

DELAWARE RIVER BASIN COMMISSION

MEETING OF DECEMBER 10, 2014

Minutes

Commissioners Present: Angus Eaton, New York, Chair
Bryan A. Ashby, Delaware, Vice Chair
Henry W. Gruber, United States, Second Vice Chair
Kelly J. Heffner, Pennsylvania
Daniel M. Kennedy, New Jersey

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

The Commission met at the Washington Crossing Historic Park Visitor Center in Washington Crossing, Pennsylvania on December 10, 2014.

Minutes. The Minutes for the Commission Meeting of September 10, 2014 were approved unanimously on a motion by Mr. Kennedy, seconded by Ms. Heffner.

Announcements. Ms. Bush announced the following conference:

Partnership for the Delaware Estuary (PDE). The Partnership's 10th Science & Environmental Summit, January 25-28, 2015 in Cape May, New Jersey, themed, "Balancing Progress and Protection – Ten Years of Science in Action." The conference brings together scientists, outreach specialists and resource managers from all over the Delaware Estuary for presentations and networking. For additional information, visit <http://delawareestuary.org/Summit>.

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 8, 2014 was 39.89 inches or 2.89 inches below normal. The observed precipitation for the Basin above Trenton for the same period was 41.10 inches or 4.10 inches below normal and for the Basin above Wilmington, Delaware for this period, 49.27 inches or 8.77 inches above normal.

The average observed streamflow of the Delaware River at Montague, New Jersey in November 2014 was 2,037 cubic feet per second (cfs), or 45 percent of the long-term average for the month. The average observed streamflow of the Delaware River at Trenton, New Jersey for the same period was 3,781 cfs, or 38 percent of the long-term average for the month.

For December 1-8, the average observed streamflow at Montague was 3,883 cfs, or 77 percent of the long-term average for the month. The average streamflow at Trenton during the same period was 7,605 cfs, or 59 percent of the long-term average for the month.

In the Lower Basin, as of December 9, 2014, Beltzville Reservoir contained 11.04 billion gallons (bg) usable, or 81.8 percent of usable storage, and Blue Marsh contained 4.46 bg usable, or 100.9 percent of winter pool usable storage. As of December 8, Merrill Creek contained 14.43 bg usable, or 92.0 percent of usable storage.

In the Upper Basin, as of December 9, 2014, Pepacton Reservoir contained 86.9 bg usable or 62.1 percent of usable storage. Cannonsville contained 47.0 bg usable, or 49.1 percent of usable storage. Neversink contained 24.6 bg usable or 70.3 percent of usable storage. The total New York City Delaware Basin reservoir storage was 158.5 bg usable or 58.5 percent of usable storage.

During the month of November 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) 78 to RM 82. The normal location of the salt front during November is RM 70, which is eight miles downstream of the Delaware-Pennsylvania state line. As of December 8, the salt front was located at RM 75, which is six miles upstream of the normal location of the salt front during December.

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

- *Delaware Estuary.* On December 5 the Commission was pleased to join with the states of Delaware and New Jersey, the Commonwealth of Pennsylvania, the United States Environmental Protection Agency, the Partnership for the Delaware Estuary and the City of Philadelphia Water Department in renewing a commitment to the Delaware Estuary Program. The Delaware Estuary Program and its partners are set to update the Comprehensive Conservation and Management Plan for the Delaware Estuary, and DRBC is a proud participant.
- *DRBC Annual Report.* The Commission’s annual report has been published and is available on the DRBC website.

General Counsel’s Report. Mr. Warren said he was pleased to report that the Commission had no outstanding litigation.

Settlement Agreements. Ms. Bush related that during 2014 DRBC’s compliance supervisor and his team reviewed annual effluent monitoring reports for calendar year 2013 and found that some dischargers were failing to perform required monitoring. Notices of Violation (NOV) were

issued to those entities, and in accordance with DRBC's *Rules of Practice and Procedure*, many of the dischargers have requested settlement with the Commission in lieu of a penalty to resolve these matters. The Executive Director may submit a proposed settlement agreement to the Commissioners when he finds it to be in the Commission's best interest. All of the settlements submitted for the Commission's consideration today involve 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. The entities with which settlement agreements are proposed are:

1. Bath Borough Authority
2. Beaver Lake Estates
3. Brodhead Creek Regional Authority
4. Central Wayne Regional Authority
5. Cinnaminson Sewerage Authority
6. Horsham Water and Sewer Authority
7. Lake Adventure Community Association
8. Penns Grove Sewerage Authority
9. Shoemakersville Municipal Authority
10. Upper Gwynedd Township
11. The Village of Buckingham Springs
12. Whitmarsh Township Authority
13. East Stroudsburg Regional Authority

Mr. Eaton requested a motion to ratify the thirteen settlement agreements. Ms. Heffner so moved, Mr. Gruber seconded her motion, and the motion was approved unanimously.

Project Review Applications. A duly noticed public hearing was conducted on December 9, 2014 on draft dockets for 41 of the 43 projects included in the public notice. A description of each of the applications is provided in an Appendix to these Minutes. The two dockets postponed to allow additional time for review were Eagle Lake Community Association, Inc. (D-1987-055-3) and Buck Hill Falls Company (D-2009-002 CP-1), which were listed in the public hearing notice as items 12 and 36. Of the 41 recommended dockets, 35 are for projects located in Pennsylvania, 3 for projects in New Jersey, 3 for projects in New York and none involving projects in the State of Delaware.

The Commission received no substantive comments on any of the draft dockets during the public comment period, with the exception of the proposed docket for City of Port Jervis (D-2013-019 CP-1), hearing item 37. Mr. Tim Gottlieb from Port Jervis, New York wrote concerning the City's water charges. Currently, Port Jervis meters all service connections as required by DRBC regulations, but the residential connections are based on a flat rate, rather than on metered usage. Mr. Gottlieb's concern is that according to the Commission's rules, charges for all service connections should be based in part on metered usage. DRBC staff found that some 315 of Port Jervis's larger connections – including commercial and industrial users that represent approximately 75 percent of total withdrawals by the City – are billed in a manner that relies on

both metered usage and flat rates. In September, for example, out of the 26.8 million gallons of water provided, 20.15 million gallons served customers who are charged in part based on metered usage. That 75 percent satisfies the “in part” requirement in the staff’s view.

Mr. Kovach explained that notwithstanding the above, on the basis of additional information the staff received, he was recommending that consideration of the draft dockets for the City of Port Jervis (D-2013-019 CP-1) and for Aqua America, Inc.’s Woodloch Springs Wastewater Treatment Plant (D-2014-005 CP-1) (hearing item 41) be postponed to allow additional time for review. Mr. Kovach recommended that the Commissioners approve the remaining 39 dockets – hearing items 1 through 11, 13 through 35, 38 through 40, and 42 and 43.

Mr. Eaton requested a motion to approve the 39 dockets as recommended. Mr. Gruber so moved and Mr. Kennedy offered a second. Without further discussion, the motion to approve hearing items 1 through 11, 13 through 35, 38 through 40, and 42 and 43 carried by unanimous vote.

Resolution to Adopt DRBC’s Water Resources Program FY 2015-2017. Dr. Najjar explained that the proposed resolution provided for adoption of the Water Resources Program (WRP) for fiscal years 2015 through 2017 in accordance with a requirement of the *Delaware River Basin Compact*. The resolution and Water Resources Program were published for comment and were the subject of a public hearing on December 9. The organization American Rivers (“AR”), which is concerned with the protection and restoration of healthy river systems, submitted a comment requesting that the Commission address in the WRP methods for improving the natural function of the river through the use of “green infrastructure.” In particular, they recommended that green infrastructure strategies be discussed in the sections of the document on water supply, the non-tidal main stem, water conservation, water law, the Southeast Ground Water Protected Area and New Jersey Critical Areas.

Dr. Najjar said that in the staff’s view AR’s recommendation has merit. He noted that good stormwater practices, which include reliance on “green infrastructure,” are emphasized throughout the Water Resources Plan for the Delaware River Basin (DRBC 2004) (“Basin Plan”). He added that in a discussion of watershed partnerships in Section 3 of the WRP, green infrastructure is identified as an area of focus – in particular within the Christina River and Schuylkill River watersheds, and by the Common Waters initiative in the Upper Basin. The Commission partners in watershed restoration projects in these and other watersheds.

Dr. Najjar proposed that in the next WRP, the discussion of green infrastructure be expanded to provide more specifics, including a discussion of state programs where appropriate. He recommended that the WRP for fiscal years 2015-2017 be approved, with the understanding that AR’s recommendation will be taken up in developing next year’s WRP.

Mr. Eaton requested a motion to adopt DRBC’s Water Resources Program FY 2015-2017. Ms. Heffner so moved, Mr. Kennedy seconded her motion, and Resolution No. 2014-10 was unanimously approved.

Audio Recording. An audio recording of the public hearing held on December 9, 2014 is on file with the Commission Secretary. A description of each of the approved dockets is provided as an Attachment to these Minutes.

Adjournment. Mr. Eaton then adjourned the Commission's Business Meeting of December 10, 2014.

/s/ Pamela M. Bush

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

ATTACHMENT

DESCRIPTIONS OF PROJECTS APPROVED BY THE COMMISSION DURING THE BUSINESS MEETING OF DECEMBER 10, 2014

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 39 projects approved by the Commission on December 10, 2014 all were subjects of a duly noticed public hearing on December 9, 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 11 and 13 through 28) (item 12 was postponed to allow additional time for review); Category B, consisting of renewals involving significant changes, such as an increase or decrease in an authorized withdrawal or discharge (items 29 through 33); and Category C, consisting of projects not previously reviewed by the Commission (items 34, 35, 38, 39, 40, 42 and 43) (items 36, 37 and 41 were postponed to allow additional time for review).

A. *Renewals with No Substantive Changes (hearing items 1 through 11 and 13 through 28).*

1. Pottstown Borough Water Authority, D-1964-036 CP-2. An application to renew the approval of an existing surface water withdrawal (SWWD) of up to 243.2 million gallons per month (mgm) to supply the applicant's public water supply system from a surface water intake located on the Schuylkill River. The requested allocation is not an increase from the previous allocation. The surface water intake is located within the Commission's designated Ground Water Protected Area (GWPA) in the Schuylkill River Watershed in Pottstown Township, Montgomery County, Pennsylvania.

2. South Coatesville Borough, D-1974-039 CP-5. An application to renew the approval of the existing 0.5 million gallons per day (mgd) South Coatesville wastewater treatment plant (WWTP) and its discharge. The WWTP will continue to discharge to West Branch Brandywine Creek, which is a tributary of Brandywine Creek, a tributary of the Christina River, at River Mile (RM) 70.7 - 1.5 - 20.0 - 14.3 (Delaware River - Christina River - Brandywine Creek - West Branch Brandywine Creek), in the Borough of South Coatesville, Chester County, Pennsylvania.

3. Philadelphia Gas Works, D-1976-055 CP-3. An application to renew the approval of an existing discharge via Outfall No. 004 at the PGW Richmond Plant of up to 6.67 mgd, based on a long-term average flow of non-contact cooling water (NCCW) from process compressors and heat exchangers and the fire suppression system. Outfall No. 004 will continue to discharge to Water Quality Zone 3 of the Delaware River at RM 106.5, in the City of Philadelphia, Pennsylvania.

4. Blair Academy, D-1976-089-2. An application to renew the approval of the applicant's existing 0.05 mgd WWTP and its discharge. There are no modifications to the WWTP proposed. The WWTP will continue to discharge treated effluent to Blair Creek, which is a tributary of the Paulins Kill River, at RM 207 - 10.4 - 0.5 (Delaware River - Paulins Kill - Blair Creek), within the drainage area of the section of the non-tidal main stem known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Blairstown Township, Warren County, New Jersey.

5. Newtown Artesian Water Company, D-1978-029 CP-4. An application to renew the approval of an existing groundwater withdrawal (GWD) of up to 46.3 mgm to supply the applicant's public water supply system from existing Wells Nos. 4R, 5, 6, 14 and 18 completed in the Stockton Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's designated GWPA in the Newtown Creek and Lower Section Neshaminy Creek watersheds in Newtown Borough, Newtown and Middletown Townships, Bucks County, Pennsylvania.

6. Pennington Borough, D-1984-033 CP-4. An application to renew the approval of an existing GWD and export of up to 6.48 million gallons per 30 days (mg/30 days) to supply the applicant's public water supply from existing Well No. 7 completed in the Passaic Formation. The applicant's distribution system includes four other groundwater sources which are located outside the Delaware River Basin. The requested allocation is not an increase from the previous allocation. The project well is located in the Jacobs Creek Watershed in the Borough of Pennington, Mercer County, New Jersey.

7. American Nickeloid Company, D-1985-030-2. An application to renew the approval of the applicant's existing 0.045 mgd industrial wastewater treatment plant (IWTP) and its discharge. Treated effluent will continue to be discharged to the Lehigh River at RM 183.66 - 45.11 (Delaware River - Lehigh River) via Outfall No. 001, within the drainage area of the section of the non-tidal main stem known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Walnutport Borough, Northampton County, Pennsylvania.

8. Brodhead Creek Regional Authority, D-1986-011 CP-4. An application to renew the approval of the applicant's existing 4.5 mgd Stroudsburg WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to McMichael Creek, a tributary of Brodhead Creek, at RM 213.0 - 4.0 - 0.2 (Delaware River - Brodhead Creek - McMichael Creek) in the Borough of Stroudsburg, Monroe County, Pennsylvania within the drainage area of the section of the non-tidal main stem known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

9. West Grove Borough Authority, D-1987-024 CP-3. An application to renew the approval of the applicant's existing 0.25 mgd WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to Middle Branch White Clay Creek, which is a tributary of White Clay Creek, a tributary of Christina River, at RM 70.2 - 10.0 - 15.9 - 9.5 (Delaware River - Christina River - White Clay Creek - Middle Branch White Clay Creek) in London Grove Township, Chester County, Pennsylvania.

10. Antietam Valley Municipal Authority, D-1987-045 CP-5. An application to renew the approval of the 2.45 mgd Antietam Valley Municipal Authority WWTP and its discharge. The WWTP will continue to discharge treated wastewater effluent to an unnamed tributary of the Antietam Creek at RM 92.47 - 66.1 - 4.4 (Delaware River - Schuylkill River - Antietam Creek), in St. Lawrence Borough, Berks County, Pennsylvania.

11. Fleetwood Borough Authority, D-1987-054 CP-5. An application to renew the approval of the applicant's existing 0.882 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Willow Creek at RM 92.47 - 86.7 - 0.6 - 6.4 (Delaware River - Schuylkill River - Maiden Creek - Willow Creek) via Outfall No. 001, in Richmond Township, Berks County, Pennsylvania.

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

13. Mountain Mulch, D-1988-066-4. An application to renew the approval of an existing GWD of up to 10.354 mgm to irrigate the applicant's nursery from existing Wells Nos. 1 and 33 completed 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 Schlegel Run Watershed in Douglass Township, Montgomery County, Pennsylvania.

14. Pennsylvania American Water Company, D-1988-089 CP-2. An application to renew the approval of the applicant's existing 0.75 mgd Saw Creek WWTP and its discharge. The applicant also requested approval to construct a belt filter press that is designed to handle liquid sludge from this WWTP and two other WWTPs owned by the applicant located within the Basin.

Treated effluent will continue to be discharged to Saw Creek at RM 226.9 - 3.6 - 0.9 (Delaware River - Bush Kill - Saw Creek) via Outfall No. 001, in Lehman Township, Pike County, Pennsylvania, within the drainage area of the section of the non-tidal main stem known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

15. Pottstown Borough Water Authority, D-1989-055 CP-3. An application to renew the approval of the applicant's 15.6 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at RM 92.47 - 51.3 (Delaware River - Schuylkill River) via Outfall No. 001, in the Borough of Pottstown, Montgomery County, Pennsylvania.

16. Blue Bell Country Club, D-1993-059-2. An application to renew the approval of an existing GWD and SWWD of up to 6.3 mgm to irrigate the applicant's golf course from existing Wells Nos. 2, 3, and 5 and existing Ponds Nos. 1 and 2. Wells Nos. 2 and 3 are completed in the Stockton Formation and Well No. 5 is completed in the Lockatong Formation. The requested allocation is not an increase from the previous allocation. The wells are completed in the Commission's designated GWPA in the Stony Creek Watershed in Whitpain Township, Montgomery County, Pennsylvania.

17. Nesquehoning Borough Authority, D-1994-047 CP-2. An application to renew the approval to withdraw up to 22.3 mgm of groundwater from existing wells Nos. 1, 2, 3, 4 and 5 for use in the applicant's existing water supply distribution system and to approve an allocation of up to 1.2 mgd of surface water, based on a 30-day average, when available from the applicant's existing Fourth Hollow Reservoir on Broad Run for industrial use at the Panther Creek Energy Facility. The groundwater allocation approved by this docket is not an increase from the allocation approved in DRBC Docket No. D-94-47 CP. The surface water withdrawal project was approved by the Commission via Docket No. D-69-2 on February 26, 1969; however the water supply is no longer used by NBA for public water supply purposes and a surface water allocation was not specified in the docket approval. The project wells are completed in the Mauch Chunk Formation. The wells and surface water source are located in the Nesquehoning Creek Watershed in Nesquehoning Borough, Carbon County, Pennsylvania, within the drainage area of the section of the non-tidal main stem known as the Lower Delaware, which is classified as Special Protection Waters.

18. Lehigh County Authority, D-1999-011 CP-2. An application to renew the approval of the applicant's existing 0.06 mgd Heidelberg Heights WWTP and its discharge. No modifications of the WWTP are proposed. The WWTP will continue to discharge treated effluent to an unnamed tributary of Mill Creek, which is a tributary of Jordan Creek, a tributary of the Lehigh River, at RM 183.7 - 16.0 - 18.8 - 3.3 - 0.2 (Delaware River - Lehigh River - Jordan Creek - Mill Creek - UNT Mill Creek), within the drainage area of the section of the non-tidal main stem known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Heidelberg Township, Lehigh County, Pennsylvania.

19. Warrington Township, D-1999-012 CP-3. An application to renew the approval of the applicant's existing 0.75 mgd Tradesville WWTP and its discharge. Treated effluent will continue to be discharged to Mill Creek at RM 115.63 - 36.4 - 1.5 (Delaware River - Neshaminy Creek - Mill Creek) via Outfall No. 001, in Warrington Township, Bucks County, Pennsylvania.

20. The Pines at West Penn, LLC, D-1999-025 CP-2. An application to renew the approval of the applicant's existing 0.06 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Lizard Creek at RM 183.66 - 38.24 - 15.2 (Delaware River - Lehigh River - Lizard Creek) via Outfall No. 001, within the drainage area of the Lower Delaware, which is classified as Special Protection Waters, in West Penn Township, Schuylkill County, Pennsylvania.

21. West Deptford Township, D-1999-056 CP-2. An application to renew the approval of a SWWD project to continue to supply up to 17.0 mgm of surface water from the Delaware River and a storage pond for the irrigation of an existing golf course and in the future, additional areas at the River Winds of West Deptford. The requested allocation is not an increase from the previously approved allocation. The project is located in West Deptford Township, Gloucester County, New Jersey within New Jersey Water Supply Critical Area 2.

22. Avondale Borough, D-2000-066 CP-2. An application to renew the approval of the applicant's existing 0.5 mgd WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to the East Branch White Clay Creek, which is a tributary of White Clay Creek, a tributary of the Christina River, at RM 70.73 - 10.3 - 15.91 - 7.6 - 0.6 (Delaware River - Christina River - White Clay Creek - East Branch White Clay Creek - UNT East Branch White Clay Creek), in Avondale Borough, Chester County, Pennsylvania.

23. Northampton Bucks County Municipal Authority, D-2001-013 CP-3. An application to renew the approval of an existing GWD of up to 68.2 mgm to supply the applicant's public water supply system from existing Wells Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16 and 17 completed in the Stockton Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's designated GWPA in the Neshaminy Creek and Ironwork Creek watersheds in Northampton Township, Bucks County, Pennsylvania.

24. Upper Makefield Township, D-2002-017 CP-2. An application to renew the approval of the applicant's existing 0.173 mgd Heritage Hills WWTP and its discharge via Outfalls Nos. 001 and 002. Treated effluent will continue to be discharged to 16 groundwater recharge basins via Outfall No. 002 or to Water Quality Zone 1E of the Delaware River at RM 141.9 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 Upper Makefield Township, Bucks County, Pennsylvania.

25. French Woods Performing Arts Camp, Inc., D-2003-001 CP-2. An application to renew the approval of the applicant's existing 0.048 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Sand Pond at RM 318.9 - 1.9 - 1.5 (Delaware River - Bouchoux Brook - Sand Pond) via Outfall No. 001, within the drainage area of the section of the non-tidal main stem known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Hancock, Delaware County, New York.

26. Portland Borough, D-2003-009 CP-4. An application to renew the approval of the applicant's existing 0.105 mgd WWTP and its discharge. No modifications to the WWTP are

proposed. The WWTP will continue to discharge treated effluent to Delaware River Water Quality Zone 1D at RM 206.9 in the Borough of Portland, Northampton County, Pennsylvania, within the section of the non-tidal main stem known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

27. Bear Creek Management Company, D-2004-035-2. An application to renew the approval of an existing GWD and SWWD of up to 37.82 mgm from existing Wells Nos. 1, 2, 3, 4, 5 and 6, all completed in Precambrian Gneiss, and four ponds and one detention basin. The total groundwater withdrawal will not exceed 11.367 mgm. The requested allocation is not an increase from the previous allocation. The wells and ponds are located in the Swabia Creek Watershed in Longswamp Township, Berks County, Pennsylvania, within the drainage area of the section of the non-tidal main stem known as the Lower Delaware which the Commission has classified as Special Protection Waters.

28. Camp Ramah in the Poconos, D-2005-030-3. An application to renew the approval of the applicant's existing 0.03 mgd WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to an unnamed tributary of Equinunk Creek, which is a tributary of Equinunk Creek, at RM 322 - 8.5 - 0.5 (Delaware River - Equinunk Creek - UNT Equinunk Creek), within the drainage area of the section of the main stem known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Buckingham Township, Wayne County, Pennsylvania.

B. Renewals with Substantive Changes (items 29 through 33).

29. Pleasant Valley School District, D-2008-005 CP-2. An application to renew the approval of the applicant's existing 0.03 mgd WWTP and its land discharge via spray irrigation. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent via spray irrigation to 12 existing spray fields located in the Weir Creek Watershed, a tributary of Pohopoco Creek, which is a tributary of the Lehigh River, in Chestnuthill Township, Monroe County, Pennsylvania. The project is located within the section of the non-tidal main stem known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

30. Rock Tenn Company, D-1980-025-2. An application to renew the approval of a SWWD and GWD project to supply up to 15.438 mgm of surface water to the applicant's paper processing facility via the Mill Intake and up to 0.186 mgm of groundwater from the existing Warehouse Well and the Boiler House Well and to limit the total withdrawal from all sources to 15.624 mgm. The water is used for industrial processes, non-contact cooling and potable use at the applicant's paper processing facility. The requested allocations are an increase from the previously approved surface water and groundwater allocations of 14.353 mgm and 0.004 mgm, respectively. The wells are completed in the Ridgeley Formation through Coeymans Formation, undivided. The project is located in the Brodhead Creek Watershed in Smithfield Township, Monroe County, Pennsylvania, within the drainage area of the section of the non-tidal main stem known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

31. Giorgio Foods, Inc., D-1988-043 -4. An application to approve the upgrade of the applicant's existing 0.5 mgd IWTP. The upgrades consist of headworks improvements, adding two anaerobic tanks for biological phosphorous removal, retrofitting the existing aeration lagoon with a Biolac treatment system, adding a secondary clarifier, and appurtenant equipment improvements. The IWTP capacity will remain at 0.50 mgd and the IWTP will continue to discharge treated effluent to Willow Creek, a tributary of Maiden Creek, which is a tributary of the Schuylkill River, at RM 92.47 - 86.7 - 0.6 - 2.4 - 0.6 (Delaware River -Schuylkill River - Maiden Creek - Willow Creek), in Maiden Creek Township, Berks County, Pennsylvania.

32. Maiden Creek Township Authority, D-2000-028 CP-3. An application to approve the upgrade of the applicant's existing WWTP, which consists of modifying the existing chemical feed system for aluminum sulfite addition in order to increase phosphorous removal. The remaining WWTP facilities will not be modified, and the WWTP will remain at an average annual design flow of 0.8 mgd and a hydraulic design capacity of 1.0 mgd. The WWTP will continue to discharge treated effluent to Willow Creek, which is tributary of Maiden Creek, a tributary of the Schuylkill River, at River Mile 92.47 - 86.1 - 0.6 - 1.0 (Delaware River - Schuylkill River - Maiden Creek - Willow Creek) in Ontelaunee Township, Berks County, Pennsylvania.

33. Milford Township Water Authority, D-2003-037 CP-2. An application to approve new Well No. 6 for inclusion in the applicant's public water supply system and to approve an increase in the total system GWD allocation from 16.04 mgm to 23.18 mgm. Wells Nos. 1, 2, 4, 5 and 6 are completed in the Brunswick Formation. The wells are completed in the Commission's designated GWPA in the Unami Creek Watershed in Milford Township, Bucks County, Pennsylvania.

C. New Projects (items 34, 35, 38, 39, 40, 42 and 43).

34. Pocono Lakefront, LLC, D-1974-091 CP-2. An application to renew the approval of the applicant's existing 0.07 mgd Deer Haven WWTP and its discharge. The application also requests approval to construct and operate the new 0.07 mgd Pocono Lakefront WWTP that will replace the existing Deer Haven facility and utilize its existing outfall. Treated effluent will continue to be discharged to Wallenpaupack Creek on Lake Wallenpaupack, at RM 277.7 – 15.6 – 8.7 (Delaware River – Lackawaxen River - Wallenpaupack Creek) via Outfall No. 001, within the drainage area of the section of the main stem known as the Upper Delaware, which is classified as Special Protection Waters, in Palmyra Township, Pike County, Pennsylvania.

35. Arcelor Mittal Plate, D-2008-036-1. An application to approve an existing SWWD of up to 124.2 mgm from the West Branch Brandywine Creek, Sucker Run and the West Side Spring for industrial cooling and processes at the applicant's electric arc furnace steel slab and plate mill. The withdrawals are existing, but allocations were not previously specified by the Commission. The surface water withdrawals are located in the Upper West Branch Brandywine Creek Watershed and the Sucker Run Watershed in the Borough of South Coatesville and Valley Township, Chester County, Pennsylvania.

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

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

38. Pottstown Borough Water Authority, D-2013-022 CP-1. An application to approve the applicant's existing 8.0 mgd water filtration plant (WFP) and its 0.23 mgd discharge from Outfalls Nos. 001 and 002. Treated effluent will continue to be discharged to the Schuylkill River at or near River Mile 92.47 - 55.7 (Delaware River - Schuylkill River) via Outfalls Nos. 001 and 002, in the Borough of Pottstown, Montgomery County, Pennsylvania.

39. Minersville Borough Municipal Authority, D-2014-001 CP-1. An application to approve an existing SWWD of up to 23.932 mgm to supply the applicant's public water supply distribution system from existing surface water Intake No. 3 on the Dyer Run Reservoir. The surface water intake is located in the West Branch Schuylkill River Watershed in Cass Township, Schuylkill County, Pennsylvania.

40. Maple Lane Estates, D-2014-004 CP-1. An application to approve the applicant's existing 0.035 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Pond Creek at River Mile 183.66 - 66.81 - 1.87 - 5.2 (Delaware River - Lehigh River - Sandy Run - Pond Creek) via Outfall No. 001, within the drainage area of the section of the non-tidal main stem known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Foster Township, Luzerne County, Pennsylvania.

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

42. Aqua Pennsylvania, Inc., D-2014-007 CP-1. An application to approve an existing GWD of up to 6.0 mgm from existing Wells Cawley, Fern St. and Red Shale completed in the Catskill Formation. The project wells are located in the Wallenpaupack Creek Watershed in Hawley Borough, Paupack and Palmyra Townships, Wayne County, Pennsylvania, within the drainage area of the section of the non-tidal main stem known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

43. Village of Liberty, D-2014-010 CP-1. An application to approve the applicant's existing 1.5 mgd Lily Pond Water Filtration Plant (WFP) and its discharge. Treated effluent will continue to be discharged to an UNT of Little Beaver Kill at River Mile 330.70 - 15.94 - 16.17 - 8.27 - 6.0 - 1.89 (Delaware River - East Branch Delaware River - Beaver Kill - Willowemoc Creek - Little Beaver Kill - UNT) via Outfall No. 001, within the drainage area of the section of the non-tidal main stem known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Liberty, Sullivan County, New York.