

DELAWARE RIVER BASIN COMMISSION

MEETING OF MARCH 12, 2014

Minutes

Commissioners Present: Michele N. Siekerka, 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, General Counsel
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 March 12, 2014.

Minutes. The Minutes for the Commission Meeting of December 4, 2013 were approved unanimously on a motion by Mr. Eaton, seconded by Ms. Heffner.

Announcements. Ms. Bush announced the following:

- *DRBC Water Management Advisory Committee (WMAC).* The WMAC will meet on April 23, 2014 at 10:00 a.m. in the Goddard Conference Room. Jessica Sanchez is the staff coordinator. Meeting details, including contact information for Dr. Sanchez, are posted on the DRBC website.
- *DRBC Flood Advisory Committee (FAC).* The FAC will meet Wednesday, May 21, 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.

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 10, 2014 was 6.50 inches or 0.28 inches below normal. The observed precipitation for the Basin above Trenton for the same period was 7.10 inches or 0.13 inches below normal and for the Basin above Wilmington, Delaware for this period, 8.93 inches or 1.97 inches above normal.

The average observed streamflow of the Delaware River at Montague in January and February 2014 were affected by icy river conditions. Accurate measurements are currently unavailable for this period.

For March 1-10, the average observed streamflow at Montague remained ice-affected. The average streamflow at Trenton during the same period was 7,153 cfs, or 39 percent of the long-term average for the month.

In the Lower Basin, as of March 11, 2014, Beltzville Reservoir contained 13.49 billion gallons (bg) usable, or 97.2 percent of usable storage, and Blue Marsh contained 4.30 bg usable, or 97.0 percent of winter pool usable storage. As of March 10, Merrill Creek contained 14.55 bg usable, or 92.7 percent of usable storage.

In the Upper Basin, as of March 11, 2014, Pepacton Reservoir contained 117.031 bg usable or 83.6 percent of usable storage. Cannonsville contained 78.097 bg usable, or 81.6 percent of usable storage. Neversink contained 25.345 bg usable or 7.25 percent of usable storage. The total New York City Delaware Basin reservoir storage was 220.5 bg usable or 81.4 percent of usable storage.

During the month of February 2014, 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) 71 to RM 78. 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 10, the salt front was located at RM 74, which is four miles upstream of the normal location of the salt front during March.

Executive Director’s Report. March 12, 2014 was Ms. Collier’s last day as Executive Director of the Commission. She opened her remarks by thanking the Commissioners in attendance and their predecessors for allowing her to serve as DRBC’s Executive Director for 15 years. She described the post as an incredible opportunity and announced that being too young to retire, she would be joining the Academy of Natural Sciences of Drexel University as Senior Advisor for Watershed Management and Policy, effective April 7, 2014. In that role, Ms. Collier said, she would “be able to play in the water some more”. Ms. Collier focused the balance of her remarks on DRBC. Thinking back on her swearing-in in New Castle, Delaware fifteen years ago, she said, it seemed as though the time “flew by” while a lot was accomplished:

- Ms. Collier and the staff coordinated development of the Basin Plan (the *Water Resources Plan for the Delaware River Basin*), pulling community members together to bring the basin’s water resource issues into focus and craft a shared vision for their long-term management.

- Internally, data management systems were developed, new fiscal and staff accountability measures were adopted, and flexible work schedules were instituted.
- DRBC's outreach efforts were expanded, bringing good, solid information to the basin community and building awareness of water management concerns. The Commission learned that basin-scale planning and strategizing requires working with partners to achieve buy-in for plans and implementing them at the local level. Ms. Collier said she believed DRBC had earned the respect of the basin's professional communities.
- The Ruth Patrick River Garden in the Commission's long-disused courtyard was completed just as spring arrived. Ms. Collier noted that the garden is designed as a place for everyone – guests, partners and staff – to enjoy, view and learn.

Ms. Collier said that the pleasure of working with “the best staff ever” had made the job of Executive Director pretty easy because she was supported by such great people. She invited a round of applause for the staff, then recognized Deputy Executive Director Robert Tudor in particular, noting that this meeting was his last as well, since he would be leaving the Commission at the end of May. She said, “Bob Tudor has been an incredible deputy.” Ms. Collier then resumed her account of DRBC's accomplishments during her tenure:

- Regarding the modeling and monitoring program, she said, people look to DRBC for up-to-date information on the basin as well as development of water quality criteria. The agency is credited with an ongoing PCB cleanup process that has markedly reduced PCB loadings to the Delaware Estuary, as well as with other landmark directions.
- In the area of drought management, Ms. Collier noted it had not been necessary during her tenure to require anybody to brown-down or shut down due to water shortages. As to flood management, she flagged the excellent flood mitigation recommendations developed by the Commission's advisory committee and interstate task force, noting that some of these – especially related to flood warnings – have been implemented, while others still need work.
- In the area of water supply, Ms. Collier noted that DRBC has implemented the water use tracking and water loss audits currently in place throughout the basin.
- As to water quality, she observed that the agency's greatest achievement was to put the Special Protection Waters program in place. “When you think about this river and the water quality we have in this megalopolis – and we're right in the middle of it! –,” she said, “river basin residents have this outstanding resource and we have this mechanism in place to protect the water quality for instream needs, for critters and the millions of people that rely on the waters of the Delaware River Basin.”

Ms. Collier shifted her focus to the future, noting that there remain many unfinished programs and projects that demand attention. She said these relate to a range of issues, including among them, natural gas, reducing or eliminating duplication of effort, regulating discharges, and putting in place a sustainable flow management program. She is worried by the number of water management challenges over which we have no control. These include, among others, shifts in the location and number of people; a growing demand for water, especially in connection with

power generation; extreme weather events; and sea level rise. Ms. Collier thinks the basin has not yet seen the worst drought or the worst flood. These multiple issues and their impact on the path forward are the reasons she believes DRBC is so highly valued.

Ms. Collier reminded listeners that the Commission was created in 1961 as an innovative forum for adaptation. It was innovative because it brought all the basin's decision-makers together to solve new and ever-changing problems. "There's always something important – and usually, urgent – coming at us, and we need to have a way to bring folks together to initiate plans and make decisions," she said. "As General Duke DeLuca said when he was the federal representative, 'If DRBC didn't exist we would have to create it.'" In closing, Ms. Collier said, "I believe that DRBC is needed now more than ever. I will cherish my time with DRBC forever. Thank you."

Commission Chair Michele Siekerka noted that the Commissioners would make presentations toward the end of the meeting to recognize Carol's contributions to DRBC.

General Counsel's Report. Mr. Warren prefaced his report by saying it had been his privilege to work with Carol and with Bob, remarking, "Two better water professionals I don't think one could find." He wished them both well in their future endeavors or retirement. His report is summarized as follows:

Appeal of Stone Energy Water Withdrawal Docket. The procedural posture of the federal case in the District of New Jersey remained unchanged from that reported at the Commission's meeting in December, 2013. The parties continued to wait for a decision by the magistrate judge on the plaintiff's motion to compel the production of certain documents for which the DRBC asserted a privilege. The case remained on hold pending the magistrate judge's decision.

Hearing Request by Strausser Enterprises. Strausser failed to file a timely renewal of its groundwater withdrawal docket. The company requested a waiver of the late fee when it did file, and during the Commission's December meeting, the Commissioners declined to grant that waiver. The Commissioners now had before them Strausser's request for an administrative hearing with respect to their December decision. Mr. Warren recommended that the request for an administrative hearing be denied because he did not think there were facts in dispute for which an evidentiary hearing would be useful, and the Commissioners had already made their decision. He explained that it was up to the Commissioners to resolve Strausser's request for an administrative hearing by a vote.

Ms. Siekerka requested a motion to deny Strausser Enterprises' request for an administrative hearing on the Commission's denial of Strausser's request for waiver of the late fee. Mr. Eaton so moved, Ms. Stiller seconded his motion, and the Commissioners denied the request by a vote of four with one abstention. The Pennsylvania Commissioner, Ms. Heffner, abstained.

Request for waiver of a late fee. The Commissioners received copies of a letter request by NIS Hollow Estates for waiver of the late fee it incurred for failure to timely apply for a renewal of a discharge docket. The requester explained in her letter that the entity had applied for a NPDES permit but had not recognized that an application for renewal of the Commission docket was also required. In addition, a representative of NIS Hollow was experiencing medical problems at the

time. Mr. Warren advised that the Commissioners must decide whether to grant the request, by a motion and an affirmative vote.

Ms. Siekerka requested a motion to waive the late fee for NIS Hollow Estates. Ms. Heffner so moved, but no second was offered. As a consequence, the motion died and the request was effectively denied.

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 executed eight settlement agreements and had submitted these to the Commissioners for their review and ratification. All involved alleged violations classified as moderate on the Civil Penalty Matrix that the Commission adopted in 2009, and 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 occurred as a result of the violations. All of the violations consisted of failures to perform required monitoring. The settlement amounts ranged from \$1,500 to \$2,250. The eight entities, seven located in Pennsylvania and one in New Jersey, were:

1. Cambridge-Lee Industries (D-1970-120-2)
2. Abington Township (D-1973-191 CP-4)
3. Middle Smithfield Township (D-1990-080 CP-3)
4. Upper Gwynedd Township (D-1991-088 CP-6 and D-1991-088 CP-7)
5. Hamburg Municipal Authority (D-1992-073 CP-3)
6. Johnson Matthey, Inc. (D-1999-038-3)
7. Sussex County Municipal Utilities Authority (D-2006-006 CP-3)
8. Jackson Township Sewer Authority (D-2007-004 CP-1 and D-2007-004 CP-2)

Ms. Bush asked the Commissioners to ratify the eight agreements executed by the staff. Ms. Siekerka requested a motion to that effect, Lieutenant Colonel Becking so moved, and Mr. Eaton offered a second. None of the Commissioners offered further comment, and the motion was approved by unanimous vote.

Project Review Applications. A duly noticed public hearing was conducted on March 11, 2014 on draft dockets for 31 projects, each of which is described in an Appendix to these Minutes. David Kovach noted that the hearing on a draft docket for Nestlé Waters North America, Inc. (D-2013-020-1), although included in the public hearing notice, had been postponed to allow additional time for review. He recommended that the Commission approve the 31 dockets on which a public hearing had been completed. First, however, he noted that the Commission had received comments on the draft docket for Accellent, Inc. (D-1993-061-3) and he wished to present the staff's recommended responses to those comments.

Staff's Response to Comments on Docket D-1993-061-3 for Accellent, Inc.. Accellent's consultant, geologist Tom Marks, believed the draft docket referenced the wrong date for the previous discharge docket issued to the applicant. Mr. Marks believed a more recent docket had been issued. Mr. Kovach said that the more recent docket Mr. Marks referred to was actually a

previous *withdrawal* docket. The date of the previous discharge docket was in fact correctly recorded in the draft renewal.

Mr. Kovach related that Mr. Marks also had raised a question concerning the totalizing flow meter requirements in the draft docket, and staff had since clarified that issue to Mr. Marks's satisfaction.

Mr. Ray Nichols had inquired as to how hexavalent chromium contamination at the site was being treated. Mr. Kovach explained that staff had confirmed through additional research that hexavalent chromium did not exceed any regulatory standard at the site. Levels in the docket holder's effluent were below the EPA's drinking water standard of 100 parts per billion and below the effluent limitation of nine parts per billion established by Pennsylvania's NPDES permit. The chemical is rarely seen in groundwater concentrations above five parts per billion at the applicant's site, so there is no need to treat for it. The docket holder did outline a treatment protocol, which the EPA approved, for treating chromium in the event that monitoring indicates levels are increasing. However, that has not occurred to date. To clarify, no treatment for chromium in groundwater has occurred at this site.

Ms. Heffner then addressed questions Mr. Nichols had raised about air permits at the site. She said that the DRBC staff and she had checked with the Pennsylvania regional office and confirmed that (1) all the appropriate Title V air permits are in place and (2) the applicant is in compliance with those air permits.

Mr. Kovach then recommended that the Commissioners approve as presented the 31 dockets for which a hearing was completed on March 11, 2014.

Ms. Siekerka asked for a motion to approve hearing items 1 through 31. Ms. Heffner so moved and Mr. Eaton offered a second. Lieutenant Colonel Becking abstained from voting on Dockets D-1987-057 CP-3 and D-2009-041 CP-2 (hearing items 2 and 26, respectively), both of which were proposed for the Tobyhanna Army Depot. With the exception of the two Tobyhanna dockets, which were approved by votes of four with the Federal Government abstaining, all the dockets were approved by unanimous vote.

Resolution to Adopt the Commission's Capital and Operating Budgets for FY-2015 (July 1, 2014 through June 30, 2015). Ms. Siekerka asked for a motion to table this resolution until the June meeting. Ms. Heffner so moved, Mr. Eaton provided a second, and by unanimous vote the resolution to adopt the FY-2015 budget was tabled until the June Commission Meeting.

Resolution to Appoint an Executive Director and Provide for Compensation and to Appoint an Acting Executive Director. Ms. Siekerka explained that the Commissioners had undertaken an extensive search to identify a new executive director. She said that some excellent candidates had presented themselves and numerous interviews and interactions had occurred before one was selected. DRBC issued a press release earlier in the week announcing this accomplishment. Ms. Siekerka said the Commissioners and staff were excited to welcome Mr. Steven J. Tambini, currently Vice President for Operations with Pennsylvania American Water Company. Mr. Tambini will not be joining DRBC until August 1, 2014. In order to ensure a smooth transition,

for the period after Carol's departure and before Mr. Tambini's arrival, she said, the Commissioners asked Mr. Richard C. Gore, DRBC's Chief Administrative Officer, to serve as Acting Executive Director. Ms. Siekerka thanked Mr. Gore for accepting the Commissioners' offer. She then asked for a motion appointing Mr. Tambini as the Executive Director and Mr. Gore as the Acting Executive Director. Ms. Stiller so moved, Ms. Heffner offered a second, and Resolution No. 2014-1 appointing an executive director and providing compensation; and appointing an acting executive director to serve until August 1, 2014, was adopted by unanimous vote.

Recognition of Carol Collier. Ms. Siekerka said she wished to recognize and honor Carol Collier for her leadership of the DRBC. She thanked Carol for her many contributions to the basin, its human residents, the "critters" (quoting Carol's oft-used term for aquatic flora and fauna), and everyone affected by basin conditions. Ms. Siekerka cited Carol's staunch advocacy across the spectrum of basin matters and shared the image she holds of Carol floating down the river in a boat, monitoring all the goings-on at ground level. She described Carol as a "tremendous facilitator of the Commission and the Commissioners throughout her fifteen years." Ms. Siekerka then presented Carol with a framed resolution, which she read aloud:

RESOLUTION

A RESOLUTION recognizing Carol R. Collier for her dedicated service as Executive Director of the Delaware River Basin Commission.

WHEREAS, on August 31, 1998 Carol R. Collier was sworn in as the third Executive Director of the Commission and the first woman to head an interstate river basin compact agency; and

WHEREAS, Carol's leadership of DRBC was marked by collaboration both inside and outside the Commission, including partnerships with co-regulators, NGOs and water users throughout the region, and by agency-wide initiatives to learn from and consider all perspectives; and

WHEREAS, throughout her 15-year tenure as the Commission's top executive, Carol was a tireless advocate and spokesperson for watershed-based management nationally and internationally; and

WHEREAS, Carol appreciated the diverse skills and talents of the Commission staff, and with an energetic style, led her team in a wide range of planning and management initiatives; and

WHEREAS, notable achievements of the DRBC under Carol's leadership included:

- In partnership with co-regulators, development and implementation of a program for reducing loadings of polychlorinated biphenyls (PCBs) to the Delaware Estuary through tailored pollutant minimization plans (PMPs). PMPs continue to achieve significant PCB load reductions, hastening the day when health-related consumption advisories are lifted for fish caught in the Delaware Estuary and Bay.

- Expansion of the Commission's Special Protection Waters (SPW) Program to include the 76-mile reach of the main stem known as the "Lower Delaware," resulting in placement of the entire non-tidal river from Hancock to Trenton, including three federally-designated Wild and Scenic River reaches, under a "Keep the Clean Water Clean" management regime.
- Adoption in 2004 of the Water Resources Plan for the Delaware River Basin, a 30-year goal-based framework that serves as a guide for all governmental and nongovernmental stakeholders whose actions affect basin waters.
- Publication in 2008 and 2013 of "State of the Basin" reports describing current conditions and providing benchmarks against which river basin management achievements can be measured.
- At the request of the basin state governors after devastating floods in 2004, 2005 and 2006, rapidly convening an Interstate Flood Mitigation Task Force and developing comprehensive recommendations for a more proactive approach to flood damage reduction. Thereafter, assembling the funds required to implement key recommendations for improved flood warning and inundation mapping.
- In 2009, building upon the Commission's previous water conservation program accomplishments to implement a new water audit approach for identifying and controlling water loss.
- Demonstrating through a retrofit of the Commission's 1970s-era headquarters property that effective stormwater management can also be beautiful.

WHEREAS, Carol has developed and is leaving behind an able and committed staff who will continue the mission of the Commission; now therefore,

BE IT RESOLVED that the Commissioners hereby recognize and thank Carol for her dedicated service and leadership of the Commission since 1998 and look forward to her continued engagement with the basin community in addressing our region's ongoing water management challenges.

ADOPTED: March 12, 2014

The Delaware Commissioner, Kathleen Stiller, offered the following tribute to Ms. Collier on behalf of Governor Jack Markell's office:

TRIBUTE

BE IT HEREBY KNOWN TO ALL, that Jack Markell, Governor of the State of Delaware and Matthew Denn, Lieutenant Governor, extend sincere appreciation to Carol R. Collier on behalf of the Delawareans across the First State; and

Governor Markell and Lieutenant Governor Denn recognize Carol Collier for her fifteen years of service as Executive Director of the Delaware River Basin Commission.

Carol was instrumental in attracting and retaining highly respected technical staff that advanced the efforts of DRBC and the member states.

DRBC is a model for transboundary water management around the world and she has led an initiative to complete the Water Resources Plan for the Delaware River Basin in 2004. Under Carol's leadership, the DRBC issued State of the Basin reports in 2008 and 2013 which describe current conditions and provide a platform for measuring and reporting future progress.

She also led a program for expanding coverage of the Commission's Special Protection Waters regulations by permanently adding the 76-mile long reach of the Lower Delaware. Carol led efforts to develop the technical basis for polychlorinated biphenyl total maximum daily loads or TMDLs in the tidal Delaware River and the Delaware Bay along with the implementation strategy to address the point and non-point sources of PCBs in this 133-mile long reach of water.

Carol has been an instrumental and effective leader of the DRBC across multiple water management initiatives during her tenure. This tribute brings with it sincere gratitude for her dedication and service to the people of the State of Delaware and best wishes in retirement.

PRESENTED THIS DAY, March 12, 2014

The Pennsylvania Commissioner, Kelly Heffner, presented Ms. Collier with a gift honoring "Carol's dedication and exemplary performance throughout her career." Ms. Heffner noted "how challenging, and yet equally rewarding, public service can be" and said that "fifteen years is indeed an accomplishment." She added that Carol "has a staff that she and the Commissioners can be incredibly proud of – people who are trustworthy to make good scientific decisions. Flipping that coin over, DRBC staff can be extremely proud of Carol and having had the opportunity to work with her."

Lieutenant Colonel Chris Becking said he regretted that his boss, General Kent D. Savre could not be here today. He said that he was actually representing the General's boss, the Chief of Engineers, in bestowing a special honor on Ms. Collier. The Chief of Engineers is entrusted to recognize outstanding contributions to the engineer regiment and all the Corps' engineering activities. The Chief wished to recognize Ms. Collier not only for her contributions to the Corps' efforts through the DRBC but for her many valuable contributions throughout her career in water resources, which have been critical to the nation. Lieutenant Colonel Becking placed the bronze medal on a ribbon around Carol's neck and read the following statement:

THE BRONZE ORDER OF THE DE FLEUR MEDAL

The Army Engineer Association on behalf of the Engineer Regiment is proud to award the Bronze Order of the de Fleur Medal to Ms. Carol R. Collier for inspiration of leadership to the United States Army Corps of Engineers.

While serving as the Executive Director of the Delaware River Basin Commission for over fifteen years, Ms. Carol Collier has coordinated the efforts of an

interstate–federal commission that provides a unified approach to water resource management without regard to political boundaries.

Ms. Collier has established and developed programs to ensure the conservation, utilization, development, management and control of the water in related resources of the Delaware River Basin under a comprehensive, multipurpose plan to bring the greatest benefits and produce the most effective service in the public welfare for the 15 million Americans who rely on the Delaware River for drinking water.

In addition, Ms. Collier has taught university environmental management courses, published on environmental and water-related topics and served on a United States–China–Japan team to assist the Peoples’ Republic of China with river basin management.

SIGNED: Thomas P. Bostick, Lieutenant General, U.S.A. Chief of Engineers
March 12, 2014

Ms. Siekerka requested a last round of applause for Carol and invited her to ceremonially bang the gavel, which ended the meeting.

Audio Recording. An audio recording of the public hearing held on March 11, 2014 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 and the Commissioners unanimously concurred, closing the business meeting of March 12, 2014.

/s/ Pamela M. Bush

Pamela M. Bush, J.D., M.R.P.
Commission Secretary/Assistant General Counsel

ATTACHMENT**DESCRIPTIONS OF 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 31 projects approved by the Commission on March 12, 2014 all were subjects of a duly noticed public hearing on March 11, 2014. Descriptions of the dockets follow. They are listed in three groups: Category A, consisting of docket renewals involving no substantive changes (items 1 through 14 and 16 through 23); Category B, consisting of renewals involving significant changes, such as an increase or decrease in an authorized withdrawal or discharge (items 15 and 24 through 26); and Category C, consisting of projects not previously reviewed by the Commission (items 27 through 31).

A. *Renewals with No Substantive Changes (hearing items 1 through 14 and 16 through 23).*

1. Melody Lakes Management, LLC, D-1980-079 CP-4. An application to renew the approval of the applicant's existing 0.072 million gallons per day (mgd) wastewater treatment plant (WWTP) and its discharge. Treated effluent will continue to be discharged to an unnamed tributary (UNT) of Tohickon Creek at River Mile 157.0 - 11.8 - 6.38 - 9.08 - 0.1 (Delaware River - Tohickon Creek - Lake Nockamixon - Tohickon Creek - UNT) via Outfall No. 001, 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, in Richland Township, Bucks County, Pennsylvania.
2. Tobyhanna Army Depot (TYAD), D-1987-057 CP-3. An application to renew the approval of an existing groundwater withdrawal (GWD) of up to 20.66 million gallons per month (mgm) from Wells Nos. 1, 2, 3, 4, 5, and 6. Water is used for domestic water supply, industrial processes and TYAD cooling and commercial purposes. The project wells are located in the Poplar Gap Member of the Catskill Formation in the Tobyhanna Creek Watershed, 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, in Coolbaugh Township, Monroe County, Pennsylvania.
3. Schuylkill County Municipal Authority, D-1991-016 CP-2. An application to renew the approval of the applicant's existing 0.396 mgd Broad Mountain water filtration plant and its discharge. Treated effluent will continue to be discharged to Wolf Creek at River Mile 92.47 - 125.15 - 4.02 - 0.50 (Delaware River - Schuylkill River - Mill Creek - Wolf Creek) via Outfall No. 001 in Blythe Township, Schuylkill County, Pennsylvania.
4. New Castle County Department of Special Services, D-1993-006 CP-3. An application to renew the approval of the existing 2.5 mgd Middletown-Odessa-Townsend Regional WWTP and spray irrigation facility and its discharge. When the treated effluent cannot be spray irrigated, the WWTP will continue to discharge to an unnamed tributary of Appoquinimink River at River Mile 50.88 - 6.2 - 0.2 (Delaware River - Appoquinimink River - UNT Appoquinimink River) in New Castle County, Delaware.
5. Accellent, Inc., D-1993-061-3. An application to renew the approval of an existing GWD of up to 3.265 mgm associated with the remediation of groundwater from existing Wells Nos. UTM-1 and UTM-11 completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's Southeastern Pennsylvania Ground Water Protected Area (GWPA) in the Perkiomen Creek Watershed in Trappe Borough, Montgomery County, Pennsylvania.
6. Shawnee's Great Bear Golf Course, LLC, D-1996-014-2. An application to renew the approval of an existing groundwater and surface water withdrawal (SWWD) of up to 12.4 mgm from an existing irrigation pond and Wells Nos. 1 and 2 completed in the Buttermilk Falls-Esopus Formations. The requested allocation, for the purpose of irrigating the applicant's golf course, is not an increase from the previous allocation. The wells are located in the Sand Hill and Shawnee Creek watersheds 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, in Middle Smithfield Township, Monroe County, Pennsylvania.

7. Northside Heights Mobile Home Estates, D-1996-039 CP-2. An application to renew the approval of the applicant's existing 0.1 mgd WWTP and its discharge. Treated effluent will continue to be discharged to an UNT of Lizard Creek at River Mile 183.66 - 39.6 - 6.95 - 0.18 (Delaware River - Lehigh River - Lizard Creek - UNT) via Outfall No. 001 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, in East Penn Township, Carbon County, Pennsylvania.
8. Pennsylvania American Water Company, D-1997-034 CP-2. An application to renew the approval of an existing GWD of up to 23.56 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 10A and 12 completed in the Delaware River Member, Towamensing Member, Sloat Brook Member and Millrift Member. The requested allocation is not an increase from the previous allocation. The wells are in the Saw Creek Watershed 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, in Lehman Township, Pike County, Pennsylvania.
9. Hemlock Farms Community Association, D-2000-060 CP-2. An application to renew the approval of an existing withdrawal of up to 31.0 million gallons per month (mgm) of groundwater from Wells Nos. 1, 4, 10, 49 and 80 for use in the applicant's existing public water supply system. The requested allocation is not an increase in the previously approved allocation. The wells are completed in the Catskill Formation in the Bushkill Creek and Shohola Creek watersheds in Blooming Grove Township, Pike County, Pennsylvania within the drainage area of sections of the non-tidal Delaware River known as the Middle Delaware (Bushkill Creek Watershed) and Upper Delaware (Shohola Creek Watershed), respectively, which the Commission has classified as Special Protection Waters.
10. Wernersville Municipal Authority, D-2001-017 CP-2. An application to renew the approval of an existing GWD project to supply up to 30.866 mgm of groundwater to the applicant's public water supply system from existing Wells Nos. 3, 4, 5, 6, 7, 8, 12 and the Tunnel Well, and 11 spring sources, and to renew the approval of a transfer of up to 12.679 mgm of water (average of 0.409 mgd) from Western Berks Water Authority (WBWA). The total system allocation of 30.866 mgm of water from all sources, including the wells, springs and the WBWA interconnection, is not an increase in total allocation from that contained in the applicant's previous approval. The total groundwater allocation approved by this docket constitutes an increase of 17.6 million gallons per 30 days (18.187 mgm) from the previously approved groundwater allocation. The applicant's wells are completed in the Hardyston Formation, Richland Formation and granitic gneiss within the drainage area of Spring Creek in the Tulpehocken Creek Watershed in South Heidelberg Township and Wernersville Borough, Berks County, Pennsylvania.

11. Oley Township Municipal Authority, D-2001-036 CP-2. An application to renew the approval of an existing GWD with a decrease in allocation from 13.37 mgm to 10.416 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. 1, 2, 3 and 4 completed in granitic gneiss. Well No. 1 is located in the Furnace Creek Watershed and Wells Nos. 2, 3 and 4 are located in the Manatawny Creek Watershed, in Oley Township, Berks County, Pennsylvania.
12. Eagle Creek Hydro Power, LLC, D-2001-038 CP-2. An application to renew the approval to release water from the Swinging Bridge Reservoir (SBR) to generate hydro-electricity. The SBR is located at River Mile 261.1 - 11.9 (Delaware River - Mongaup River) in Sullivan and Orange counties, New York. Both the dam and hydro-electric projects are 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.
13. Summit Management & Utilities, Inc., D-2001-056 CP-2. An application to renew the approval of an existing GWD of up to 23.147 mgm from existing Wells Nos. 1, 2, and 3 in the Polar Gap Member of the Catskill Formation to supply the applicant's public water supply distribution system and irrigate its golf course. The request is not an increase from the previous allocation. The wells are located in the Tunkhannock Creek Watershed, 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, in Kidder Township, Carbon County, Pennsylvania.
14. Slatington Borough Authority, D-2003-015 CP-2. An application to renew the approval of the applicant's existing 1.5 mgd WWTP and its discharge. Treated effluent will continue to be discharged to the Lehigh River at River Mile 183.66 - 33.66 (Delaware River - Lehigh River) via Outfall No. 001, 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, in the Borough of Slatington, Lehigh County, Pennsylvania.
16. Telford Borough Authority, D-2004-010 CP-2. An application to renew the approval of an existing GWD of up to 38.6 mgm to supply the applicant's public water supply system from existing Wells Nos. 1, 2, 3, 4, 5, 6 and 7 completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's Southeastern Pennsylvania GWPA in the East Branch Perkiomen Creek Watershed in Telford Borough, Bucks and Montgomery counties, Pennsylvania.
17. New York City Department of Environmental Protection, D-2004-028 CP-3. A proposal to revise language in a docket approved by the Commission on December 5, 2012 pertaining to flood-proofing and the collection system for the existing 2.5 mgd Port Jervis WWTP and its discharge. Treated effluent will continue to be discharged to the Neversink River at River Mile 253.64 - 0.82 (Delaware River - Neversink River) via Outfall No. 001, within the drainage area of the section of the non-tidal Delaware River

known as the Middle Delaware, which is classified as Special Protection Waters, in the City of Port Jervis, Orange County, New York.

18. Pennsylvania State Department of Conservation and Natural Resources (DCNR), D-2005-008 CP-2. An application to renew the approval of the existing 0.06 mgd Hickory Run State Park WWTP and its discharge. The WWTP will continue to discharge to Hickory Run, a tributary of the Lehigh River, at River Mile 183.7 - 67.3 - 1.7 (Delaware River - Lehigh River - Hickory Run), 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, in Kidder Township, Carbon County, Pennsylvania.
19. Maxatawny Township, D-2007-001 CP-2. An application to renew the approval of the existing 0.14 mgd Maxatawny WWTP and its discharge. The WWTP will continue to discharge to Sacony Creek, a tributary of Maiden Creek, which is a tributary of the Schuylkill River, at River Mile 92.5 - 86.2 - 2.9 - 5.4 - 2.1 - 6.6 (Delaware River - Schuylkill River - Maiden Creek - Lake Ontelaunee - Maiden Creek - Sacony Creek) upstream of Lake Ontelaunee, in Maxatawny Township, Berks County, Pennsylvania.
20. Keystone Mobile Home Park, D-2008-007 CP-2. An application to renew the approval of the applicant's existing 0.0375 mgd WWTP and its discharge. Treated effluent will continue to be discharged to the Lehigh River at River Mile 183.6 - 26.4 (Delaware River - Lehigh River) via Outfall No. 001, 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, in North Whitehall Township, Lehigh County, Pennsylvania.
21. UMH Properties, Inc., D-2009-021 CP-2. An application to renew the approval of the existing 0.08325 mgd Highland Estates Mobile Home Park WWTP and its discharge. The WWTP will continue to discharge to Mill Creek, a tributary of Sacony Creek, which is a tributary of Maiden Creek, which is a tributary of the Schuylkill River, at River Mile 92.5 - 86.2 - 2.9 - 5.4 - 2.1 - 5.6 - 5.1 - 1.0 (Delaware River - Schuylkill River - Maiden Creek - Lake Ontelaunee - Maiden Creek - Sacony Creek - Mill Creek) upstream of Lake Ontelaunee, in Greenwich Township, Berks County, Pennsylvania.
22. Wallenpaupack School District, D-2009-027 CP-2. An application to renew the approval of the existing 0.01 mgd Newfoundland WWTP and its discharge. The WWTP will continue to discharge to Wallenpaupack Creek upstream of Lake Wallenpaupack, which is a tributary of the Lackawaxen River, at River Mile 277.7 - 15.8 - 1.4 - 12.7 - 7.8 (Delaware River - Lackawaxen River - Wallenpaupack Creek - Lake Wallenpaupack - Wallenpaupack Creek) 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, in Dreher Township, Wayne County, Pennsylvania.
23. Lakeview Estates Homeowner's Association, D-2010-032 CP-2. An application to renew the approval of the existing 0.054 mgd Lakeview Estates WWTP and its discharge. The WWTP will continue to discharge to an unnamed tributary of the Lehigh River, at River Mile 183.7 - 101.3 - 1.2 (Delaware River - Lehigh River - UNT Lehigh River), 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, in Lehigh Township, Wayne County, Pennsylvania.

B. Renewals with Substantive Changes (items 15 and 24 through 26).

15. Pennsylvania American Water Company, D-2003-019 CP-2. An application to renew the approval of an existing GWD and to approve an increase in allocation from 7.75 mgm to 11.28 mgm from existing Wells Nos. 1, 2, 3, 4, 5, and 6, completed in the Towamensing Member of the Catskill Formation, to supply the applicant's public water supply distribution system. The wells are located in Little Bushkill Watershed 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, in Lehman Township, Pike County, Pennsylvania.
24. Glenn Springs Holdings, Inc., D-1976-017-3. An application to renew the approval to withdraw up to 15.5 mgm of groundwater from 11 previously approved recovery wells and one additional existing recovery well, and to treat and discharge the water into the Schuylkill River via outfall No. 005, for the purpose of groundwater remediation. All 12 wells are completed in the Brunswick Formation in the Schuylkill River Watershed. Water is treated by carbon absorption and air stripping before it is discharged via an existing stormwater outfall to the Schuylkill River at River Mile 92.47 - 50.9 (Delaware River - Schuylkill River). No increase in the previously approved groundwater allocation or treatment capacity is proposed. The groundwater remediation project is located within the Commission's Southeastern Pennsylvania GWPA, in Lower Pottsgrove Township, Montgomery County, Pennsylvania.
25. Downingtown Municipal Water Authority, D-2006-031 CP-2. An application to renew the approval of the existing filter backwash discharge from the 2.5 mgd Downingtown Municipal Authority water filtration plant (WFP). WFP supernatant from the sludge thickening/holding tank will continue to be discharged at a rate up to 0.466 mgd (average of 0.26 mgd) to an onsite stormwater basin which drains to an unnamed tributary (UNT) of East Branch Brandywine Creek at River Mile 70.73 - 1.5 - 20.0 - 9.0 - 0.4 (Delaware River - Christina River - Brandywine Creek - East Branch Brandywine Creek - UNT of East Branch Brandywine Creek) via Outfall No. 001 in Downingtown Borough, Chester County, Pennsylvania. The proposed discharge rate is an increase from the maximum discharge of 0.10 mgd approved in Docket No. D-2006-31 CP-1. The increase in flow is due to more frequent filter backwash and clarifier flush cycles to produce drinking water with less than 0.1 nephelometric turbidity units (NTU).
26. Tobyhanna Army Depot, D-2009-041 CP-2. An application for the renewal and modification of an existing discharge from the 0.802 mgd Tobyhanna Army Depot WWTP. The applicant has also requested a variance from the Commission's 1,000 mg/l basin-wide TDS effluent limit. Treated effluent will continue to be discharged to Hummler Run at River Mile 183.66 - 83.5 - 26.4 - 1.82 (Delaware River - Lehigh River - Tobyhanna Creek - Hummler Run) 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 Coolbaugh Township, Monroe County, Pennsylvania.

C. New Projects (items 27 through 31).

27. Pocono Waterworks Company, Inc., D-2013-009 CP-1. An application to approve the applicant's existing 0.021 mgd Pine Grove Estates WWTP and its discharge. Treated effluent will continue to be discharged to an UNT of the Delaware River at River Mile 289.45 - 1.8 (Delaware River - UNT) via Outfall No. 001, 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, in Damascus Township, Wayne County, Pennsylvania.
28. Pine Forest Camp, Inc., D-2013-010 CP-1. An application to approve the applicant's existing 0.025 mgd WWTP and its discharge. Treated effluent will continue to be discharged to the Little Bush Kill at River Mile 226.9 - 0.8 - 13.5 (Delaware River - Bush Kill - Little Bush Kill) via Outfall No. 001, 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, in Lackawaxen Township, Pike County, Pennsylvania.
29. Pocono Plateau Christian Association, D-2013-011 CP-1. An application to approve the applicant's existing 0.015 mgd WWTP and its discharge. Treated effluent will continue to be discharged to an UNT of Taylor Creek located above Lake Wallenpaupack, at River Mile 277.7 - 15.8 - 30.55 - 2.25 - 0.83 (Delaware River - Lackawaxen River - Wallenpaupack Creek - Taylor Creek - UNT) via Outfall No. 001, 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, in Barrett Township, Monroe County, Pennsylvania.
30. Schuylkill County Municipal Authority, D-2013-012 CP-1. An application to approve the applicant's existing 0.187 mgd Indian Run water filtration plant and its discharge. Treated effluent will continue to be discharged to the West Branch Schuylkill River at River Mile 92.47 - 117.75 - 4.67 (Delaware River - Schuylkill River - West Branch Schuylkill River) via Outfall No. 001, in Branch Township, Schuylkill County, Pennsylvania.
31. Schuylkill County Municipal Authority, D-2013-013 CP-1. An application to approve the applicant's existing 0.104 mgd Mt. Laurel water filtration plant and its discharge. Treated effluent will continue to discharge to Mud Run at River Mile 92.47 - 125.15 - 4.02 - 1.40 - 0.57 (Delaware River - Schuylkill River - Mill Creek - Stony Creek - Mud Run) via Outfall No. 001, in New Castle Township, Schuylkill County, Pennsylvania.