

DELAWARE RIVER BASIN COMMISSION

MEETING OF DECEMBER 4, 2013

Minutes

Commissioners Present: Karl W. Muessig, New Jersey, Chair
Angus Eaton, New York, Vice Chair
Kathleen M. Stiller, Delaware, Second Vice Chair
Lieutenant Colonel Chris Becking, United States
Kelly J. Heffner, Pennsylvania

DRBC Staff Participants: Carol R. Collier, Executive Director and Hearing Officer
Robert Tudor, Deputy Executive Director
Kenneth J. Warren, Warren Glass LLP
Pamela M. Bush, Commission Secretary & Assistant General Counsel
Thomas J. Fikslin, Branch Manager, Modeling, Monitoring and Assessment
Richard C. Gore, Chief Administrative Officer
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 December 4, 2013.

In the absence of the Commission *Chair Pro Tem*, New Jersey Alternate Commissioner Michele Siekerka, Vice Chair Angus Eaton of New York served as Chair.

Minutes. The Minutes for the Commission Meeting of September 12, 2013 were approved unanimously on a motion by Ms. Heffner, seconded by Ms. Stiller.

Announcements. Ms. Bush announced the following:

- *DRBC Monitoring Advisory Committee (MAC).* The MAC will meet Monday, December 9, 2013 at 9:30 a.m. in the Goddard Conference Room at the DRBC headquarters building in West Trenton. John Yagecic is the coordinating staff member. Meeting details, including contact information for Mr. Yagecic, are posted on the DRBC website.
- *DRBC Flood Advisory Committee (FAC).* The FAC will meet Wednesday, February 19, 2014 at 10:00 a.m. in the Goddard Conference Room. Laura Tessieri is the staff

coordinator. Meeting details, including contact information for Ms. Tessieri, are posted on the DRBC website.

- *DRBC Water Management Advisory Committee (WMAC)*. The WMAC will meet on April 23, 2014 at 10:00 a.m. in the Goddard Conference Room. Meeting details and contact information for staff coordinator Jessica Sanchez are posted on the DRBC website.
- *Nurture Nature Center Research Project*. The Nurture Nature Center is conducting a research project with the National Oceanic and Atmospheric Administration (NOAA) about use of the National Weather Service's flood forecast and warning tools. A second round of focus groups is planned, the first of which will meet on Thursday and Friday, December 5 and 6, in Lambertville, New Jersey. Pre-registration can be completed online on the Nurture Nature Center's website.

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 December 2, 2013 was 39.46 inches or 2.64 inches below normal. The observed precipitation for the Basin above Trenton for the same period was 39.50 inches or 4.97 inches below normal and for the Basin above Wilmington, Delaware for this period, 43.13 inches or 3.30 inches above normal.

The average observed streamflow of the Delaware River at Montague in November 2013 was 2,595 cubic feet per second (cfs) or 57 percent of the long-term average for the month. For the same period, the average observed streamflow at Trenton was 4,282 cfs, or 43 percent of the long-term average for the month.

For December 1 and 2, the average observed streamflow at Montague was 4,215 cfs, or 84 percent of the long-term average for the month. The average streamflow at Trenton during the same period was 8,375 cfs, or 65 percent of the long-term average for the month.

In the Lower Basin, as of December 3, 2013, Beltzville Reservoir contained 13.60 billion gallons (bg) usable, or 98.0 percent of usable storage, and Blue Marsh contained 4.55 bg usable, or 102.8 percent of winter pool usable storage. As of December 2, Merrill Creek contained 14.52 bg usable, or 92.5 percent of usable storage.

In the Upper Basin, as of December 3, 2013, Pepacton Reservoir contained 104.6 bg usable or 74.7 percent of usable storage. Cannonsville contained 67.4 bg usable, or 70.5 percent of usable storage. Neversink contained 29.5 bg usable or 84.5 percent of usable storage. The total New York City Delaware Basin reservoir storage was 201.5 bg usable or 74.4 percent of usable storage.

During the month of November 2013, 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) 76 to RM 82. The normal location of the salt front during August is RM 70, which is eight miles

downstream of the Delaware-Pennsylvania state line. As of December 1, the salt front was located at RM 78, which is nine miles upstream of the normal location of the salt front during December.

Executive Director's Report. Ms. Collier's remarks are summarized below:

- *Status of DRBC Projects.* Recent and ongoing staff efforts include review and response to comments on the proposed updated PCB criterion for the Delaware Estuary and Bay, evaluating needs of the Water Supply Storage Facilities Fund, and flow management tasks, including supporting discussions among the Decree Parties. DRBC also is collaborating with the U.S. Army Corps of Engineers to better integrate Delaware Basin salinity and flow models to more accurately predict movement of the salt line and working with the U.S. Geological Survey and NOAA on a proposal to be submitted to the USACE headquarters for examining the basin's future needs and identifying solutions for adaptation.
- *Federal Funding Status.* The Water Resource Development Act (WRDA) is again under consideration in Washington, D.C. The mid-Atlantic river basin commissions ("RBCs"), including DRBC, are addressed in both the Senate and House bills, and lawmakers are currently in conference to produce a joint version. Senator Carper of Delaware is one of the conferees. The Senate bill in support of the RBCs is stronger than the House version. The basin delegations in the House, led by Representatives Holt, Dent, Gibson and Kearny (and especially by Representative Kearny's staff), submitted a bipartisan, 18-signature letter to the conference committee in favor of the Senate's version. Note that WRDA legislation if adopted will constitute only an authorization – not an appropriation – and funding will still depend upon how the Corps of Engineers reads the document. Recognizing the need for belts and suspenders, we also have been working at restoring the RBCs to the President's budget. DRBC staff has been in dialogue with the U.S. Army Corps of Engineers, the Office of Management and Budget (OMB) and new staff members in the Vice President's office.
- *Draft Methodology.* DRBC has published a notice in the Federal Register to request comments on a draft methodology for consideration of data sets to be used in developing the 2014 Delaware River and Bay Water Quality Assessment Report. Comments are due by December 31, 2013. Specific information can be found on the DRBC website.
- *Fish Consumption Advisories.* The states of Delaware and New Jersey have revised their fish consumption advisories. By way of background, DRBC has focused on PCBs because high levels of these chemicals in fish tissue make fish caught in the Delaware River and Bay unsafe to eat. The states have changed their advisories from "no consumption of any fin fish" to "eating no more than one 8-ounce meal of fin fish per year." This is a shift in the right direction, but we want to do better than one fish per person per year. DRBC regulations are helping to lower PCB levels in the waters of the Estuary and Bay so that fish consumption advisories will one day no longer be needed.
- *American Water Resources Association.* The AWRA has published a new document, *Proactive Flood and Drought Management: A Selection of Applied Strategies and*

Lessons Learned from Around the United States, which can be accessed at awra.org. Two webinars are planned in connection with the document's release. The first, on December 5, 2013 at 2:00 p.m., will focus on flooding in Easton, PA. The second, on December 17, will focus on droughts in Texas, Hawaii and Oregon.

- *Press Release, February 1963: U.S. Secretary of the Interior, Stewart Lee Udall.* There has been a lot of interest in the year 1963, because 2013 is the 50-year anniversary of President John F. Kennedy's death. Also during 1963, the DRBC held its second meeting after President Kennedy signed the Delaware River Basin Compact into law on October 27, 1961. During the first 16 months after the Commission was formed, the Commissioners developed a Comprehensive Plan, hired an executive director, and studied information about Tocks Island. At the Commission's second meeting, Secretary of the Interior Stewart Udall made statements that are still relevant today. He began by quoting a statement by President Kennedy in 1962:

'Our nation's progress is reflected in the history of our great river systems. The water that courses through our rivers and streams holds the key to full national development. ... This administration adheres to the policy enunciated in my natural resources message of last year that our available water supply will be used to provide maximum benefit for all purposes – hydroelectric power, irrigation and reclamation, navigation, recreation and wild life, and municipal and industrial water supply. These diverse uses and our future needs require thoughtful preservation and full development of our national water resources.'

Secretary Udall continued,

To accomplish the ends stated in the President's message, we have in the Delaware River Basin, the Federal-Interstate Compact creating the Delaware River Basin Commission and directing it to maintain a continually updated comprehensive water plan. This suggests that the participating four States and the Federal Government agree upon the objective of providing a coordinated Federal, State, local and private resource development program to ensure full utilization of the water resources of the basin.

* * * *

The Commission will serve as an instrument through which we can begin learning more about the relationship between water resource development and economic and demographic change in a relatively mature and heavily industrial urban complex.

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In its joint role as expediter, coordinator, planner and arbitrator, the Commission will not lose sight of its other responsibilities for direct action as provided for in the Compact. Though we shall work through

other agencies to the maximum extent, there will be times and situations when the Commission may feel that its assumption of direct responsibility would be very much in the public interest. This role of direct action may include the design, construction, operation and management of water resource projects and facilities, as well as the strengthening of regulatory programs.

And finally, the unusual scope and flexibility of the Commission's organization can provide it with a unique opportunity to experiment with the planning and programming of watershed management programs which represent the maximum participation of federal, state, and local interests in these developments.

Ms. Collier thanked everyone and offered her best wishes for the holidays.

General Counsel's Report. Mr. Warren reported as follows:

The Stone Energy case remains pending in the District of New Jersey. We continue to await a decision by the magistrate judge in a dispute over whether some documents for which the Commission has claimed a deliberative process privilege need to be produced.

At the Commission's September meeting the Commissioners instructed staff to try to resolve a request for appeal by East Brandywine Township Municipal Authority. The staff has been working to resolve that matter and we are hopeful that at the next meeting we will be able to report that it has been resolved, but at this point we are not asking the Commissioners to take any action.

Two requests have been made of the Commission to waive incremental fees for the late submission of renewal applications. Those have been presented in two letters, which the staff has provided to you. One is from the Summit Hill Water Authority and the other is from Strausser Enterprises, Inc. A representative of Strausser appeared at the Commission's public hearing and meeting on December 3 and made some statements in person. Mr. Warren advised the Commissioners that if any of them wished to make a motion to waive the fees, this would be an appropriate time.

Ms. Heffner moved that the late fees assessed to Summit Hill Water Authority and Strausser Enterprises, Inc. be waived. Mr. Eaton asked for a second. None was offered and the motion failed.

Settlement Agreements. Ms. Bush explained that Section 2.7.8 of the *Rules of Practice and Procedure* provides for settlement in lieu of a penalty wherever settlement is in the interest of the Commission and the regulated party. She reported that staff had completed eight settlement agreements and had submitted these to the Commissioners for their review. She explained that all involved alleged violations classified as moderate on the Civil Penalty Matrix that the Commission adopted in 2009, and that the settlement amounts were 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 have occurred as a result of the violations. She listed the eight entities involved:

1. Bedminster Municipal Authority (D-2006-010 CP-2)
2. Borough of Spring City (D-1974-061 CP-4)
3. Borough of Myerstown (D-1974-176 CP-2)
4. Borough of Kutztown (D1989-039 CP-2)
5. Borough of Lansdale (D-1996-045 CP-2)
6. Upper Hanover Authority (D-2001-061 CP-2)
7. Central Wayne Regional Authority (D-1986-009 CP-3)
8. Schuylkill County Municipal Authority (D-2010-019 CP-1).

Ms. Bush asked the Commissioners to ratify the eight agreements.

Ms. Heffner initiated a motion to ratify the eight settlement agreements. Mr. Muessig offered a second. No one offered comment, and the motion was approved by unanimous vote.

Chairman's Remarks on Natural Gas Development. Noting that there had been quite a bit of discussion about natural gas development during the public hearing on December 3, Mr. Eaton said that the Commissioners and DRBC staff have and will continue to confer, with the expectation that the Commissioners will reach consensus on a path forward for natural gas development in the basin. That path will be informed by the Commission's consideration of new studies conducted by state and federal agencies, which the Commission will use to guide it in setting minimum standards for the basin.

Project Review Applications. A duly noticed public hearing was conducted on December 3, 2013 on draft dockets for 35 projects, each of which is described in an Appendix to these Minutes. Mr. Muszynski explained that the hearing on a draft docket for Horsehead Corporation (D-1967-196-3), although included in the public notice, had been postponed to allow additional time for review. He recommended that the Commission approve the 35 dockets on which a public hearing had been completed, noting that the Commission received no comments on any of the projects.

Mr. Eaton asked for a motion to approve hearing items 1, 2 and 4 through 36. Ms. Stiller so moved, Lieutenant Colonel Becking offered a second, and the dockets were approved by unanimous vote.

Resolution to Amend the Comprehensive Plan, Water Code and Administrative Manual – Part III Water Quality Regulations to Revise the Stream Quality Objectives for Total Polychlorinated Biphenyls (Total PCBs) for the Delaware River Estuary and Delaware Bay for the Protection of Human Health from Carcinogenic Effects. Dr. Fikslin said that the proposed resolution was the culmination of a long history, marked by the adoption in December 2005 of a resolution directing the Executive Director to conduct notice and comment rulemaking on a proposal to revise the Commission's ambient human health water criteria for PCBs in the Delaware Estuary from values that varied by water quality zone to the uniform criterion of 16 picograms per liter (pg/l). The new criterion was to become effective on or after January 1, 2007. The Commission in August 2009 published a notice of proposed rulemaking to adopt the new criterion and

simultaneously invited comment on a plan that had been developed by state agency and DRBC staff, in consultation with staff of the U.S. Environmental Protection Agency (EPA) headquarters and Regions II and III, for the implementation of a total maximum daily load (TMDL) corresponding to the new criterion. As a result of comments received on the draft implementation plan proposal, the Commission deferred action on the rulemaking pending refinement of the proposed implementation strategy for point sources.

After further inter-agency consultation on implementation approaches, in August 2013 the Commission published a new notice of proposed rulemaking to establish the uniform criterion of 16 pg/l for PCBs in Water Quality Zones 2 through 6 (the Delaware Estuary and Bay) and simultaneously invited comment on a TMDL implementation strategy that was revised as to point sources. The public hearing was held on September 10, 2013 and written comments were accepted through September 20. Four commenters filed written comments, and two individuals testified at the public hearing. DRBC Commissioners and staff reviewed the comments, and staff, in consultation with the Commissioners and the technical staff of their respective agencies, prepared a Response to Comments document.

The proposed criterion will protect the health of people who drink water withdrawn from the Delaware Estuary and/or consume fish caught in the Estuary and Bay. It also will provide the basis for Stage 2 TMDLs for Water Quality Zones 2 through 6, which are expected to be established by EPA Regions II and III and to replace the Stage 1 TMDLs established by EPA for the Delaware Estuary in December 2003 and Delaware Bay in December 2006. The Commission understands from the NPDES permitting authorities in the basin that the revised criterion will be implemented in accordance with the draft implementation strategy developed by co-regulators, subject to any technical refinements to that strategy made in response to comments received to date or in a future comment period.

Several revisions to the draft resolution were made after its publication. The second-to-last “Whereas” paragraph has been amended by the addition of the sentence, “It is the Commission’s intention to implement its programs in the same manner.” The last “Whereas” paragraph now reads, “Whereas, certain regulated dischargers have asked whether Article 6 of the Commission’s *Rules of Practice and Procedure* governs the time for an appeal from the criterion, and in response, the Commission notes that by its terms Article 6 does not apply to ‘any proposed or adopted rule or regulation of the Commission’.”

The numbered “Be it resolved” paragraphs read: “(1) In accordance with the rule text amendments set forth below, the Commission’s Water Quality Regulations, Water Code and Comprehensive Plan are hereby amended to establish a uniform criterion for Total PCBs for the protection of human health from carcinogenic effects in Water Quality Zones 2 through 6 (the Delaware Estuary and Bay) equal to 16 picograms per liter; (2) these amendments shall become effective 30 days following the last date of publication in the *Federal Register* and member state registers, provided, however that: (3) The Commission concurs with the implementation strategy proposed by the co-regulators including the issuance of requirements in NPDES permits consistent with that strategy (subject to any necessary technical refinements). The Commission further concurs with the co-regulators’ intended use of the existing NPDES permit approach, which was published as an appendix to the Stage 1 TMDLs, until the Stage 2 TMDLs are

established based on the revised criterion. The commission intends to utilize the same principals in administering its own PCB program.”

Dr. Fikslin noted that the criteria changes would appear in Section 3.30, Table 6 of the Water Code and Water Quality Regulations.

Mr. Eaton asked for a motion to approve the resolution to revise the PCB criterion. Mr. Muessig so moved, Ms. Stiller offered a second, and the motion to approve Resolution No. 2013-8 was carried by unanimous vote.

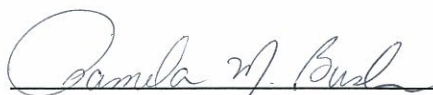
Resolution to Amend the Water Code, Water Quality Regulations, and Comprehensive Plan to update the Commission’s stream quality objectives for pH for the non-tidal Delaware River, the Delaware River Estuary and Delaware Bay. Dr. Fikslin recited the background for the proposed resolution, which is included in the resolution itself, and he explained that the resolution would affect DRBC Water Quality Zones 1 through 6, consisting of the main stem portion of the non-tidal river, the Delaware Estuary and Delaware Bay.

The resolution provides: “The pH criteria for Water Quality Zones 1A through 1E (non-tidal main stem) and 2 through 6 (tidal main stem, including tidal portions of tributaries and Delaware Bay) are hereby amended to read, “Between 6.5 and 8.5 inclusive, unless outside this range due to natural conditions.”

Mr. Eaton asked for a motion to approve the resolution amending the pH criteria. Ms. Heffner so moved, Lieutenant Colonel Becking offered a second, and the motion to approve Resolution No. 2013-9 was carried by unanimous vote.

Audio Recording. An audio recording of the public hearing held on December 3, 2013 is on file with the Commission Secretary. A list of the approved dockets, with descriptions, is provided as an Attachment to these Minutes.

Adjournment. Mr. Eaton requested a motion to adjourn the meeting. Ms. Heffner so moved, Ms. Stiller seconded her motion, all concurred, and the Commission’s business meeting of December 4, 2013 was adjourned.



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

Commission Secretary/Assistant General Counsel

ATTACHMENT**DESCRIPTION OF APPLICATIONS FOR PROJECTS APPROVED BY THE COMMISSION DURING THE BUSINESS MEETING OF DECEMBER 4, 2013**

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 35 projects approved by the Commission on December 4, 2013 all were subjects of a duly noticed public hearing on December 3, 2013. Descriptions of the dockets follow. They are listed in three groups: Category A, consisting of docket renewals involving no substantive changes (items 1, 2 and 4 through 27); Category B, consisting of renewals involving significant changes, such as an increase or decrease in an authorized withdrawal or discharge (items 28 through 35); and Category C, consisting of projects not previously reviewed by the Commission (item 36).

- A. *Renewals with No Substantive Changes (hearing items 1 through 27).*
1. Coaldale-Lansford-Summit Hill Sewer Authority, D-1964-027 CP-2. An application to renew the approval of the applicant's 1.65 million gallon per day (mgd) Coaldale-Lansford-Summit Hill Sewer Authority wastewater treatment plant (WWTP) and its discharge and to add the wastewater treatment plant (WWTP) to the Comprehensive Plan. The WWTP will continue to discharge to Panther Creek, a tributary of the Little Schuylkill River, which is a tributary of the Schuylkill River, at River Mile 92.5 - 99.0 - 22.0 - 2.4 (Delaware River - Schuylkill River - Little Schuylkill River - Panther Creek), in the Borough of Coaldale, Schuylkill County, Pennsylvania.
 2. Womelsdorf Sewer Authority, D-1967-084 CP-3. An application to renew the approval of the applicant's 0.475 mgd Womelsdorf Sewer Authority WWTP and its discharge. The WWTP will continue to discharge treated wastewater effluent to the Tulpehocken Creek at River Mile 92.47 - 76.5 - 24.1 (Delaware River - Schuylkill River - Tulpehocken Creek), in Heidelberg Township, Berks County, Pennsylvania.
 3. [Intentionally left blank.]
 4. Milford Borough, D-1968-100 CP-3. An application to renew the approval of the applicant's 0.4 mgd Milford Borough WWTP and its discharge. The WWTP will continue to discharge treated effluent to Harihokake Creek at River Mile 167.2 - 0.01 (Delaware River - Harihokake Creek) via Outfall No. 001 in Milford Borough, Hunterdon County, New Jersey. The project is located within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
 5. General Chemical Corporation, D-1969-038-3. An application to renew the approval of the applicant's 3.1 mgd IWTP and its discharge. Treated effluent will continue to be discharged to Water Quality Zone 5 of the Delaware River at River Mile 78.2, in Claymont, New Castle County, Delaware.
 6. Pennsylvania Fish & Boat Commission, D-1980-032 CP-4. An application to renew the approval of the applicant's existing groundwater withdrawal (GWD) of up to 21.39 million gallons per month (mgm) from February 15 through June 15 to supply the Pleasant Mount Fish Cultural Station from existing Wells Nos. 1, 2, and 3, completed in the Catskill Formation in the West Branch Lackawaxen River Watershed. The requested allocation is not an increase from the previous allocation. The project is located in Mount Pleasant Township, Wayne County, Pennsylvania, within the drainage area of the section of the non-tidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.
 7. United States Department of Justice, D-1983-007 CP-4. An application to renew the approval of the applicant's existing GWD of up to 9.61 mgm to supply the applicant's federal correctional institution from existing Wells Nos. PW-1, PW-2 and ES-1 completed in the glacial outwash sands and gravels of the Basher Kill aquifer. The requested allocation is not an increase from the previous allocation. The project is

located in the Town of Deerpark, Orange County, New York within the drainage area of the section of the non-tidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

8. Summit Hill Water Authority, D-1984-003 CP-4. An application to renew the approval of the applicant's existing GWD of up to 9.8 mgm to supply the applicant's public water system from existing Wells Nos. 1, 2, 3, and 4, completed in the Mauch Chunk Formation. The total allocation approved by this docket is a reduction in the previous allocation of 13.8 mg/30 days contained in its prior approval. The wells are located in the White Bear Creek Watershed in Summit Hill Borough, Carbon County, Pennsylvania, within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
9. Catasauqua Borough, D-1987-060 CP-4. An application to renew the approval of the applicant's existing GWD of up to 41.33 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. 1, 2 and 4, completed in the Epler Formation. The requested allocation is not an increase from the previous allocation. The wells are located in the Catasauqua Creek Watershed in Catasauqua Borough, Lehigh County, Pennsylvania, within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.
10. Orwigsburg Borough, D-1992-005 CP-3. An application to renew the approval of the applicant's existing GWD of up to 11.8 mgm to supply the applicant's public water system from existing Wells Nos. 1, 2, 3, and 4, which are completed in the Hamilton Group. The total allocation provided by this docket is a slight reduction in the allocation of 12.0 mgm (11.6 mg/30 days) contained in its prior approval. The wells are located in the Manhannon Creek Watershed in Orwigsburg Borough, Schuylkill County, Pennsylvania.
11. Grand View Hospital, D-1992-063 CP-3. An application to renew the approval of the applicant's existing GWD of up to 4.464 mgm to supply the applicant's hospital facility from existing Wells Nos. 3, 4 and 5 in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's designated GWPA in the East Branch Perkiomen Creek Watershed in West Rockhill Township, Bucks County, Pennsylvania.
12. Sinking Spring Borough, D-1994-031 CP-3. An application to renew the approval of the applicant's 1.25 mgd Sinking Spring WWTP and its discharge. The WWTP will continue to discharge to Cacoosing Creek, which is a tributary of Tulpehocken Creek, a tributary of the Schuylkill River, at River Mile 92.47 - 76.8 - 4.0 - 3.4 (Delaware River - Schuylkill River - Tulpehocken Creek - Cacoosing Creek) in Spring Township, Berks County, Pennsylvania.
13. Jim Thorpe Borough, D-1996-019 CP-2. An application to renew the approval of the applicant's Jim Thorpe Borough 1.0 mgd WWTP and its discharge. Treated effluent will continue to be discharged to the Lehigh River at River Mile 183.66 - 47.0 (Delaware River - Lehigh River) via Outfall No. 001, in the Borough of Jim Thorpe, Carbon

County, Pennsylvania, within the drainage area of the section of the non-tidal river known as the Lower Delaware, which has been classified by the Commission as Special Protection Waters.

14. Upper Bern Township, D-2001-002 CP-3. An application to renew the approval of the applicant's 0.155 mgd Upper Bern Township WWTP and its discharge. The docket holder does not propose any modifications to the existing WWTP. The WWTP will continue to discharge treated effluent to Wolf Creek, above the Blue Marsh Reservoir, at River Mile 92.47 - 76.8 - 15.6 - 5.1 - 2.3 (Delaware River - Schuylkill River - Tulpehocken Creek - Northkill Creek - Wolf Creek) via Outfall No. 001, in Upper Bern Township, Berks County, Pennsylvania.
15. Rivercrest Homeowners Association, D-2001-045 CP-3. An application to renew approval of the applicant's 0.112 mgd Rivercrest WWTP and its seasonal discharges to surface water and via spray irrigation. The WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of the Schuylkill River at River Mile 92.47 - 36.3 - 0.8 (Delaware River - Schuylkill River - UNT Schuylkill River), in Upper Providence Township, Montgomery County, Pennsylvania.
16. Westfall Township Municipal Authority, D-2002-023 CP-5. An application to renew the approval of the applicant's 0.374 mgd Westfall Township Municipal Authority (WTMA) WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Delaware River in Water Quality Zone 1C at River Mile 252.5 in Westfall Township, Pike County, Pennsylvania, within the drainage area of the section of the non-tidal river known as the Middle Delaware, which the Commission has classified as Special Protection Waters.
17. Strausser Enterprises, Inc., D-2002-043 -2. An application to renew the approval of the applicant's existing GWD of up to 9.31 mgm to irrigate the applicant's golf course from existing Wells Nos. ITW-1, ITW-2, ITW-3 and ITW-4 completed in the Allentown and Leithsville Formations. The requested allocation is not an increase from the previous allocation. The wells are located in the Delaware River Watershed in Forks Township, Northampton County, Pennsylvania, within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
18. Bedminster Municipal Authority, D-2004-002 CP-2. An application to renew the approval of the applicant's existing GWD of up to 11.062 mgm to supply the applicant's public water supply system from existing Wells Nos. 2, 9, A and E in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Southeastern Pennsylvania Ground Water Protected Area (GWPA) in the Deep Run Watershed in Bedminster Township, Bucks County, Pennsylvania.
19. East Greenville Borough, D-2004-003 CP-2. An application to renew the approval of the applicant's existing GWD and surface water withdrawal (SWWD) of up to 10.85 mgm to supply the applicant's public water supply distribution system from existing Well No. 1

and a surface water intake located on Perkiomen Creek. Well No. 1 is completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The well is located within the GWPA in the Perkiomen-Macoby Creek Watershed in Upper Hanover Township, Montgomery County, Pennsylvania.

20. Northampton Borough Municipal Authority, D-2004-006 CP-2. An application to renew the approval of the applicant's existing SWWD of up to 248.0 mgm to supply the applicant's public water supply distribution system from existing surface water intakes located on the Lehigh River and at the Spring Mill Dam in Whitehall Township, Lehigh County, Pennsylvania. The requested allocation is not an increase from the previous allocation. The project is located within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
21. Stony Creek Anglers, Inc., D-2004-012-2. An application to renew the approval of the applicant's existing GWD of up to 5.373 mgm to supply the applicant's trout fishery from existing Wells Nos. 1 and 2 in the Stockton Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the GWPA in the Stony Creek Watershed, in West Norriton Township, Montgomery County, Pennsylvania.
22. West Bradford Township, D-2004-022 CP-2. An application to renew the approval of the applicant's DuPont Estate / Stock Grange Farm residential development (DuPont Property) WWTP and its discharge via spray irrigation. The WWTP will continue to discharge treated effluent to two (2) existing spray fields located in the West Branch Brandywine Creek watershed, in West Bradford Township, Chester County, Pennsylvania.
23. Borough of Bryn Athyn, D-2008-013 CP-4. An application to renew the approval of the applicant's 0.08 mgd New Church WWTP and its discharge. The WWTP will continue to discharge treated effluent to an UNT of Huntingdon Valley Creek at River Mile 109.75 - 12.02 - 1.11 - 0.17 (Delaware River - Pennypack Creek - Huntingdon Valley Creek - UNT) via Outfall No. 001, within the GWPA in Bryn Athyn Borough, Montgomery County, Pennsylvania.
24. Parkland School District, D-2009-007 CP-2. An application to renew the approval of the applicant's 0.0336 mgd Orefield Middle School WWTP and its discharge. Treated effluent will continue to be discharged to Jordan Creek at River Mile 183.66 - 16.25 - 11.4 (Delaware River - Lehigh River - Jordan Creek) via Outfall No. 001 in South Whitehall Township, Lehigh County, Pennsylvania. The project is located within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
25. Lower Milford Township, D-2009-010 CP-2. An application to renew the approval of the applicant's 0.035 mgd Village of Limeport WWTP and its discharge. Treated effluent will continue to discharge to Saucon Creek at River Mile 183.66 - 9.43 - 14.64 (Delaware River - Lehigh River - Saucon Creek) via Outfall No. 001 in Lower Milford

Township, Lehigh County, Pennsylvania. The project is located within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

26. Essroc Cement Corporation, D-2009-016-2. An application to renew the approval of the applicant's discharge of up to 0.264 mgd of NCCW. Untreated NCCW will continue to be discharged to an UNT of Shoeneck Creek at River Mile 184.03 - 5.85 - 4.1 - 0.15 (Delaware River - Bushkill Creek - Shoeneck Creek - UNT) via Outfall No. 002 in Upper Nazareth Township, Northampton County, Pennsylvania. The project is located within, the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
27. Green Top Management, LLC, D-2010-002 CP-2. An application to renew the approval of the applicant's Green Top Mobile Home Park WWTP and its discharge and to renew the approval of an upgrade and expansion of the WWTP from 0.012 mgd to 0.018 mgd. The WWTP will continue to discharge to an UNT of Tohickon Creek, which is upstream of Lake Nockamixon, at River Mile 157.0 - 10.8 - 6.5 - 3.1 - 4.1 (Delaware River - Tohickon Creek - Lake Nockamixon - Tohickon Creek - UNT to Tohickon Creek) in West Rockhill Township, Bucks County, Pennsylvania. The project is located within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

B. Renewals with Substantive Changes (items 28 through 35).

28. Rohm and Haas Chemicals, LLC, D-1989-002-3. An application to renew the approval of the applicant's 3.7 mgd IWTP and its discharge via Outfall No. 009. The applicant has also requested approval to continue to discharge NCCW from Outfalls Nos. 003 and 008. Treated effluent will continue to be discharged to Water Quality Zone 2 at River Mile 117.0 - 0.3 (Delaware River - Hog Run Creek) via Outfall No. 009. NCCW will continue to be discharged to Water Quality Zone 2 at or near River Mile 118.87 - 0.3 (Delaware River - Otter Creek) via Outfalls Nos. 003 and 008. All three outfalls are located in Bristol Township, Bucks County, Pennsylvania.
29. Kutztown Borough, D-1989-039 CP-3. An application to renew the approval of the applicant's 1.5 mgd Kutztown Borough WWTP and its discharge and the construction of upgrades/additions previously approved under the existing docket. In addition the application requests the approval of the construction of a new 24-inch outfall. The WWTP will continue to discharge treated domestic wastewater effluent to the Sacony Creek, a tributary of the Maiden Creek, which is a tributary of the Schuylkill River at River mile 92.47 - 86.2-11.3-7.1 (Delaware River - Schuylkill River - Maiden Creek - Sacony Creek) in Maxatawny Township, Berks County, Pennsylvania.
30. Rock Tenn Company, D-2006-041-2. An application to renew and approve a modification and expansion of the applicant's Rock Tenn IWTP and its treated process wastewater and NCCW discharge. The modifications consist of replacing the biological portion (the fixed film bioreactor) of the IWTP's existing treatment system with a new complete mix activated sludge treatment process and expanding the monthly average

flow of the IWTP from 0.027 mgd to 0.060 mgd. The treated IWTP effluent will continue to be mixed with a monthly average flow of 0.2866 mgd of NCCW prior to discharging to Brodhead Creek, at River Mile 213 - 1.1 (Delaware River - Brodhead Creek) in Smithfield Township, Monroe County, Pennsylvania. The project discharge is located within the drainage area of the section of the non-tidal Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

31. Village of Liberty, D-2013-002 CP-1. An application to approve the applicant's existing SWWD and GWD project to supply a total of up to 24.9 mgm of surface water from Lily Pond and groundwater from the Elm Street Well to the applicant's public water supply system. The applicant is restricted to a GWD of up to 7.75 mgm from the Elm Street Well until it has received approval from the DRBC Executive Director. The SWWD is located in the Beaver Kill Watershed in the Town of Liberty, Sullivan County, New York and the GWD is located in the Upper Walton Formation in the Monguap River Watershed in the Village of Liberty, Sullivan County, New York. The project is located within the drainage area of the section of the non-tidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.
32. Wenonah Borough, D-2013-003 CP-1. An application to approve the applicant's existing GWD of up to 15.5 mgm to supply the applicant's public water supply system from existing Wells Nos. 1 and 2. The project wells are completed in the Potomac/Raritan/Magothy Aquifer and located in the Mantua Creek Watershed in the Borough of Wenonah, Gloucester County, New Jersey. The project will be incorporated into the Comprehensive Plan. Future activities for the project will be regulated by New Jersey Department of Environmental Protection (NJDEP) in accordance with Section IV.C.4 of the Administrative Agreement between NJDEP and DRBC.
33. Lehigh Valley Zoo, D-2013-006 CP-1. An application to approve the applicant's 0.021 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Jordan Creek at River Mile 183.66 - 16.25 - 18.0 (Delaware River - Lehigh River - Jordan Creek) via Outfall No. 001, in North Whitehall Township, Lehigh County, Pennsylvania. The project is located within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
34. Parkland School District, D-2013-007 CP-1. An application to approve the applicant's 0.0324 mgd Parkland High School WWTP and its discharge. The WWTP will continue to discharge treated effluent to Jordan Creek at River Mile 183.66 - 16.25 - 8.6 (Delaware River - Lehigh River - Jordan Creek) via Outfall No. 001, in South Whitehall Township, Lehigh County, Pennsylvania. The project is located within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
35. Pennsylvania State Department of Conservation and Natural Resources (DCNR), D-2013-008 CP-1. An application to approve the applicant's 0.025 mgd Beltzville State Park WWTP and its discharge. The WWTP will continue to discharge treated effluent to Pohopoco Creek at River Mile 183.66 - 40.76 - 4.9 (Delaware River - Lehigh River -

Pohopoco Creek) via Outfall No. 001, in Franklin Township, Carbon County, Pennsylvania. The project is located within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

C. New Project.

36. Lehigh County Authority, D-2010-001 CP-3. Revisions to the Special Protection Waters grandfathered load for the existing 0.06 mgd Wynnewood Terrace WWTP that were included in the docket approved on September 12, 2013. Treated effluent will continue to discharge to the Lehigh River at River Mile 183.66 - 28.14 (Delaware River - Lehigh River) via Outfall No. 001, in North Whitehall Township, Lehigh County, Pennsylvania, within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.