Bush, Commission Secretary & Assistant General Counsel
Thomas J. Fikslin, Branch Manager, Modeling, Monitoring and Assessment
David Kovach, Supervisor, Project Review Section
William J. Muszynski, Branch Manager, Water Resources Management
Kenneth F. Najjar, Branch Manager, Planning and Information Technology
Amy Shallcross, Supervisor, Operations Section

The Commission met at the Washington Crossing Historic Park Visitor Center in Washington Crossing, Pennsylvania on March 11, 2015.

Minutes. The Minutes for the Commission Meeting of December 10, 2014 were approved unanimously on a motion by Lieutenant Colonel Bliss, seconded by Mr. Ashby.

Announcements. Ms. Bush announced the following events:

- *North American Water Loss Conference.* The first North American Water Loss Conference, themed *Advancing Policies, Tools, and Technologies*, will take place on December 8-9, 2015 at the Georgia International Convention Center in College Park, Georgia. DRBC's David Sayers will be among the technical and policy experts to address conference-goers. Mr. Sayers was among the developers of the American Water Works Association's Free Water Audit Software[®], and he coordinated the creation of the DRBC's Water Audit program. More information will be posted on the Commission's web site closer to the date of the event. Information also will be available on the web sites for the Alliance for Water Efficiency and the Georgia Association of Water Professionals.
- *DRBC Regulated Flow Advisory Committee (RFAC).* The Commission's RFAC will meet on April 17, 2015 in West Trenton, New Jersey from 10:00 a.m. to 2:00 p.m. Additional information will be available on DRBC's web site.

Hydrologic Conditions. Ms. Shallcross reported on hydrologic conditions in the Basin:

The observed precipitation for the portion of the Basin above Montague, New Jersey for the period January 1 through March 9, 2015 was 6.35 inches or 0.32 inches below normal. The observed precipitation for the Basin above Trenton for the same period was 5.50 inches or 1.61 inches below normal and for the Basin above Wilmington, Delaware for this period, 8.94 inches or 2.11 inches above normal.

Recent streamflow data for the Delaware River at Montague, New Jersey and the Delaware River at Trenton, New Jersey was currently unavailable. Streamflow readings at these two gages have been affected by river ice since early January.

In the Lower Basin, as of March 10, 2015, Beltzville Reservoir contained 13.49 billion gallons (bg) usable, or 100.0 percent of usable storage, and Blue Marsh contained 4.44 bg usable, or 100.5 percent of winter pool usable storage. As of March 9, Merrill Creek contained 14.28 bg usable, or 91.0 percent of usable storage.

In the Upper Basin, as of March 10, Pepacton Reservoir contained 92.2 bg usable or 65.8 percent of usable storage. Cannonsville contained 55.1 bg usable, or 57.6 percent of usable storage. Neversink contained 22.4 bg usable or 64.0 percent of usable storage. The total New York City Delaware Basin reservoir storage was 169.6 bg usable or 62.6 percent of usable storage.

During the month of February 2015, the location of the seven-day average of the 250-parts-per million (ppm) isochlor, also known as the "salt front," ranged from River Mile (RM) 75 to RM 79. The normal location of the salt front during February is RM 71, which is seven miles downstream of the Delaware-Pennsylvania state line. As of March 9, the salt front was located at RM 80, which is ten miles upstream of the normal location of the salt front during March.

Executive Director's Report. Mr. Tambini's remarks are summarized below:

- *Federal Funding for the DRBC.* On February 2, 2015 the President issued his proposed budget, which lacks funding for the Mid-Atlantic river basin commissions. DRBC continues to work with our congressional delegation to secure funding for the DRBC in the final federal budget, consistent with the directive contained in WRRDA 2014. Mr. Tambini thanked DRBC stakeholders for their support for federal funding.
- *DRBC June 9-10, 2015 Commission Meeting.* The Commission's June meeting will include a public hearing on and consideration of DRBC's fiscal year 2016 budget.
- *DRBC Regulated Flow Advisory Committee (RFAC).* The next RFAC meeting takes place on April 17. Staff anticipates that the planning support model will be released before that date. Additional information will be forthcoming.

General Counsel's Report. Mr. Warren reported that the Commission was not involved in any litigation. On an unrelated topic, he explained that at the last Commission Meeting, counsel for the Delaware Riverkeeper Network (DRN) had raised some concerns regarding the Commission's response to a DRN records request. The Commission's Chief Administrative

Officer responded by letter dated January 20, 2015, a copy of which is available to anyone who requests it. Key points contained in Mr. Gore's response are summarized here. First, DRN and DRBC were not in any way at odds over the production of requested documents. DRN received all of the documents they had asked for. At issue was an invoice in the amount of \$505.00 that the Commission presented to DRN for the cost of searching for, reviewing and producing the requested documents. DRBC provides broad access to its records and considers such access to be an important aspect of a public agency. No change is contemplated in providing such access. DRN contended that on the basis of a public interest exemption included in the federal Freedom of Information Act, it should not be required to pay for records furnished by the DRBC. As Mr. Gore made clear in his response, the federal Freedom of Information Act applies only to federal agencies; it does not apply to the Commission, which is a federal-interstate compact agency formed by legislation known as the *Delaware River Basin Compact* ("Compact"). The Compact expressly exempts the Commission from all aspects of the federal Administrative Procedure Act, of which the Freedom of Information Act, or "FOIA," is a part. The Commission follows its own access to records regulations promulgated pursuant to the Compact. DRN's comments at the December meeting and its letter of the same date suggested that somehow the Commission was changing its view of its own regulations. That is not the case. It is correct that from time to time the Commission will provide to any member of the public a document at no cost. This will occur, for example when the requested document has been posted to the website or when the document is readily identifiable and simple to produce. However, it has been and continues to be our practice that if extensive time is required to search for, review and produce documents, there will be a charge for these services. DRBC's regulations reference "FOIA" and a "FOIA Officer" because portions of the regulations were borrowed from FOIA. Not all of the federal FOIA was borrowed and one of the provisions that the Commission chose not to borrow was an exemption from the payment of fees.

In sum, the Commission believes that it acted appropriately and in accordance with its regulations in presenting an invoice of \$505.00 to the Delaware Riverkeeper Network. The Commission does not want any member of the public to think that there was any dispute about the Commission's willingness to produce documents or any change in implementing DRBC regulations.

Settlement Agreements. During 2014 DRBC's compliance supervisor and his team reviewed annual effluent monitoring reports for calendar year 2013 and found that some dischargers were failing to perform required monitoring. Notices of Violation (NOV) were issued to those entities. In accordance with DRBC's *Rules of Practice and Procedure*, many of the dischargers have requested settlement with the Commission in lieu of a penalty to resolve these matters. The Executive Director may submit a proposed settlement agreement to the Commissioners when he finds it to be in the Commission's best interest; and to date, the Commissioners have approved all settlement agreements that the Executive Director has recommended to them. A resolution to be considered later in the meeting would authorize the Executive Director after consultation with the Chair and the host state representative, to enter into settlement agreements without the need for Commission ratification when the agreements involve amounts of \$10,000 or less.

The settlements submitted for the Commission's consideration today, with one exception, involve alleged violations classified as "Moderate" on the Civil Penalty Matrix that the Commission adopted in 2009. The settlement amounts are the lowest authorized where a docket

holder has no record of a past violation, has cooperated in good faith with the Commission, has not willfully violated Commission requirements, has incurred only minor economic benefit as a result of the alleged violations and where minimal effects on water resources occurred as a result of the violations.

The entities with which these settlement agreements are proposed are listed below:

1. Beach Lake Municipal Authority, D-2001-052 CP-2
2. Bristol Borough Water and Sewer Authority, D-1969-066 CP-3
3. Camden County Municipal Utilities Authority, D-1971-009 CP-10
4. East Stroudsburg Borough, D-2007-039 CP-2
5. East Vincent Township, D-2005-007 CP-1
6. Frenchtown Borough, D-2010-021 CP-1
7. Little Washington Wastewater Company, D-2002-042-3 (currently Aqua Pennsylvania Wastewater, Inc.)
8. Monroe Energy, LLC, D-1986-041-2
9. Mount Airy #1, LLC, D-1977-058-4
10. Palmerton Borough, D-1964-028 CP-2
11. Parkland School District, D-2009-007 CP-1
12. Pen Argyl Municipal Authority, D-1975-028 CP-3
13. Pike County Environmental, Inc., D-1989-082-2
14. Port Jervis City, D-2004-028 CP-2
15. Sunoco Partners Marketing & Terminals, LP, D-1968-053-2
16. UMH Properties, Inc., D-2009-021 CP-1
17. Upper Gwynedd-Towamencin Municipal Authority, D-2002-029 CP-2
18. Upper Uwchlan Township Municipal Authority, D-2000-055 CP-3
19. Village of Deposit, D-1974-057 CP-3
20. Village of Monticello, D-1981-038 CP-2

One settlement agreement recommended by the Executive Director involved more than \$10,000. This agreement would resolve the payment by United Water Delaware, Inc. of water charges due and owing as the result of termination of certificates of entitlement upon a change in the ownership and control of the company in 2000. Ms. Bush requested the Commissioners' consideration of the 21 settlement agreements.

Mr. Eaton requested a motion to ratify all of the recommended agreements. Mr. Kennedy so moved, Lieutenant Colonel Bliss seconded his motion, and the motion to ratify the settlement agreements was approved unanimously.

Two additional settlement agreements – one with the Harvey Avenue Wastewater Treatment Plant of the Bucks County Water and Sewer Authority (BCWSA) and the other with BCWSA's Upper Dublin Wastewater Treatment Plant – were approved by the BCWSA Board, but DRBC had not yet received the signed agreements. Under the delegation of authority to be considered

later in the meeting, the Executive Director could approve these agreements without Commission ratification.

Project Review Applications. The Commission held a duly noticed public hearing on March 10, 2015 on 40 draft dockets for water-related projects. A description of each of the sponsor's applications is provided in an appendix to these Minutes. Twenty-eight of the projects are located in Pennsylvania, seven in New York, two in Delaware, and two in New Jersey. One of the projects – the Columbia 1278 Natural Gas Pipeline Project – is located in both Pennsylvania and New York. As to two additional dockets originally included in the notice of public hearing – Docket D-1988-077 CP-3 for Spring Township (hearing item 8) and Docket D-2014-014 CP-1 for Tincum Township (hearing item 38) – the public hearing was postponed to allow additional time for review.

The Commission received substantive comments on only two of the draft dockets. Project Review Section Supervisor David Kovach recommended that the Commissioners approve the 38 dockets on which no substantive comments were received and for which the public hearing was completed on March 10: hearing items 1 through 7, 9 through 34, 36 and 37, and 39 through 41.

Mr. Eaton requested a motion to approve the dockets as recommended. Mr. Ashby so moved, Lieutenant Colonel Bliss seconded his motion, and the 38 dockets recommended by Mr. Kovach for approval were unanimously adopted.

To allow time for further consideration of the comments received during the public hearing on March 10, Mr. Kovach recommended that the Commissioners postpone action on hearing items 35 and 42 – dockets D-2014-008-1 for Columbia Gas Transmission Corporation and D-2014-022-1 for Transcontinental Pipeline Company, LLC, respectively.

Mr. Eaton requested a motion to postpone any decision on the two items. Mr. Ashby so moved, Mr. Kennedy seconded his motion, and the motion to postpone action on hearing items 35 and 42 was carried by a vote of three in favor, with Lt. Colonel Bliss abstaining. The Commonwealth of Pennsylvania was absent.

Resolution Authorizing the Executive Director to Award a Contract to the Lowest Responsible Bidder for Taxonomic Identification of Benthic Macroinvertebrates in Samples Collected from the Delaware River and Its Tributaries. The Commission has had a biomonitoring program since the year 2000. Samples were collected in 2010, 2011 and 2012 under DRBC's Clean Water Act Section 106 grant and as part of a study funded by the Otto Haas Charitable Trust to establish baseline conditions prior to natural gas development in the upper basin. Analysis of the samples involves the use of different methods depending upon where the samples were collected. The host state's methods are used for samples collected in tributaries, whereas DRBC methods are used for samples collected in the main stem. The resolution authorizes the Executive Director to enter into one or more contracts for the identification of macroinvertebrates in the samples for a period of four years, with a total cost not to exceed \$120,000 unless additional funds are allocated by the Commission for such activity.

Mr. Eaton requested a motion to approve the resolution authorizing the Executive Director to award a contract to the lowest responsible bidder for taxonomic identification of benthic

macroinvertebrates in samples collected from the Delaware River and its tributaries. Mr. Kennedy so moved, Lieutenant Colonel Bliss seconded his motion, and Resolution No. 2015-1 was approved by unanimous vote.

Resolution Authorizing the Executive Director to Award a Contract to the Lowest Responsible Bidder for Analysis of Water, Sediment and Tissue Samples from Ambient Waters of the Delaware River Basin for Organic Chemicals Including PCBs, and Mercury. DRBC continues to evaluate basin waters for the presence of toxic substances, including PCBs, DDT, metals and emerging contaminants such as flame retardants and perflorinated chemicals, and to provide data to the states for their use in evaluating water quality. DRBC also monitors in connection with the implementation of TMDLs for PCBs in the Delaware Estuary. The proposed resolution authorizes contracts for the analytical services required to evaluate water, sediment and fish tissue samples for toxic pollutants. The sum of \$212,500 of DRBC's Clean Water Act Section 106 funds for calendar year 2015 is allocated for these services. The Commission on February 17, 2015 issued a request for proposal and quotation for the necessary analytical services for a period of three years with an option for two additional years. The resolution authorizes the Executive Director to select and enter into an agreement with the most qualified vendor submitting acceptable cost estimates.

Mr. Eaton requested a motion to approve the resolution authorizing the Executive Director to award a contract to the lowest responsible bidder for analysis of water, sediment and fish tissue samples from ambient waters of the Delaware River Basin for organic chemicals including PCBs, and mercury. Lieutenant Colonel Bliss so moved, Mr. Ashby seconded his motion, and Resolution No. 2015-2 was unanimously approved.

Resolution Delegating Limited Authority to the Executive Director to Enter into Settlement Agreements and to Waive Administrative Late Fees for Good Cause Shown. The proposed resolution provides the Executive Director with the authority under Section 2.7.8 of the Rules of Practice and Procedure to approve settlement agreements with alleged violators where the sum involved is less than or equal to \$10,000. Prior to entering into such an agreement, the Executive Director is to consult with the Commissioner representing the state in which the regulated activity is located. A second component of this resolution further delegates to the Executive Director the authority to grant for good cause shown or deny any request for a waiver or reduction of a late fee imposed in accordance with a duly adopted fee schedule of the DRBC, provided that the denial of such a request by the Executive Director may be appealed to the Commission in accordance with the Rules of Practice and Procedure.

Mr. Eaton requested a motion to approve the resolution delegating limited authority to the Executive Director to enter into settlement agreements and to waive administrative late fees for good cause shown. Mr. Ashby so moved, Mr. Kennedy seconded his motion and Resolution No. 2015-3 was approved by unanimous vote.

Resolution Authorizing and Directing the Executive Director to Initiate Rulemaking to Provide for the One Process/ One Permit Program and to Enter into an Administrative Agreement with the New Jersey Department of Environmental Protection for Demonstration of the Program. Mr. Muszynski summarized the comments received on the proposal and the staff's responses.

In response to concerns that One Process/One Permit would undermine DRBC's authority, water quality limits and regulations, Mr. Muszynski said the draft resolution and the terms of the draft administrative agreement (AA) with the State of New Jersey expressly preserve the authority of DRBC throughout the process, including in implementation of all DRBC requirements. The proposed program involves no change in the Commission's Water Quality Regulations, Water Code or other substantive rules, all of which remain in full effect. Under the program, DRBC requirements and a finding that with respect to effluent limits and water quality standards the project does not substantially impair or conflict with DRBC's comprehensive Plan, may be included in state-issued approvals.

Another commenter said the forthcoming rule and the AA would prevent use of DRBC's basinwide approach and application of basinwide requirements. In response, Mr. Muszynski said that DRBC technical staff would continue to perform reviews and develop the requirements that currently go into DRBC dockets, but these would be furnished to the states for inclusion in state-issued approvals. DRBC's recommendations would become part of the state's decision-making record. A dispute resolution process is to be used where state and DRBC staff cannot agree, and separate instruments will be issued when agreement cannot be reached.

A commenter said the restrictions on DRBC review times would make DRBC review impracticable in instances where a project is complex and the review is more involved. In response, Mr. Muszynski noted that under the draft AA, on or before January 31 of each year the state staff are to provide DRBC with a list of the NJPDES permits expected to be issued during the coming year for projects located in the basin. This list will include a concise description of the applications, allowing DRBC staff to begin work early on evaluations that they expect will be more involved and to communicate specific concerns to the state in advance of the development of a pre-draft permit. The draft AA also provides for DRBC staff to be notified when the state receives a NJPDES application and when a pre-application meeting is scheduled. These practices will afford DRBC staff the opportunity to participate in a state pre-application meeting and eliminate the need for the multiple meetings that occur in current practice. For projects located within the drainage area of Special Protection Waters ("SPW"), the term "sufficient time" is defined in the draft AA to mean "notice as early as possible and preferably before the initiation of design." Thus, the draft agreement recognizes that for projects subject to an SPW "no measurable change" analysis, which involves water quality modeling, DRBC staff need to be involved early in the process.

Some commenters raised concerns about access to information and opportunities for comment. Mr. Muszynski said that in addition to the list to be provided by NJDEP annually by January 31 identifying state NJPDES permits to be issued during the year for projects in the basin, DRBC will post on its website a list of the projects undergoing review under One Process/ One Permit and links to the state registers that publish or announce the availability of draft state permits. The public comment period on a draft NJPDES permit is 30 days, whereas DRBC provides a formal comment period of only ten days prior to its public hearing. Mr. Muszynski noted that members of the public may submit comments to the Commission at any time and may also address the Commissioners during the public dialogue segments of the Commission's quarterly meetings.

Mr. Muszynski added that when the process is fully in effect, to be certain that comments become part of the official decision-making record, the comments should be submitted in writing

to the states during their public comment period. Copies may of course also be provided to the DRBC. Access to DRBC and state records will remain unchanged under the program.

One commenter was concerned that One Process/ One Permit would deprive Commissioners of their opportunity to comment on projects located in another state. Under the proposed AA the list of NJPDES projects to be reviewed under One Process/ One Permit during any calendar year will be published on DRBC's website early in the year, based on receipt by DRBC of notice by the State of the projects within the basin for which the State intends to issue permits. The Commissioners will thus have an early opportunity to identify any projects of particular concern to them. Prior to issuance of a permit by the state, any signatory party may request that the project be fully reviewed and adjudicated by the Commission. Accordingly, the Commissioners will continue to have opportunities through DRBC to evaluate projects of concern to them that are located in another state.

The substance of DRBC reviews under One Process/One Permit was another concern. Mr. Muszynski reiterated that none of DRBC's substantive requirements are being modified, and the Commission's reviews will not substantively change. In each instance, DRBC staff will perform their customary review and submit to the State for inclusion in the state-issued permit those conditions needed in the staff's view to support a finding that the project will not impair or conflict with DRBC's Comprehensive Plan. The more stringent of state and DRBC requirements will be placed in permits. DRBC's basinwide total dissolved solids (TDS) requirements will continue to apply. The AA calls for DRBC to continue to make certain determinations, such as TDS, color and mixing zone determinations, including those required for the "no measurable change" analysis in DRBC-designated Special Protection Waters. Any requests for waivers from DRBC requirements will be referred to DRBC. The Commission will make those determinations and return them to the State for inclusion in state-issued permits.

Several questions concerned the demonstration program. One commenter asked whether pipeline projects would be included in this program. As set forth in Section 8.B. of the draft AA, the demonstration program will apply only to wastewater discharge projects and will not include pipeline projects. Projects to be reviewed under the demonstration program have not yet been selected. The state and DRBC will choose from among those projects selected by the state for permit issuance this year. Once projects are chosen, DRBC will publish this information on its website.

The demonstration program will terminate and the full program as set forth in the AA with NJDEP will go into effect upon the effective date of new DRBC rules establishing the program. If the new rules are not promulgated by January 1, 2016, the demonstration will terminate on the later of that date or issuance of permits for eight projects reviewed under the program. The demonstration program may be extended by the parties.

If a permit reviewed under the demonstration program is completed and a permit reaches the issuance stage before the effective date of a DRBC rule providing for One Process/One Permit, then the agencies will issue separate approval instruments.

In conclusion, Mr. Muszynski recommended approval of the draft resolution authorizing the Executive Director to initiate a rulemaking process and enter into an AA with the NJDEP for demonstration of the One Process/One Permit program.

Mr. Eaton requested a motion to approve the resolution authorizing and directing the Executive Director to initiate rulemaking to provide for the One Process/One Permit Program and to enter into an Administrative Agreement with the New Jersey Department of Environmental Protection for Demonstration of the Program. Mr. Kennedy so moved, Mr. Ashby seconded his motion and Resolution No. 2015-4 was approved by unanimous vote of the four members present.

Resolution for the Minutes Authorizing the Executive Director to Execute an Agreement for the Preparation of the Triennial Actuarial Evaluation Required by GASB 45 for Determining Post-Retirement Benefits. Mr. Gore explained that the Commission's "other post-employment benefit" ("OPEB") obligations are the health benefit premiums that the Commission pays for retired employees who have earned that benefit. To effectively implement General Accounting Standards Board (GASB) Statement 45, the Commission adopted Resolution No. 2009-9 authorizing the Executive Director to (a) establish an Internal Revenue Code Section 115 Integral Part Trust and (b) enroll the Commission in the VantageCare Retirement Health Savings Employer Investment Program offered by ICMA Retirement Corporation. GASB 45 also requires that an actuarial evaluation be performed every three years. The Commission engaged the firm of Brown & Brown Consulting to prepare the actuarial evaluation for 2012. This resolution provides for Brown & Brown Consulting to prepare the required evaluation in 2015 as well, consistent with the firm's proposal dated January 12, 2015. The fee for the evaluation is \$6,250. The resolution also recognizes that due to the specialized and professional nature of the services to be procured, the competitive bidding requirement of the Compact is waived.

Mr. Eaton requested a motion to adopt the resolution for the Minutes authorizing the Executive Director to execute an agreement for the preparation of an actuarial evaluation of the Commission's OPEB obligations in accordance with GASB Statement No. 45. Lieutenant Colonel Bliss so moved, Mr. Ashby seconded his motion, and the Resolution for the Minutes was unanimously adopted.

The text of the resolution follows:

A RESOLUTION authorizing the Executive Director to execute an agreement for the preparation of an actuarial evaluation of the Commission's "Other Post-Employment Benefit" ("OPEB") obligations, in accordance with Government Accounting Standards Board Statement No. 45 ("GASB 45").

WHEREAS, Resolution No. 2009-9, adopted on October 22, 2009, authorized the Executive Director to establish an IRC Section 115 Integral Part Trust and to adopt the VantageCare Retirement Health Savings Employer Investment Program offered by ICMA Retirement Corporation (ICMA-RC) to help the Commission fulfill its OPEB (non-pension) post-employment retirement benefit obligations; and

WHEREAS, in implementing these steps, the Commission has complied with the generally accepted accounting standards set forth in GASB 45; and

WHEREAS, GASB 45 requires that a triennial actuarial evaluation be performed to measure the Commission's OPEB liabilities and expenses; and

WHEREAS, such an evaluation was conducted during the fiscal years beginning July 1, 2009 and July 1, 2012; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission that:

1. The Executive Director is hereby authorized to procure the services of Brown & Brown Consulting of Philadelphia, Pennsylvania for the preparation of an actuarial evaluation as required by GASB 45, consistent with the firm's proposal dated January 12, 2015, in an amount not to exceed \$6,250;
2. In accordance with Section 14.9(5) of the Compact, the competitive bidding provisions of the Compact are hereby waived in view of the specialized and professional nature of the services to be procured.

This Resolution shall take effect immediately.

Resolution for the Minutes Authorizing the Executive Director to Retain an Independent Accounting Firm to Perform the Annual Audits for Fiscal Years 2015 through 2017, With an Option to Continue These Services Through 2019. The Delaware River Basin Compact requires the Commission to undergo an annual independent audit. The Commission instituted a practice over a decade ago of limiting to five consecutive years the period during which the same accounting firm may provide this service. The last audit was performed for the fiscal year that ended on June 30, 2014. DRBC is now in a new cycle. The Commission issued a request for a proposal in November 24, 2014 soliciting the professional services of a certified public accountant to perform the required audit for the years 2015 through 2017, with an option to renew the engagement for two additional years. The Commission received proposals from four qualified firms. The lowest responsible bidder was the firm of Zelenskofske Axelrod LLC, with a proposal in the amount of \$15,725 per year for either three or five years. The resolution would authorize the Commission to engage Zelenskofske Axelrod LLC for the independent audits.

Mr. Eaton requested a motion to approve the resolution for the Minutes authorizing the Executive Director to retain an accounting firm to perform the Commission's annual independent audits. Mr. Kennedy so moved, Lieutenant Colonel Bliss seconded his motion, and the Resolution for the Minutes was unanimously approved.

The text of the resolution follows:

A RESOLUTION authorizing the Executive Director to retain an accounting firm to perform the Commission's annual independent audits.

WHEREAS, Section 14.11 of the Compact requires that the Commission undergo an audit as soon as practicable after the closing of each fiscal year, by qualified certified public accountants selected by the Commission; and

WHEREAS, the Commission issued a Request for Proposal ("RFP") on November 24, 2014, soliciting the professional services of certified public accountants to

perform the required audits for fiscal years 2015 through 2017, with an option to continue these services for two additional years; and

WHEREAS, in response to its RFP, the Commission received four proposals prior to the deadline of Friday, January 16, 2015, and the firm of Zelenskofske Axelrod LLC was determined to be the lowest responsible bidder, with a fee proposal of \$15,725 per year for as many as three or five years; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission that the Executive Director is authorized to award a professional services contract to Zelenskofske Axelrod LLC for auditing services for the five-year period.

This Resolution shall take effect immediately.

Audio Recording. An audio recording of the public hearing held on March 10, 2015 and a transcript of portions of the hearing, prepared by a court reporter are on file with the Commission Secretary. A description of each of the approved dockets is provided as an Attachment to these Minutes.

Adjournment. Mr. Eaton adjourned the Commission's Business Meeting of March 11, 2015 at approximately 2:00 p.m.

/s/ Pamela M. Bush

Pamela M. Bush, J.D., M.R.P., Commission Secretary

ATTACHMENT

DESCRIPTIONS OF PROJECTS APPROVED BY THE COMMISSION DURING THE BUSINESS MEETING OF MARCH 11, 2015

Background. Projects subject to Commission review in accordance with the Delaware River Basin Compact and Commission regulations must have the Commission's approval in the form of a docket, permit or resolution (collectively, "docket"). The Commission's project review process takes six to nine months to complete, and the public is informed of the status of project applications by a variety of means during that period. Each project for which an application is received is added to the "Project Review Status Report" maintained on the DRBC website. This report includes the applicant's name and project location, a description of the proposed project, the docket number assigned to the project, and the name of the staff member reviewing the project. A list of applications received also is compiled approximately five times a year and posted on the Commission's website as a "Notice of Applications Received" (NAR). An "Interested Parties List" (IPL) is created for each project under review. Anyone can have his or her name added to the IPL for a given project. All those listed on the IPL receive email notification of public notices for the project as they are posted on the Commission's website, including the notice advertising the public hearing. Members of the public seeking additional information about a project may contact the staff member reviewing the project or arrange by appointment to review the relevant Project Review file at any time that is mutually convenient for the staff and the party.

Approximately six weeks before the Commission's scheduled public hearing date, draft dockets are circulated to the Commission's members for review and comment by the appropriate state and federal agencies. Shortly thereafter, a public notice, including descriptions of the draft dockets, is filed with state and federal bulletins or registers. Ten or more business days prior to the hearing date, the hearing notice, along with draft dockets, is posted on the Commission's website. Written comment on hearing items is accepted through the close of the public hearing. At the Commissioners' regularly scheduled public meetings, the Commissioners may approve, disapprove or postpone consideration of any docket for which a hearing has been completed. Approved dockets are posted on the Commission's website as quickly as possible following the date on which the Commission acted. Delay of a few days may occur to complete clerical work, particularly in instances in which the Commissioners approved a docket with modifications.

The 38 projects approved by the Commission on March 11, all were subjects of a duly noticed public hearing on March 10, 2015. Descriptions of the dockets follow. They are listed in three groups: Category A, consisting of docket renewals involving no substantive changes (items 1 through 23, with the exception of hearing item 18); Category B, consisting of renewals involving significant changes, such as an increase or decrease in an authorized withdrawal or discharge (items 18, 24 through 30); and Category C, consisting of projects not previously reviewed by the Commission (items 31, 32, 33, 34, 36, 37, 39, 40 and 41). (Items 35, 38 and 42 were postponed to allow additional time for review).

A. *Renewals with No Substantive Changes (hearing items 1 through 7 and 9 through 23).*

1. Exelon, D-1969-210 CP-14. An application to renew the approval of the applicant's existing Limerick Generating Station (LGS) and its related withdrawals and discharge and to make permanent the Executive Director's temporary approval (issued by letter dated August 19, 2014) to increase consumptive water use from 24 million gallons per day (mgd) with one unit operating and 44 mgd with two units operating to 25.5 mgd and 47.3 mgd, respectively, when the ambient air temperatures are 87 degrees F. or greater. The application requests the renewed approval of: (a) surface water withdrawals from intakes on the Schuylkill River (Schuylkill Intake) and Perkiomen Creek (Perkiomen Intake) of up to 1.7422 bgm (58.2 mgd); (b) groundwater withdrawals from Wells Nos. 1, 3, LTC, and LEIC of up to 3.1 mgm, 2.8 mgm, 0.1 mgm, and 0.1 mgm, respectively; and (c) the continued discharge of up to 14.2 mgd of non-contact cooling water (NCCW) and industrial waste via Outfall No. 001. The four wells are located in the Schuylkill - Sprogels Run subbasin of the Southeastern Pennsylvania Groundwater Protected Area (GWPA). NCCW and treated industrial wastewater will continue to be discharged to the Schuylkill River at River Mile 92.47 - 48.01 (Delaware River - Schuylkill River) via Outfall No. 001, in Limerick Township, Montgomery County, Pennsylvania.
2. E. I. du Pont de Nemours and Company, Inc., D-1971-086-4. An application to renew the approval of the existing DuPont Edge Moor industrial wastewater treatment plant (IWTP) and its discharges. No modifications to the IWTP are proposed. The IWTP will continue to discharge treated industrial wastewater and NCCW to Water Quality Zone 5 of the Delaware River at River Mile 73.4, in Edge Moor, New Castle County, Delaware.
3. Merrill Creek Owners Group, D-1977-110 CP-18. An application to revise the applicant's existing docket approving the Merrill Creek Reservoir and release operations to update the list of designated units supported by reservoir releases during a drought declaration. The Merrill Creek Reservoir is located at River Mile 177.4 - 7.69 - 3.9 (Delaware River - Pohatcong Creek - Merrill Creek), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Harmony Township, Warren County, New Jersey.
4. Myerstown Water Authority, D-1981-067 CP-4. An application to renew the approval of an existing groundwater withdrawal (GWD) of up to 34.1 mgm from existing Wells Nos. 3, 5, 6 and 8. Wells Nos. 3, 5 and 6 are completed in the Hamburg Formation and Well No. 8 is completed in the Ontelaunee Formation. The requested allocation is not an increase from the previous allocation. The project wells are located in the Tulpehocken Creek Watershed in Jackson Township and the Borough of Myerstown, Lebanon County, Pennsylvania.

5. Bensalem Racing Association and Keystone Turf Club, Inc., Tenants-In-Common, D-1985-072-4. An application to renew the approval of an existing GWD of up to 10.93 mgm to irrigate the applicant's track and infield at the Parx Race Track from existing Wells Nos. 1, 2, 3 and 4 completed in the Wissahickon Schist Formation. The requested allocation is not an increase from the previous allocation. The project wells are located in the Poquessing Creek Watershed in Bensalem Township, Bucks County, Pennsylvania.
6. Eagle Lake Community Association, Inc., D-1987-055-3. An application to renew the approval of the applicant's existing 0.5 mgd wastewater treatment plant (WWTP) and its discharge. No modifications of the WWTP are proposed. The WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of Tamarack Creek, which is a tributary of the Lehigh River, at River Mile 183.66 - 106.58 - 2.89 - 0.32 (Delaware River - Lehigh River - Tamarack Creek - UNT Tamarack Creek), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Covington Township, Lackawanna County, Pennsylvania.
7. Villa Roma Country Club, D-1988-007-2. An application to approve the applicant's existing 0.145 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Jones Brook at River Mile 303.6 - 2.0 - 6.4 - 0.95 (Delaware River - Callicoon Creek - East Branch Callicoon Creek - Jones Brook) via Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Delaware, Sullivan County, New York.
8. *Postponed to allow additional time for review.*
9. Delaware County Solid Waste Authority, D-1989-018 CP-6. An application to renew the approval of the applicant's existing 0.12 mgd Rolling Hills leachate treatment plant (LTP) and 0.087 mgd wetland treatment system (WTS), and their discharges. Treated effluent will continue to be discharged to Manatawny Creek at River Mile 92.47 - 54.15 - 12.2 (Delaware River - Schuylkill River - Manatawny Creek) via Outfall No. 001, in Earl Township, Berks County, Pennsylvania.
10. Aqua Pennsylvania, Inc., D-1991-086 CP-3. An application to renew the approval of an existing GWD of up to 50.0 mgm to supply the applicant's public water supply system for the Great Valley Division from existing Wells Nos. Hunt Country 21A, Hunt Country 21B, Hunt Country 21C, Hunt Country 21D, and Grand Oak 4, Ponomo Park 7, Highland Glen 9 and Pottstown Pike 16. Wells Nos. Hunt Country 21A through D are completed in Baltimore Gneiss; Wells Nos. Grand Oak 4 and Ponomo Park 7 are completed in Gneiss; Well No. Highland Glen 9 is completed in Sepentine Schist; and Pottstown Pike 16 is completed in Wissahickon Schist. The requested allocation is not an increase from the previous allocation. The project wells are located within the Commission's designated GWPA in the Ridley Creek, Chester Creek, Plum Run and Broad Run watersheds, in East Goshen, West Goshen and West Whiteland townships, Chester County, Pennsylvania.

11. Borough of Bally, D-1994-044 CP-3. An application to renew the approval of the applicant's existing 0.5 mgd WWTP and its discharge. Treated effluent will continue to be discharged to West Branch Perkiomen Creek at River Mile 92.47 - 32.08 - 18.65 - 5.20 - 3.55 (Delaware River - Schuylkill River - Perkiomen Creek - Green Lane Reservoir - West Branch Perkiomen Creek) via Outfalls Nos. 001 and 002 in Washington Township, Berks County, Pennsylvania.
12. Lehigh Township Municipal Authority, D-1994-053 CP-2. An application to renew the approval of the existing 0.3 mgd Danielsville WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to Bertsch Creek, which is a tributary of the Lehigh River, at River Mile 183.66 - 31.0 - 4.15 (Delaware River - Lehigh River - Bertsch Creek), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Lehigh Township, Northampton County, Pennsylvania.
13. Lehigh Township Municipal Authority, D-1994-054 CP-2. An application to renew the approval of the existing 0.06 mgd Pennsville WWTP and its discharge. No modifications of the WWTP are proposed. The WWTP will continue to discharge treated effluent to Indian Creek, which is a tributary of Hokendauqua Creek, which is a tributary of the Lehigh River, at River Mile 183.66 - 22.6 - 4.2 - 2.1 (Delaware River - Lehigh River - Hokendauqua Creek - Indian Creek), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Lehigh Township, Northampton County, Pennsylvania.
14. Sealed Air Corporation, D-1994-081-3. An application to renew the approval to withdraw up to 4.0 mgm of groundwater from existing Wells Nos. PW-1 and PW-2 for industrial use at the docket holder's recycled paper mill. The allocation is a reduction from the total groundwater allocation of 8.0 mg/30 days approved in the previous docket. The project wells are completed in the Buffalo Springs Formation in the Angelica Creek - Schuylkill River Watershed in City of Reading, Berks County, Pennsylvania.
15. Valley Forge Sewer Authority, D-1995-006 CP-4. An application to renew the approval of the existing Valley Forge Sewer Authority WWTP and its discharge. This docket also renews approval of the project to upgrade and expand the WWTP from 9.2 mgd to 11.75 mgd, which was approved via DRBC Docket No. D-1995-006 CP-3 on December 8, 2010, but the construction of which has not been completed. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.47 - 32.0 (Delaware River - Schuylkill River) in Schuylkill Township, Chester County, Pennsylvania.

16. Bucks County Water and Sewer Authority, D-1999-013 CP-3. An application to renew the approval of the existing 1.6 mgd Harvey Avenue WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to Cooks Run, which is a tributary of Neshaminy Creek, at River Mile 115.63 - 38.1 - 2.6 (Delaware River - Neshaminy Creek - Cooks Run) in the Borough of Doylestown, Bucks County, Pennsylvania.
17. Pennsylvania American Water Company, D-1999-029 CP-2. An application to renew the approval of the existing 0.567 mgd Pocono Country Place WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to East Branch Dresser Run, which is a tributary of Tobyhanna Creek, which is a tributary of the Lehigh River at River Mile 183.66 - 84.1 - 24.5 - 1.7 (Delaware River - Lehigh River - Tobyhanna Creek - East Branch Dresser Run), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Coolbaugh Township, Monroe County, Pennsylvania.
18. *This docket application was presented under Category B (substantial revisions).*
19. Northampton Borough Municipal Authority, D-2004-013 CP-2. An application to renew the approval of the existing Northampton Borough Municipal Authority water filtration plant (WFP) and its discharge. No modifications to the WFP are proposed; the WFP will continue to treat up to 8.0 mgd for public water supply and discharge up to 0.150 mgd of process water and filter rinse backwash to Spring Creek, which is a tributary of the Lehigh River, at River Mile 183.66 - 24.7 - 0.1 (Delaware River - Lehigh River - Spring Creek), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in North Whitehall Township, Lehigh County, Pennsylvania.
20. MAFCO Worldwide Corporation, D-2004-038-2. An application to renew the approval of an allocation of up to 11.0 mgm of surface water from the Delaware River for industrial cooling purposes at the docket holder's industrial food processing facility. The allocation of surface water is not an increase from the allocation approved in the previous docket. The project's existing groundwater withdrawals are approved by the New Jersey Department of Environmental Protection (NJDEP) and will continue to be regulated by NJDEP in accordance with the Administrative Agreement (AA) between DRBC and the State of New Jersey. The intake is located in the Delaware River in Water Quality Zone 2 in the City of Camden, Camden County, New Jersey.

21. Sapa Extrusions, Inc., D-2005-001-4. An application to renew the approval of the existing Sapa Extrusions IWTP and its discharge. The IWTP has a hydraulic design capacity of 0.20 mgd; however, effluent limits in the NPDES permit are based on a discharge rate of 0.10 mgd. This docket also approves a total dissolved solids (TDS) determination of 2,000 million gallons per liter (mg/l) (daily maximum) from the IWTP effluent. This is a reduction from the previous DRBC approval of 4,000 mg/l. No modifications to the IWTP are proposed. The IWTP will continue to discharge treated industrial wastewater and NCCW to the West Branch Schuylkill River, which is a tributary of the Schuylkill River, at River Mile 92.47 - 115.0 - 0.5 (Delaware River - Schuylkill River - West Branch Schuylkill River) in Cressona Borough, Schuylkill County, Pennsylvania.
22. UMH Properties, Inc., D-2005-003 CP-3. An application to renew the approval of the applicant's existing 0.0795 mgd Kinnebrook WWTP and its discharge. Treated effluent will continue to be discharged to an UNT of Kinne Brook at River Mile 261.1 - 16.0 - 3.62 - 1.17 (Delaware River - Mongaup River - Kinne Brook - UNT) via Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Thompson, Sullivan County, New York.
23. Niagara Drinking Waters, Inc., D-2006-029-2. An application to renew the approval of the existing 0.1008 mgd Niagara Bottling, LLC IWTP and its discharge. The IWTP is currently discharging to Hamburg Municipal Authority's sewage treatment plant, but may decide in the future to discharge treated effluent to Kaercher Creek at River Mile 92.47 - 97.87 - 0.17 (Delaware River - Schuylkill River - Kaercher Creek) in Hamburg Borough, Berks County, Pennsylvania.

B. Renewals with Substantive Changes (items 18 and 24 through 30).

18. Artesian Water Company, D-2002-034 CP-3. An application to renew the approval of an existing import project of up to 3.0 mgd from the Chesapeake Bay Basin from the Old County Road, Chesapeake City Road and Eastern States Well fields, and up to 3.0 mgd from the Susquehanna River Basin from an interconnection with Chester Water Authority to augment water supply to the applicant's public water supply system. The application will also approve new Well Broad Run PA for inclusion in the AWC public water supply system and to renew the approval of up to 612.83 mgm of groundwater to the docket holder's public water supply distribution system. AWC is not requesting an increase in groundwater withdrawal allocation. The water supply system and well fields are located in New Castle County, Delaware and New Garden Township, Chester County, Pennsylvania.

24. Exelon, D-2010-036 CP-2. An application to renew the approval of an existing average discharge of up to 42.6 mgd of Power Plant Condenser Cooling Water (PPCCW), NCCW and stormwater from the Fairless Hills Generating Station (FHGS) via Outfall No. 001. This is an increase from the flow of 37.4 mgd approved in the previous docket. Outfall No. 001 discharges to Water Quality Zone 2 of the Delaware River at River Mile 126.85. The FHGS is located within the U.S. Steel complex in Falls Township, Bucks County, Pennsylvania.
25. Weatherly Borough, D-1980-080 CP-4. An application to renew the approval of an existing GWD and to decrease the allocation from 14.267 mgm to 12.4 mgm to supply the applicant's public water supply distribution system. Existing Wells Nos. 1, 2 and 3 are completed in the Mauch Chunk Formation and located in the Black Creek Watershed in Weatherly Borough, Carbon County Pennsylvania, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
26. Hawley Area Authority, D-1981-029 CP-2. An application to renew the approval of and approve modifications to the docket holder's existing 0.2 mgd WWTP and its discharge. The modifications consist of adding flow equalization and a vertical automatic fine screen, upgrading the existing aeration system and clarifiers, replacing the existing chlorine contact disinfection system with a UV disinfection system, upgrading the existing sludge handling system, and appurtenant improvements. The WWTP will continue to discharge treated effluent to the Lackawaxen River, at River Mile 277.7 - 16.2 (Delaware River - Lackawaxen River), within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Lackawaxen Township, Pike County, Pennsylvania.
27. Town of Fallsburg, D-1985-074 CP-3. An application to renew the approval of the applicant's existing 0.7 mgd Loch Sheldrake WWTP and its discharge. The application also requests approval to expand the WWTP to 1.013 mgd. Treated effluent will continue to be discharged to Sheldrake Stream at River Mile 253.64 - 27.3 - 9.83 (Delaware River - Neversink River - Sheldrake Stream) via Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in the Town of Fallsburg, Sullivan County, New York.
28. Village of Wurtsboro, D-1994-025 CP-2. An application to renew the approval of an existing GWD project to supply up to 10.4 mgm of groundwater for use in the applicant's public water system from existing Wells Nos. 3, 4 and 5. The requested groundwater allocation is an increase from the previously approved allocation of 6.0 mg/30 days (6.2 mgm). The applicant has also requested a modification of its service area that now extends into a portion of the Town of Mamakating south of the village. Well No. 3 is screened in unconsolidated alluvial deposits and Wells Nos. 4 and 5 are completed in the Onondaga Limestone aquifer and the Port Ewen thru Manlius Limestone, Rondout Dolostone bedrock aquifer, respectively. The project is located in the Basher Kill

Watershed in the Village of Wurtsboro, Sullivan County, New York within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

29. Bucks County Water and Sewer Authority, D-2004-039 CP-2. An application to approve new Well A for inclusion into the applicant's New Hope district public water supply system and to renew the approval of an existing GWD and SWWD of up to 14.78 mgm from Wells Riverwoods 2C, Riverwoods 3B, Morrissey B, Morrissey C, New Hope Manor C and an intake on the Delaware River. The requested allocation is not an increase from the previously approved allocation. The project wells are completed in the Brunswick Formation and are located in the Rabbit Run and Delaware River watersheds in New Hope Borough, Bucks County, Pennsylvania, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
30. Dragon Springs Buddhist, Inc., D-2007-021 CP-3. An application to approve the construction and operation of the applicant's proposed 0.1 mgd WWTP. Treated effluent will be discharged to an UNT of the Basher Kill River at River Mile 253.64 - 9.5 - 0.4 - 0.1 (Delaware River - Neversink River - Basher Kill River - UNT) via Outfall No. 003, within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in the Town of Deerpark, Orange County, New York.

C. New Projects (items 31, 32, 33, 34, 36, 37, 39, 40 and 41).

31. Buck Hill Falls Company, D-2009-002 CP-1. An application to approve one existing groundwater well (Well No. 2), two existing surface water intakes (Intakes Nos. 1 and 2), and a spring (Big Spring) to continue to provide the applicant's public water supply and golf course irrigation systems with up to 15.5 mgm. The project is located in the Long Run and Walcksville members of the Catskill Formation in the Brodhead Creek Watershed. The four withdrawals are located in Barrett Township, Monroe County, Pennsylvania, within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.
32. Port Jervis City, D-2013-019 CP-1. An application to approve an existing surface water supply project to withdraw up to 51.5 mgm of surface water from an existing intake on Reservoir No. 1 for public water supply. This reservoir is supplemented when necessary with water from two additional interconnected reservoirs (Reservoirs Nos. 2 and 3). The applicant also owns and maintains a surface water intake on the Neversink River and additional water storage in Boehmler Pond for emergency backup purposes. The reservoirs and surface water withdrawal are located in the Shingle Kill-Delaware River and Lower Neversink River watersheds in the Town of Deer Park, Orange County, New York, within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

33. Aqua America, Inc., D-2014-005 CP-1. An application to approve the applicant's existing 0.15 mgd Woodloch Springs WWTP and its discharge. Treated effluent will continue to be discharged seasonally to Teedyuskung Creek at River Mile 277.70 - 9.93 - 0.35 (Delaware River - Lackawaxen River - Teedyuskung Creek) via Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Lackawaxen Township, Pike County, Pennsylvania.
34. Lehighon Water Authority, D-2014-006 CP-1. An application to approve the existing Lehighon Water Authority WFP and its discharge. No modifications to the WFP are proposed; the WFP will continue to treat up to 1.6 mgd for public water supply and discharge up to 0.023 mgd of process water and filter rinse backwash to Long Run, which is tributary of the Lehigh River, at River Mile 183.7 - 45.0 - 2.0 (Delaware River - Lehigh River - Long Run) within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Franklin Township, Carbon County, Pennsylvania.
35. *Postponed to allow additional time for review.*
36. Concord Township, D-2014-012 CP-1. An application to approve the applicant's existing 0.0635 mgd Riviera at Concord WWTP and its discharge. Treated effluent will continue to be discharged to Green Creek at River Mile 82.93 - 8.92 - 3.27 - 0.9 (Delaware River - Chester Creek - West Branch Chester Creek - Green Creek) via Outfall No. 001, in Concord Township, Delaware County, Pennsylvania.
37. Markel Corporation, D-2014-013-1. An application to approve the applicant's existing discharge of up to 0.06 mgd of NCCW from its Norristown Facility. NCCW will continue to be discharged to Diamond Run Creek at River Mile 92.47 - 22.3 - 0.67 (Delaware River - Schuylkill River - Diamond Run Creek) via Outfall No. 001, in Plymouth Township, Montgomery County, Pennsylvania.
38. *Postponed to allow additional time for review.*
39. Manchester Township Sewer and Water Authority, Inc., D-2014-015 CP-1. An application to approve the applicant's existing 0.045 mgd Reflection Lakes WWTP and its discharge. Treated effluent will continue to be land discharged via a spray field in the Equinunk Creek Watershed, within the drainage area of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Manchester Township, Wayne County, Pennsylvania.
40. Lehighon Land Company, D-2014-017 CP-1. An application to approve the applicant's existing 0.019 mgd Otto's Blue Mountain RV & Camping Resort WWTP and its discharge. Treated effluent will continue to be discharged to Pohopoco Creek at River Mile 183.66 - 40.88 - 2.83 (Delaware River - Lehigh River - Pohopoco Creek) via Outfall No. 001, within the drainage area of the section of the main stem Delaware River known

as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Franklin Township, Carbon County, Pennsylvania.

41. Ocorealty, LLC, D-2014-019 CP-1. An application to construct a residential community known as The Orchards and operate the proposed 0.054 mgd WWTP of the same name. Treated effluent is proposed to be discharged to Coney Brook at River Mile 253.64 - 27.3 - 9.24 - 1.22 (Delaware River - Neversink River - Sheldrake Stream - Coney Brook) via Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in the Town of Fallsburg, Sullivan County, New York.

42. *Postponed to allow additional time for review.*