

DELAWARE RIVER BASIN COMMISSION

MEETING OF JUNE 10, 2020

Via GoToMeeting

Minutes

Commissioners Present: Kenneth Kosinski, New York, Chair
Bryan A. Ashby, Delaware, Vice Chair
Lieutenant Colonel David C. Park, United States, Second Vice Chair
Aneca Y. Atkinson, Pennsylvania
Jeffrey L. Hoffman, New Jersey

DRBC Staff Participants: Steven J. Tambini, Executive Director
Kristen Bowman Kavanaugh, Deputy Executive Director
Kenneth J. Warren, DRBC General Counsel
Pamela M. Bush, Commission Secretary and Assistant General Counsel
Elba L. Deck, Director, Finance and Administration
David Kovach, Manager, Project Review
Amy Shallcross, Manager, Water Resource Operations
Namsoo Suk, Director, Science and Water Quality Management

The Commission held its quarterly Business Meeting virtually, via GoToMeeting, to comply with guidelines in effect within one or more of the Basin states during the Covid-19 pandemic. Kenneth Kosinski, Chief, Watershed Implementation Section, New York State Department of Environmental Conservation and Alternate Commissioner for Governor Andrew M. Cuomo of New York, presided as the Commission's chair *pro tem*. Mr. Kosinski welcomed everyone and turned the floor over to Steve Tambini, Executive Director of the DRBC.

Mr. Tambini read the following statement:

After the events of the past couple of weeks, it is not possible to have an official gathering such as this without acknowledging the terrible injustice that people of color have experienced in our country. We also recognize the tragedy and pain of lives lost and the dreadful cost of human potential unrealized due to racial injustice.

At DRBC, our work in managing, protecting, and improving the water resources of the Delaware River Basin is stronger when diverse voices are included and heard; when the gifts of every individual are valued and put to use in our Basin communities; and when all the Basin's water users share equally in the benefits and stewardship of our shared water resources. We commit to listening, learning, and finding ways to do more to meet these vital goals.

The world has changed in so many ways since our last meeting. Please join me and the Commissioners in a moment of silent reflection for George Floyd, for all the victims of racism in America, and for the victims of the Covid-19 pandemic.”

A moment of silence followed.

Mr. Kosinski noted that the virtual Business Meeting had been advertised on the DRBC website, in the member state and federal registers, by email, and via social media and that the meeting was open to the public on the GoToMeeting (GTM) platform. He added that the meeting was being recorded, asked that phones be muted, and said that the GTM “Chat” function would be available exclusively to alert IT staff to technical issues and would not otherwise be monitored. Mr. Kosinski explained that after all business items were completed, and as time allowed, Mr. Tambini would lead an Open Public Comment session.

Minutes. The Minutes of the Commission’s regularly scheduled Business Meeting of March 11, 2020 were unanimously approved without addition or correction.

Announcements. Ms. Bush announced the following Commission advisory committee meeting, to be held remotely, noting that details and an agenda would be available soon on the DRBC website, www.drbc.gov.

- *DRBC Water Management Advisory Committee (WMAC).* Thursday, June 18, 2020 at 10:00 a.m. remotely via GoToMeeting.

Hydrologic Conditions. Ms. Shallcross noted that although conditions overall in the Basin had been dry recently, the Basin was not heading into a drought. Highlights of her remarks are set forth below:

- *Precipitation.* Year-to-date precipitation was between 15 and 20 inches, or between 75 percent and 100 percent of normal throughout much of the Basin. Exceptions included the Upper Basin; a portion of the Poconos in Delaware County, New York; Southeastern Pennsylvania; and parts of Delaware. Throughout much of the Basin, the 30-day departures were between 2 and 3 inches below normal, indicating that conditions were becoming dry. However, some portions of the Schuylkill Valley received higher than normal precipitation.
- *Stream flows.* Some smaller streams throughout the Basin were experiencing flows of 25 percent below normal. Smaller streams show the effects of less rainfall more immediately than do rivers. In the main stem at Montague, New Jersey, where the states of New York, New Jersey and Pennsylvania adjoin, water levels were below normal in the late summer and early fall of 2019, and the River Master directed releases of water from New York City’s Delaware Basin reservoirs to meet the flow objective. The Basin then entered a period of wet conditions where flows at Montague were above normal. In early spring of 2020, the flows at Montague were below normal, followed by a period of wet weather. In the second week of June, the flows at Montague were only slightly below normal. Flows in the main stem at Trenton followed the same pattern throughout the year, as did the Schuylkill River at Philadelphia.
- *DRBC Reservoirs storage.* The DRBC owns storage in two federal reservoirs in Pennsylvania—Blue Marsh and Beltzville—which the Commission uses to meet a flow

- objective at Trenton, New Jersey. The Commission at times calls upon the Corps of Engineers to provide drought storage in the F.E. Walter Reservoir, which is otherwise used for flood control and recreation. To ensure minimum freshwater inflows into the Delaware River Estuary, DRBC requests water from Blue Marsh and Beltzville to meet a flow objective of 3,000 cubic feet per second (“cfs”), equal to about 1,940 million gallons per day (“mgd”), at Trenton, NJ.
- *New York City Delaware Basin storage.* The New York City (“NYC” or “City”) Delaware Basin reservoirs—Pepacton, Cannonsville and Neversink—are the three largest impoundments in the Basin. Their combined storage is used to define different drought stages for basin reservoir operations. To ensure that water from the headwaters of the basin reaches the downstream states, the City is required to make releases from these reservoirs to meet a flow objective of 1,750 cfs, or 1,130 mgd at Montague, New Jersey. During dry periods, 60 percent or more of the flow at Montague may be from the NYC reservoir releases. Combined storage in the City’s three reservoirs as of June 10 was normal—97.2 percent—with Neversink at 97.4 percent, Pepacton at 97.8 percent, and Cannonsville at 96.3 percent.
 - *Salt front.* The Trenton flow objective was established to maintain sufficient freshwater flows to the Delaware River Estuary to push the saltwater from the ocean downstream. The normal range of the “salt front,” defined as the 250 mg/l chloride concentration, is from river mile (“RM”) 67 to RM 76, near Wilmington, Delaware. The 250 mg/l value is based on a secondary drinking water standard that was established by the U.S. Department of Public Health during the early part of the Twentieth Century. The “salt front” is normally located at RM 69 in June, and on the meeting date was located at RM 67.2.
 - *Groundwater.* Groundwater across the Basin is measured by levels in 13 indicator wells. As of June 10, only the Lebanon, PA well was not within a normal range and was above normal. In the Upper Basin, there was a dry summer last year with wet conditions more recently. Conditions in the Middle Upper Basin were similar but remained on the low end of normal. In the Middle Lower Basin (Bucks County/ Trenton area), groundwater remained in the normal range; and in the Lower Basin (Cumberland County, New Jersey), well levels were decreasing due to increased water demand and dry conditions over the past 30 days.
 - *Drought outlook.* The United States Drought Monitor is published every Thursday at 8 a.m. On June 4, it showed some regions of the Northeastern United States as abnormally dry but did not indicate drought conditions in the Delaware Basin. The outlook was for the Basin to stay in normal conditions. The three-month temperature and precipitation outlook showed a high probability of warmer than normal temperatures and wet conditions into the summer.
 - *Hurricane season forecast.* The NOAA Hurricane Season Outlook forecasted 13-19 named storms, 6-10 hurricanes, and 3-6 major hurricanes, not all of which would necessarily hit land. The earliest “C” named storm in history, “Cristobal,” was as of June 10 heading north through the Midwest.
 - *In Basin history – unnamed tropical storm in June 2006 caused flooding.* An unnamed tropical storm brought excessive amounts of precipitation to the Basin during the four-

day period from June 24 through June 28, 2006. Some areas in the northern and western parts of the Basin received up to 15 inches of rain during this event. The heavy rain generated high stream flows that caused flooding.

Current versions of some of the graphics presented by Ms. Shallcross can be accessed on the DRBC Hydrologic Snapshot for Flow and Drought Management at www.hydrosnap.drbc.net, a page developed by Anthony Preucil and Karen Reavy of the DRBC. The Commission's website also includes a flood portal, where users can access flood information, sign up for alerts, and find links to flood forecasts and FEMA projects. The portal is located in the Hydrological Information tab on DRBC's homepage, and can be accessed directly at:

<https://www.nj.gov/drbc/hydrological/river/portal-flood.html>

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

- *American Rivers names Delaware "River of the Year."* In early May, American Rivers ("AR") named the Delaware River "River of the Year," stating, "The Delaware River continues to shine as a national example for clean water and river health as well as an economic and recreational asset to the millions of people who call this remarkable river home." The DRBC certainly agrees with that statement. Many share credit for the vastly improved condition of the Delaware River and its watershed in 2020. We are fortunate in this basin to have a diverse and energized community of stewards committed to shared water resource management. A reminder that the tipping point for positive change for the Delaware River came long before today and even well before the Clean Water Act. Back in 1961, the four basin states and the federal government agreed to manage the Basin's water resources cooperatively through the DRBC. The Commission's science-driven plans and policy have helped lead the way for the dramatic water quality improvements we enjoy today. Acknowledging that there is still more work to be done, Mr. Tambini thanked all of those who contributed to this recognition from AR.
- *Recreational use in Water Quality Zone 3 and upper part of Zone 4.* In March of 2020, the Delaware Riverkeeper Network and several other organizations submitted a petition to the Commission urging that the designated use of Water Quality Zone 3 and the upper part of Zone 4 of the Estuary be revised to include primary contact recreation. The petition states that upgrading the designated use is appropriate because primary contact recreation is an existing use in the identified portions of the main stem. Mr. Tambini pointed to the past nearly six decades of improvement in the health of the Basin's shared waters, including Zones 3 and 4 of the Estuary, as evidence of the DRBC's commitment to the fishable/swimmable goals of the Clean Water Act. On April 30, the Commission held a Water Quality Advisory Committee Meeting at which staff of the DRBC and the Philadelphia Water Department, respectively, presented water quality data collected during 2019 in Zone 3 and upper Zone 4. The data in each case show that near-shore sites do not consistently meet EPA's recommended water quality criteria for recreational uses with respect to both bacterial indicators and public health criteria for human illness. More data and analysis are needed before a change in the designated use can be made. A response to the petition is under review by the Commission and will be sent shortly.
- *PennEast Pipeline project.* Mr. Tambini acknowledged continued public interest in the PennEast project. Sometime after DRBC's first quarter business meeting, PennEast filed an application with the Commission for what it is calling a "Phase 1 Project." A copy of

the application and supporting materials can be found on the DRBC website, along with recent letters from the Commission to PennEast and FERC concerning DRBC's authority to review the project. In the most recent such letter, dated June 1, the Commission reaffirmed our position that the Phase 1 Project is reviewable under Section 3.8 of the Delaware River Basin Compact.

- *2019 Annual Report.* Later this week, DRBC will release its 2019 Annual Report, which highlights the Commission's progress in managing, protecting and improving the water resources of the Basin. All are encouraged to download the report from the DRBC website or read it on the web. Links to the report will also be available on other social media.
- *Fiscal Year 2021 Budget.* The Commission typically adopts its annual current expense and capital budgets at the June meeting for the fiscal year beginning July 1. This year, due to the fiscal uncertainties caused by the Covid-19 pandemic and resulting changes in the budget processes of the signatory parties, the Commission will consider instead a resolution authorizing continued spending beyond the end of the fiscal year on June 30. A proposed budget will be published for comment in August and is expected to be considered by the Commission in September. The remainder of the Fiscal Year 2020 and Fiscal Year 2021 are expected to be extremely challenging for the Commission from a financial perspective.
- *Appreciation of Members, Officers, and Staff.* This was the last meeting at which Major General Jeffrey L. Milhorn would serve as North Atlantic Division Commander of the U.S. Army Corps of Engineers, and thus as the federal government's *ex officio* representative on the Commission. On the Commission's behalf, Mr. Tambini thanked Major General Milhorn for his service to the country as well as to the DRBC, noting that he had personally enjoyed working with Major General Milhorn and appreciated his engagement in Commission matters. Milhorn will assume a new command—that of Deputy Commanding General for Military and International Operations—in July. Mr. Tambini wished him well. Mr. Tambini also thanked Major General Milhorn and his team for their service and support in response to the pandemic in this region. The U.S. Army Corps of Engineers led efforts to design and build essential health care facilities in states and cities of the region.

Mr. Tambini also thanked Governor Cuomo of New York and Ken Kosinski, Mr. Cuomo's alternate, for their leadership and service as Commission chairs during FY20. New Commission officers are elected every year in June for a one-year term commencing on July 1. Mr. Tambini thanked all the Commissioners for their continued support of the Commission and complimented the staff on their continuing excellent work.

General Counsel's Report. Mr. Warren provided a summary of two pieces of litigation in which the DRBC is involved:

Wayne Land and Mineral Group (WLMG) v. DRBC. In the *Wayne Land* matter, which has been pending for some years in the Middle District of Pennsylvania, plaintiff WLMG seeks a declaration that the well pad and fracking activities it intends to undertake in Wayne County are not a project subject to DRBC review under Section 3.8 of the Compact. WLMG further contends that DRBC has no ability to exercise its project review jurisdiction because, in plaintiff's view, its planned activities are not a project. The DRBC believes that high-volume hydraulic fracturing is a project subject to DRBC review. On May 19, the Third Circuit Court of Appeals issued an opinion that arose because three Pennsylvania state senators, Senators Scarnati, Baker and Yaw, sought to

intervene on the side of the plaintiff. Previously, the District Court denied the senators' motion to intervene under Rule 24 of the Federal Rules of Civil Procedure, which specifies certain criteria that a proposed intervenor must satisfy. The Court of Appeals did not reach the question of whether Rule 24 was satisfied but raised a preliminary question of whether the senators even have standing to bring their claim. Standing is a constitutional doctrine that underlies the "case and controversy" clause of the Constitution. If there is no standing, then the federal court has no jurisdiction to decide anything about the claim other than that the court lacks jurisdiction. As of June 10, the senators' motion was again pending before the district court, which is charged by the Third Circuit to decide whether the senators have standing.

In addition to the above, Mr. Warren noted, the discovery stage of the case was complete and as of June 10, the court was considering motions for summary judgment. DRBC brought a motion for partial summary judgment, contending that the wastewater management activities that WLMG intends to conduct at its site constitute a project under the meaning of the Compact. In light of other Third Circuit opinions, DRBC limited its motion to WLMG's proposed wastewater management activities, but, as DRBC told the District Court, we continue to contend that HVHF as a whole is a project and will be arguing that at trial. Intervenor the Delaware Riverkeeper Network and Delaware Riverkeeper Maya van Rossum filed a motion for summary judgment contending that all WLMG's activities are subject to DRBC's review under the Compact. The briefing on this motion concludes in two weeks. The Court may or may not conduct oral argument but will be considering the described motions. Assuming that a piece of the case remains unresolved after the motions are decided, the Court will schedule a trial. No trial date has been set.

Gibbstown Logistics Center Dock 2. Ms. Bush reported that the adjudicatory hearing on Docket D-2017-009-2 for the Gibbstown Logistics Center Dock 2 ran from May 11 through May 20 and involved the testimony of approximately 15 witnesses. The hearing was conducted entirely through the on-line conferencing platform Zoom, a service furnished by the law firm representing docket holder Delaware River Partners LLC ("DRP"). The hearing ran smoothly. Video recordings of each day's proceedings were posted on the web within 48 hours and remain accessible via a link from the Commission's website. During the extended written comment period that ran from March 1 through April 24 in connection with the hearing, about 315 additional comments were submitted. As of June 10, the matter was in a post-hearing briefing phase.

After reviewing the live testimony, briefs and comments, the Hearing Officer will prepare a report of his findings and recommendations. Although there is no due date for his report, the Hearing Officer has committed to completing it during the third week of July. Once the parties receive the report, they have up to 20 days to respond with objections and to file briefs explaining their objections. The report of the Hearing Officer, together with all of the objections and briefs, will then be sent promptly to the Commissioners. The Executive Director may also provide the Commissioners with the staff's recommendations and comments on the Hearing Officer's report. However, they must serve the interested parties (Delaware Riverkeeper Network and DRP) with a copy of this submission, and the latter must have at least ten days to respond before the Commission acts. The interested parties have requested that the Commission issue its final determination before mid-September because the docket is not stayed. Under the terms of the docket and other approvals issued to the docket holder, DRP may commence construction in mid-September.

RESOLUTION for the Minutes to authorize spending for the period from July 1, 2020 through the date of adoption of interim or final annual Current Expense and Capital Budgets for Fiscal Year 2021. Ms. Deck reiterated that ordinarily in June an annual budget would be presented for

the fiscal year commencing July 1, but as Mr. Tambini explained in his remarks, the Commissioners would instead consider a resolution to authorize continued spending pending adoption of a budget for FY21. Ms. Deck summarized the resolution and requested its adoption.

Mr. Kosinski requested a motion to approve the resolution as proposed. Lieutenant Colonel Park so moved, Ms. Atkinson seconded his motion, and without further discussion, the panel unanimously approved the Resolution for the Minutes to authorize spending for the period from July 1, 2020 through the date of adoption of interim or final annual Current Expense and Capital Budgets for Fiscal Year 2021.

The text of the resolution follows:

RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes to authorize spending for the period from July 1, 2020 through the date of adoption of interim or final annual Current Expense and Capital Budgets for Fiscal Year 2021.

WHEREAS, in accordance with the Delaware River Basin Compact and the Commission's Administrative Manual, the Commission by Resolution No. 2019 – 4 on June 12, 2019 adopted its current expense and capital budgets for the fiscal year ending June 30, 2020; and

WHEREAS, mitigation measures in effect through much of the Basin to address the COVID-19 pandemic have disrupted state budget processes for Fiscal Year 2021, compelling some DRBC member Governors to consider revisions to previously announced budgets, and in New Jersey, prompting Governor Murphy and the New Jersey legislature to extend through September that state's current fiscal year slated to close on June 30, 2020; and

WHEREAS, some of DRBC's member state Governors may not be prepared to adopt the Commission's Fiscal Year 2021 budgets before completing their revised state budgets; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. Subject to the limitations set forth in paragraph 2 below, from July 1, 2020 until the Commission adopts its annual Current Expense and Capital Budgets for Fiscal Year 2021 or alternative provisional budgets, the Executive Director is authorized to expend funds at a level approximating the Commission's average monthly expenditures during Fiscal Year 2020.
2. For the period described in paragraph 1, the Commission will operate subject to the following additional conditions:
 - a. The Commission will hire no new personnel except as approved in writing by a majority of the Commissioners.
 - b. No promotions of staff involving pay increases will be awarded.
 - c. No staff travel other than that deemed to be essential and that has been authorized in writing by the Executive Director will occur.
 - d. Expenses will be aligned with known revenues or previously awarded funds

wherever possible (e.g., project review fees received, grant proceeds).

- e. Expenses incidental to operations will be minimized.
3. After a duly noticed public hearing, the Fiscal Year 2021 Annual Current Expense and Capital Budgets will be presented for the Commissioners' consideration at their regularly scheduled quarterly Business Meeting in September 2020.
4. This resolution shall take effect immediately.

A RESOLUTION for the Minutes providing for election of the Commission Chair, Vice Chair and Second Vice Chair for the year commencing July 1, 2020 and ending June 30, 2021. Ms. Bush requested consideration of a resolution providing for the election of the Commissioners for the fiscal year commencing July 1, 2020, noting that in accordance with the customary rotation, the resolution provided for Governor John Carney of Delaware to serve as Chair, Brigadier General Thomas J. Tickner (successor to Major General Jeffrey L. Milhorn as North Atlantic Division Commander of the USACE) on behalf of the United States to serve as Vice Chair, and Governor Tom Wolf of Pennsylvania to serve as Second Vice Chair for the coming fiscal year.

Mr. Kosinski requested a motion to approve the resolution as proposed. Mr. Hoffman so moved, Lieutenant Colonel Park seconded his motion, and without further discussion the Resolution for the Minutes providing for election of the Commission Chair, Vice Chair and Second Vice Chair for the year commencing July 1, 2020 and ending June 30, 2021 was approved by unanimous vote.

The text of the resolution follows:

RESOLUTION FOR THE MINUTES

A Resolution for the Minutes providing for election of the Commission Chair, Vice Chair and Second Vice Chair for the year commencing July 1, 2020 and ending June 30, 2021.

WHEREAS, Article 2, Section 2.6 of the *Delaware River Basin Compact* (Compact) states that the Commission shall provide for its own organization and procedure; and

WHEREAS, the Compact further requires the annual election of the Chair and Vice Chair, which historically has been based upon rotation of the signatory parties; and

WHEREAS, the Commission has further determined that a Second Vice Chair, to preside in the absence of the other officers, should also be elected; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Governor of Delaware is hereby elected to serve as Chair for the term July 1, 2020 through June 30, 2021.
2. The United States Member is hereby elected to serve as Vice Chair for the term July 1, 2020 through June 30, 2021.
3. The Governor of Pennsylvania is hereby elected to serve as Second Vice Chair for the term July 1, 2020 through June 30, 2021

Project Review Applications. Mr. Kovach reported that 14 draft dockets were the subjects of a duly noticed public hearing on May 13, 2020 and a written comment period that closed on May 18. The hearing items numbered 1 and 4 were postponed and not presented at the May hearing. The Commission received no comments on any of the draft dockets.

Mr. Kovach concluded by recommending that the Commissioners approve as proposed the draft dockets comprising items 2 and 3 and 5 through 16 on the Business Meeting Agenda.

Thanking Mr. Kovach, Mr. Kosinski requested a motion to approve the 14 dockets so identified. Mr. Ashby so moved, Ms. Atkinson seconded his motion, and without further discussion the draft dockets comprising items 2, 3, and 5 through 16 of the meeting agenda were approved by unanimous vote.

Adjournment. Mr. Kosinski asked the Commission and staff whether any other matters required the Commissioners' consideration that day. LTC Park relayed a message from Major General Milhorn, extending his appreciation for his time on the Commission. LTC Park noted again that Brigadier General Tom Tickner would be Major General Milhorn's successor as Commander of the North Atlantic Division of USACE and thus, *ex officio*, as the United States representative on the Commission.

Hearing no further matters for discussion, Mr. Kosinski requested a motion to adjourn the business meeting. Ms. Atkinson so moved, Mr. Ashby seconded her motion, and the meeting was adjourned by unanimous vote of the Commissioners at 11:25 a.m.

Audio Recording. Audio recordings of the public hearing of May 13, 2020 and the Business Meeting of June 10, 2020 are on file with the Commission Secretary. A description of each of the applications for dockets approved during the Business Meeting of June 10, 2020 is provided as an attachment to these Minutes.

Open Public Comment. After the business meeting adjourned, Mr. Tambini held an Open Public Comment session for off-the-record comment by stakeholders on water resource issues affecting the Basin.

/s/ Pamela M. Bush

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

Commission Secretary and Assistant General Counsel

ATTACHMENT
DESCRIPTIONS OF PROJECTS APPROVED BY THE COMMISSION DURING THE
BUSINESS MEETING OF JUNE 10, 2020

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 approve a docket with modifications.

The projects are customarily considered in three categories – *Category A* – project renewals with no substantive changes; *Category B* – project renewals with substantive changes; and *Category C* – projects not previously reviewed by the Commission. Descriptions of the projects (based on the applications received, which may vary from final projects) for which the Commission issued approvals at the Business Meeting listed above are presented below.

A. Renewals with No Substantive Changes (Items 2, 3, and 5 through 15).

2. New Castle County Department of Special Services, D-1972-210 CP-3. An application to renew approval of the existing 0.57 mgd Delaware City WWTP (also referred to as the Governor Bacon Health Center WWTP) and its discharge. The WWTP will continue to discharge treated effluent to Delaware River Water Quality Zone 5 at River Mile 60.6 in Delaware City, New Castle County, Delaware.

3. U. S. Steel Real Estate, D-1978-068 -5. An application to renew approval of the applicant's existing WWTP, existing IWTP, and the IWTP and WWTP combined discharge via existing Outfall No. 003. The applicant's facility also discharges NCCW via existing Outfall No. 002. The WWTP and IWTP will continue to discharge 0.163 mgd and 3.75 mgd, respectively, to Water Quality Zone 2 of the Delaware River at River Mile 127.0 in Falls Township, Bucks County, Pennsylvania.
5. Amity Township, D-1990-078 CP-5. An application to renew approval of the applicant's existing 2.2 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.5 - 58.4 (Delaware River - Schuylkill River) in Amity Township, Berks County, Pennsylvania.
6. Waste Management Disposal Services of Pennsylvania, Inc., D-1991-090 -3. An application to renew the approval to withdraw up to 6.0 million gallons per month of surface water from an existing intake on Manor Lake for dust control at the applicant's TRRF, GROWS, GROWS North and Fairless Landfills. The withdrawal is located in the Van Sciver Lake – Delaware River Watershed in Falls Township and Tullytown Borough, Bucks County, Pennsylvania.
7. Leidys Inc, D-1993-021 -3. An application to renew the approval of an existing groundwater withdrawal of up to 3.45 mgm to supply the applicant's pork processing plant from existing Wells Nos. PW-1, PW-2 and PW-3. The project wells are completed in the mixed zone of the Brunswick and Lockatong formations. The requested allocation is not an increase from the previous allocation. The facility is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) within the Skippack Creek Watershed in Souderton Borough, Montgomery County, Pennsylvania.
8. Shoemakersville Municipal Authority, D-1993-074 CP-5. An application to renew approval of the applicant's existing 0.75 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.5 - 92.3 (Delaware River - Schuylkill River) in the Borough of Shoemakersville, Berks County, Pennsylvania.
9. Lower Perkiomen Valley Regional Sewer Authority, D-2001-042 CP-6. An application to renew the approval of the applicant's existing 14.25 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.5 - 32.4 (Delaware River - Schuylkill River) via Outfall No. 001, in Upper Providence Township, Montgomery County, Pennsylvania.
10. East Vincent Township, D-2005-007 CP-3. An application to renew approval of the applicant's existing 0.053 mgd Bartons Meadows WWTP and its discharge to land via subsurface infiltration beds. The WWTP discharge to land is located in the drainage area of French Creek in East Vincent Township, Chester County, Pennsylvania.
11. White Manor Country Club, D-2009-022 -2. An application to renew the approval of an existing groundwater and surface water withdrawal of up to 7.016 mgm to irrigate the applicant's golf course from existing Well 1 and existing surface water Intakes 1 and 2. Well 1 is completed in Felsic Gneiss. The project is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (GWPA) in the Crum Creek Watershed in Willistown Township, Chester County, Pennsylvania.

12. Tuscan Lehigh Dairies - Montgomery Co, D-2009-043 -2. An application to renew the approval of an existing groundwater withdrawal of up to 8.7 mgm to supply the applicant's facility from existing Wells Nos. 3, 4 and 5. The project wells are completed in the Brunswick Formation. The facility is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (GWPA) within the Towamencin Creek Watershed in Upper Gwynedd Township, Montgomery County, Pennsylvania.
13. Schuylkill Valley Sewer Authority, D-2012-029 CP-3. An application to renew approval of the applicant's existing 0.55 mgd Schuylkill Valley Sewer Authority WWTP and its discharge, and to approve a modification to the service area of the WWTP. The modification consists of the addition of wastewater from the Blythe Township Recycling and Demolition Landfill. The WWTP will remain designed for 0.55 mgd and continue to discharge treated effluent to the Schuylkill River at River Mile 92.47 - 127.6 (Delaware River - Schuylkill River) in Blythe Township, Schuylkill County, Pennsylvania.
14. Indian Head Camp, D-2015-008 CP-2. An application to renew approval of the applicant's existing 0.045 million gallons per day (mgd) WWTP and its discharge to land via spray irrigation. The existing WWTP will continue to discharge treated effluent to spray fields located in Manchester Township, Wayne County, Pennsylvania, within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters (SPW).
15. Aqua Pennsylvania Wastewater, Inc., D-2016-011 -2. An application to to approve the renewal of the docket holder's existing 0.07 mgd Thornhurst WWTP and its discharge. The WWTP will continue to discharge treated effluent to an unnamed tributary to Pond Creek, upstream of F.E. Walter Reservoir at River Mile 183.7 - 88.8 - 2.5 (Delaware River - Lehigh River - Pond Creek) via Outfall No. 001, in Thornhurst Township, Lackawanna County, Pennsylvania, within the drainage area to the Lower Delaware Special Protection Waters (SPW).

B. Renewals with Substantive Changes (Item 16).

16. The Boeing Company, D-1994-030 3. An application to renew approval of the applicant's existing 0.05 mgd IWTP and its discharge of treated industrial wastewater and cooling tower blowdown. The WWTP will continue to discharge treated effluent to the tidal portion of Crum Creek, which is located in Delaware River Water Quality Zone 4, at River Mile 85.3-0.5 (Delaware River - Crum Creek) in Ridley Township, Delaware County, Pennsylvania. The applicant also requested a total dissolved solids (TDS) determination for the discharge consisting of an average monthly effluent concentration limit of 2,000 mg/l and a daily maximum effluent concentration limit of 2,500 mg/l.