

DELAWARE RIVER BASIN COMMISSION

MEETING OF SEPTEMBER 13, 2018

Minutes

Commissioners Present: Jeffrey L. Hoffman, New Jersey, Chair
Kenneth Kosinski, New York, Vice Chair
Bryan A. Ashby, Delaware, Second Vice Chair
Lieutenant Colonel Kristen N. Dahle, United States
Jennifer Orr, Pennsylvania

DRBC Staff Participants: Steven J. Tambini, Executive Director
Pamela M. Bush, Commission Secretary & Assistant General Counsel
Kenneth J. Warren, DRBC 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 met at the RiverWinds Community Center in West Deptford, New Jersey. Jeffrey Hoffman, Alternate Commissioner for Governor Phil Murphy of New Jersey, presided. The Pledge of Allegiance was recited.

Special Introductory Guest. Mr. Hoffman introduced New Jersey assemblyman and deputy speaker John J. Burzichelli (D, NJ-3), a life-long resident of New Jersey who grew up in Paulsboro, Gloucester County, where he currently resides. Mr. Burzichelli served as mayor of Paulsboro from 1996 to 2011 and began his legislative career in January 2002, serving as state assemblyman for New Jersey's 3rd District. Assemblyman Burzichelli is currently deputy speaker for the New Jersey General Assembly.

Assemblyman Burzichelli welcomed the commissioners and other meeting attendees and admired the venue, noting that the location was at one time slated to become a dredge spoil disposal site. The community center was the vision of former mayor Dave Shields and was constructed at a cost of \$56 million, Burzichelli said, adding that the center exemplifies the value of the river as a public resource, as well as the value of the DRBC. Burzichelli described the cooperative management of the Delaware by four states and the federal government through the DRBC since 1961 as a great accomplishment. He said that although those in attendance might have come with grievances, today's discussions, debates, and questions all arise in a context in which the river is far healthier than it was years ago. The assemblyman grew up in nearby Paulsboro, New Jersey, which he described as "nestled between two oil refineries." He said that he and Senate President Sweeney, who regretted he could not attend, both appreciate the Delaware as a resource and a treasure. As a young boy, Burzichelli said, he recalls that it was impossible to see the river bottom from the shore.

Today, the water is much clearer. He noted that the great demands on the Delaware pose challenges, for instance in ensuring the Atlantic sturgeon can reproduce and in restoring the former shad fishery. Calling the river the “life blood of our economy,” Burzichelli said the Paulsboro port is expanding and industry is returning. However, he added, businesses will not dump chemicals as they did in the 1950s. Rather, development will be managed properly, because people want to stay here. “That’s where this Commission comes into play,” he said, acknowledging the DRBC’s role in maintaining and improving the health of the river to support recreation, tourism, commerce and industry. The assemblyman closed by wishing the commissioners and attendees a productive meeting and thanking all in attendance for their contributions to protecting and managing the river.

Minutes. The Minutes for the Commission’s regularly scheduled Business Meeting of June 13, 2018 were unanimously approved.

Announcements. Ms. Bush announced the following advisory committee meetings:

- *DRBC Subcommittee on Ecological Flows (SEF).* The SEF is a subcommittee of the Regulated Flow Advisory Committee. Its meeting is Thursday, October 4, 2018 at 10:00 a.m. in the Goddard Conference Room at DRBC’s office building, 25 Cosey Road, West Trenton, NJ. The staff contact is Jake Bransky.
- *DRBC Water Management Advisory Committee (WMAC).* The WMAC meets on Tuesday, October 16, 2018 at 10:00 a.m. in DRBC’s Goddard Conference Room. The staff contact is Dr. SeungAh Byun.
- *DRBC Regulated Flow Advisory Committee (RFAC).* The RFAC meets on Friday, November 16, 2018 at 10:00 a.m., also in the Commission’s Goddard Conference Room. The staff contact is Amy Shallcross.

The Commission’s website contains additional information, including contact information for the committee liaisons, at www.drbc.gov.

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

The average observed precipitation for the portion of the Basin above Montague, New Jersey for the period January 1 through September 10, 2018 was 38.78 inches, or 7.68 inches above normal. For the same period, the observed precipitation for the Basin above Trenton was 44.40 inches, or 11.54 inches above normal and for the Basin above Wilmington, Delaware, 40.75 inches or 10.55 inches above normal.

In August 2018 the average observed streamflow of the Delaware River at Montague, New Jersey was 11,895 cubic feet per second (cfs), or 549 percent of the long-term average for the month. For the same period, the average observed streamflow of the Delaware River at Trenton, New Jersey was 23,635 cfs, or 532 percent of the long-term average for the month.

For September 1 through 10, the average observed streamflow at Montague was 4,702 cfs, or 233 percent of the long-term average for the month. The average streamflow at Trenton, New Jersey during this period was 10,234 cfs, or 231 percent of the long-term average for the month.

In the Lower Basin, as of September 11, 2018, Beltzville Reservoir contained 13.71 billion gallons (bg) usable, or 101.6 percent of usable storage; and Blue Marsh contained 4.83 bg usable, or 83.8 percent of summer pool usable storage. Blue Marsh's pool elevation was gradually reduced starting September 5. This was done in anticipation of high rain amounts from remnants of Tropical Storm (TS) Gordon. Storage was reduced to winter pool elevation 285 feet by September 7. Merrill Creek contained 15.17 bg usable, or 96.7 percent of usable storage.

In the Upper Basin, as of September 11, Pepacton Reservoir contained 129.2 bg usable or 92.7 percent of usable storage; Cannonsville contained 84.7 bg usable, or 90.6 percent of usable storage. Neversink contained 33.2 bg usable or 95.8 percent of usable storage. The total New York City Delaware Basin reservoir storage was 247.1 bg usable or 92.4 percent of usable storage.

The long-term median storage for the New York City Delaware Basin reservoirs for September 11 was 192.5 bg, or 72.0 percent of usable storage.

During the month of August, the location of the seven-day average of the 250-parts-per million (ppm) isochlor, also known as the "salt front," fluctuated between River Mile (RM) 67 and downstream of RM 54. Above-average rainfall increased freshwater inflow into the Delaware Estuary, resulting in the downstream movement of the salt front. The normal location of the salt front during August is RM 74, which is four miles downstream of the Delaware-Pennsylvania state line.

As of September 10, the salt front was estimated to be at RM 68, which is eight miles downstream of the normal location of the salt front during September.

Currently it is the peak of hurricane season. As of September 13, five storms were occurring in the Atlantic – Hurricanes Florence, Isaac, Helene and Joyce, and a tropical depression in the Gulf of Mexico.

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

- *Pennsylvania Audit.* Pursuant to the budget bill approved by the state legislature in 2017, the Pennsylvania Department of the Auditor General was asked to conduct a performance audit of the Delaware River Basin Commission, specifically focusing on its expenses, revenues and operations. The audit began in February 2018 and a report is expected shortly. Once the results are available, they will be shared with the public.
- *Coalition for the Delaware River Watershed.* The Coalition annual watershed forum takes place on September 25-26, 2018 in Cape May, NJ. Mr. Tambini noted that he would be participating in that conference.
- *The Water Resources Association of the Delaware River Basin (WRADRB).* The WRA's fall conference takes place on November 1, 2018 at the Rutgers Eco-Complex in Bordentown, New Jersey. DRBC Senior Geologist Greg Cavallo will discuss water quality improvements in the Delaware River Estuary that have resulted from the Commission's PCB management program. A representative of the Delaware Department of Natural Resources and Environmental Control (DNREC) will discuss the improvement in fish

consumption advisories that have accompanied the PCB initiative and other water quality improvement programs. DRBC's Manager of Water Quality Assessment, John Yagecic, will describe ongoing work to review aquatic life uses in the Delaware Estuary, including a recently completed study performed by the Academy of Natural Sciences on the dissolved oxygen needs of a variety of species. The latter study, the development of a dissolved oxygen model for the Estuary, and an engineering evaluation of treatment options and cost estimates for improving municipal wastewater treatment are interrelated. Mr. Tambini will present on DRBC's efforts to plan for climate change.

- *Open Public Comment.* Mr. Tambini noted that many people had signed up for the Open Public Comment session, to take place following the Business Meeting. He added that the Commission has received several letters about the PennEast pipeline project. Mr. Tambini said he wished to make clear that the Commission would not be acting on PennEast at this meeting, and that in fact no draft docket for PennEast had yet been published for comment. He noted that to receive prompt notice of new information on DRBC's review of the PennEast project, individuals and organizations may add their names and addresses to DRBC's Interested Parties List (IPL), either by sending an email to PennEastApp@drbc.gov or by sending contact information to the attention of the Project Review Section, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628-0360. Parties on the IPL will receive direct notice of information related to DRBC's review of PennEast, including notice of the publication of a draft docket and details of the formal public comment period. This information will include the dates, time and locations of public hearings, and the methods for formally submitting written comments on a draft docket. In the interim, comments on the project can be sent to PennEastApp@drbc.gov.
- *DRBC Seasonal Photo Contests.* On behalf of the Commission, Mr. Tambini thanked Paul Michael Bergeron and asked him to come forward to accept a certificate of appreciation for submitting his photo titled, "Lazin' at Neshaminy Creek on an Early Summer Day," which was selected as the winner of the Commission's Summer Photo Contest.
- *Next DRBC Public Hearing and Business Meeting.* The next public hearing is scheduled for November 14, 2018 at the Washington Crossing Historic Park Visitor Center in Pennsylvania. The next business meeting will take place December 12 at the same location.

General Counsel Report. Mr. Warren reported that the Commission continues to have pending in litigation the same case – *Wayne Land and Mineral Group v. the DRBC* – on which he has reported at previous meetings. He explained that the caption includes the Delaware Riverkeeper Network and Maya van Rossum, because they are intervening defendants. The case was initially dismissed by the District Court on grounds that the *Delaware River Basin Compact* ("Compact") allows the Commission to review hydraulic fracturing projects under section 3.8 of the *Compact*. Wayne Land and Mineral Group appealed that decision to the Court of Appeals for the Third Circuit. The Third Circuit said that the language of the *Compact* is ambiguous and sent the case back to the District Court for a determination as to the intent of the Compact's drafters regarding the definition of "project" and thus the scope of the Commission's project review authority under section 3.8 of the *Compact*. Judge Mariani of the U.S. District Court for the Middle District of Pennsylvania held a scheduling conference and afterward issued a scheduling order that provides for fact discovery to continue through December 19. The scheduling order includes a subsequent period of a couple of

months for expert reports and discovery, and sets a deadline for dispositive motions to be filed. The plaintiff in the case has indicated that it intends to file a dispositive motion at some point. As the plaintiff also has suggested that no discovery is needed, squabbles over discovery requests are likely. At the end of the process, and assuming the case is not resolved through a dispositive motion, the court will schedule a date for trial. Mr. Warren said he had a feeling that he would be reporting on this case for at least the next two quarterly meetings of the DRBC.

Ms. Bush reported to the Commissioners that section 14.17 of the Compact empowers DRBC to seek penalties for violations of the Compact or rules, regulations or orders of the Commission. DRBC's *Rules of Practice and Procedure* provide that the Executive Director may submit to the Commissioners and they may approve a proposed settlement agreement in lieu of a penalty in the event that a possible violator requests settlement and if the Executive Director determines that settlement by agreement in lieu of a penalty is in the Commission's best interest. In 2015, to provide for more timely and efficient resolution of alleged violations of DRBC requirements, the Commission delegated to the Executive Director the authority to enter into settlement agreements with alleged violators where the settlement amount is less than or equal to \$10,000; otherwise, the Commissioners' approval is required. The Commissioners have been briefed on a draft settlement reached with Nestlé Purina PetCare Company (NPPC) for alleged violations of its monitoring and effluent requirements for three parameters. In the view of the Executive Director, NPPC has not willfully violated Commission requirements, has derived minor economic benefit from such unwilful violations, has caused limited impacts to water quality in connection with them and has cooperated in good faith with the Commission to ensure future compliance with all conditions of its docket. Ms. Bush asked the Commission to authorize Mr. Tambini to execute the draft agreement with NPPC, noting that it involves a settlement amount of \$12,000.

Chairman Hoffman requested a motion to authorize the settlement, LTC Dahle so moved, Mr. Kosinski seconded her motion, and the Executive Director was authorized by unanimous vote to proceed with the settlement agreement between the Commission and NPPC.

Project Review Applications. Mr. Kovach reported that 27 duly noticed draft dockets had been the subjects of a public hearing on August 15, 2018, and staff had received substantive comments on two of these: hearing item number 16 – Docket D-2013-008 CP-2 for the Pennsylvania Department of Conservation and Natural Resources' Beltzville State Park, and hearing item number 27 – Docket D-2018-003-1 for Keystone Anthracite Company, Inc. Mr. Kovach reported that to allow time for consideration and to respond to the comments received on these two draft approvals, consideration of these projects was being postponed. No substantive comments were received on the balance of the draft approvals. Mr. Kovach recommended that the Commissioners approve the dockets comprising hearing items 1 through 15 and 17 through 26 in the public hearing and meeting notice.

Hearing no questions from the other Commissioners, Mr. Hoffman thanked Mr. Kovach and requested a motion to approve the remaining 25 dockets that had been subjects of the public hearing on August 15. Mr. Kosinski so moved, and LTC Dahle seconded his motion. Without further comment, the draft dockets comprising hearing items 1 through 15 and 17 through 26 were approved by unanimous vote.

Adjournment. Mr. Hoffman asked the Commissioners and staff whether any other matters required the Commissioners' consideration that day. Hearing none, he requested a motion to close the business meeting. Mr. Kosinski so moved, LTC Dahle seconded his motion, and the business meeting was adjourned by unanimous vote at 11:05 a.m.

Audio Recording. Audio recordings of the public hearing of August 15, 2018 and the business meeting of September 13 are on file with the Commission Secretary. A description of each of the applications for the dockets approved during the Business Meeting of September 13, 2018 is provided as an attachment to these Minutes.

Open Public Comment. After the business meeting adjourned, Mr. Tambini conducted 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 SEPTEMBER 13, 2018

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. All the projects approved by the Commission on September 13, 2018 were subjects of a duly noticed public hearing on August 15, 2018. Descriptions of the projects (based on the applications received, which may vary from final projects) for which the Commission issued approvals on September 13 are listed below, in the order in which the dockets were presented at the August 15 public hearing.

A. *Renewals with No Substantive Changes (hearing items 1 through 15 and 17).*

1. Minersville Sewer Authority, D-1970-201 CP-3. An application to renew the approval of the existing 1.0 million gallons per day (mgd) Minersville Sewer Wastewater Treatment Plant (WWTP) and its discharge. The WWTP will continue to discharge the treated effluent to the

West Branch Schuylkill River at River Mile 92.47 - 120.4 - 7.5 (Delaware River - Schuylkill River - West Branch Schuylkill River), via Outfall No. 001, in Minersville Borough, Schuylkill County, Pennsylvania.

2. Margaretville Village, D-1974-157 CP-3. An application to renew the approval of a groundwater withdrawal of up to 4.0 million gallons per month (mgm) from the Ball Park Well and the Fair Street Well for public water supply. The requested allocation is a reduction from the docket holder's previously approved total allocation of 18.529 million gallons per 30 days (mg/30 days). The wells are screened in unconsolidated sand and gravel in the East Branch Delaware River Watershed 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 the Village of Margaretville, Delaware County, New York.
3. Lehigh County Authority, D-1977-041 CP-4. An application to renew approval of the docket holder's existing 0.16 mgd Lynn Township WWTP and its discharge. The WWTP will continue to discharge treated effluent to Ontelaunee Creek at River Mile 92.47 - 86.7 - 21.5 - 8.7 (Delaware River - Schuylkill River - Maiden Creek - Ontelaunee Creek) via Outfall No. 001, in Lynn Township, Lehigh County, Pennsylvania.
4. Borough of Bally, D-1978-019 CP-3. An application to renew the approval of an existing groundwater withdrawal of up to 10.02 mgm to supply the applicant's public water supply distribution system from existing Well No. 4. The project well is completed in the Leithsville Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Borough of Bally, Berks County, Pennsylvania.
5. Upper Merion Township (Matsunk), D-1987-013 CP-3. An application to renew the approval of the existing 6.88 mgd Matsunk WWTP and its discharge. The WWTP will continue to discharge treated wastewater effluent to Frog Run, which is a tributary of the Schuylkill River at River Mile 92.47 - 21.6 - 0.3 (Delaware River - Schuylkill River - Frog Run) in Upper Merion Township, Montgomery County, Pennsylvania.
6. Valley Township, D-1988-031 CP-4. An application to renew the approval of an existing groundwater withdrawal of up to 4.5 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. V1, V2 and V4. The project wells are completed in Pre-Cambrian gabbroic gneiss. The requested allocation is not an increase from the previous allocation. The project is located in the Brandywine-Christina Watershed in Valley Township, Chester County, Pennsylvania.
7. Upper Merion Township (Trout Run), D-1992-051 CP-3. An application to renew the approval of the existing 6.0 mgd Trout Run WWTP and its discharge. The WWTP will continue to discharge treated wastewater effluent to the Schuylkill River at River Mile 92.47 - 27.5 (Delaware River - Schuylkill River) in Upper Merion Township, Montgomery County, Pennsylvania.
8. Pennsylvania American Water Company (Coatesville), D-1992-064 CP-4. An application to renew the approval of the existing 7.0 mgd Coatesville WWTP and its discharge. The WWTP

will continue to discharge treated sewage effluent to West Branch Brandywine Creek at River Mile 70.7 - 1.5 - 20.0 - 15.5 (Delaware River - Christina River - Brandywine Creek - West Branch Brandywine Creek), in the Borough of South Coatesville, Chester County, Pennsylvania.

9. Narrowsburg Water District, D-1992-081 CP-3. An application to renew the approval of an existing groundwater withdrawal of up to 4.24 mgm from existing Wells Nos. 1 (TTW-1R), 2 and 3 for use in the docket holder's public water system. Wells Nos. 1 and 2 are screened in unconsolidated alluvium and Well No. 3 is completed in the Honesdale Formation in the Peggy Run and Delaware River watersheds 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 the Town of Tusten, Sullivan County, New York.
10. Helix Ironwood, LLC, D-1997-045-3. An application to renew the approval of an existing surface water withdrawal of up to 72.54 mgm to supply water to the applicant's electric generation facility from an existing intake on Pennsy Supply Quarry No. SG-2. The docket will also continue the approval of an existing importation of up to 4.5 mgd of treated effluent from the Susquehanna River Basin (SRB) and a consumptive use of up to 2.34 mgd from the source in the Delaware River Basin (DRB). The requested allocation is not an increase from the previous allocation. The project is located in the Tuplehocken Creek Watershed in South Lebanon Township, Lebanon County, Pennsylvania.
11. Aqua Pennsylvania Wastewater, Inc. (Lake Harmony), D-2002-006 CP-4. An application to renew the approval of the existing 0.40 mgd Lake Harmony WWTP, its discharge and proposed construction modifications. The proposed upgrades to the WWTP will consist of the following: (a) the installation of a new headworks building with system and pumping equipment upgrades; (b) the installation of an additional Sequencing Batch Reactor (SBR) unit; and (c) the addition of a new disc cloth filtration unit. The hydraulic design capacity of the WWTP is proposed to increase from 0.40 mgd to 0.50 mgd. The average monthly discharge will remain at 0.40 mgd and continue to discharge treated effluent to Shingle Mill Run, a tributary within the drainage area of the F.E. Walter Reservoir, at River Mile 183.66 - 83.5 - 4.9 - 0.6 (Delaware River - Lehigh River - Tobyhanna Creek - Shingle Mill Run) via Outfall No. 001, in Kidder Township, Carbon County, Pennsylvania. The discharge is located within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
12. Slatington Borough, D-2003-015 CP-3. An application to renew the approval of the existing 1.5 mgd Slatington Borough WWTP, its discharge and to approve modification to the facility. The proposed modification will convert an existing anaerobic digester unit into an aerobic digester with appurtenant improvements. The WWTP will continue to discharge at a rate of 1.5 mgd to the Lehigh River at River Mile (183.66 - 33.7) 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 Slatington Borough, Lehigh County, Pennsylvania.

13. West Bradford Township, D-2004-022 CP-3. An application to renew the approval of the existing 0.1465 mgd DuPont Property WWTP and its discharge via spray irrigation. The WWTP will continue to discharge treated effluent to two spray fields located in the Broad Run Watershed, in West Bradford Township, Chester County, Pennsylvania.
 14. Hydro Extrusions USA, LLC, D-2005-001-5. An application to renew the existing discharge from the 0.1 mgd Hydro Extrusions USA industrial wastewater treatment plant (IWTP) and continue the current daily maximum total dissolved solids (TDS) determination of 2,000 milligrams per liter (mg/l). The IWTP will continue to discharge treated process industrial wastewater and noncontact cooling water (NCCW) to the West Branch Schuylkill River at River Mile 92.47 - 115 - 0.5 (Delaware River - Schuylkill River - West Branch Schuylkill River), via Outfall No. 002, in Cressona Borough, Schuylkill County, Pennsylvania.
 15. Evergreen Community Power, LLC, D-2008-011-2. An application to renew the approval of an existing groundwater withdrawal of up to 53.57 mgm to supply water to the applicant's steam turbine power plant from existing Wells Nos. PW2 and PW3 and the consumptive use of up to 1.08 mgd. The project wells are completed in a Cambrian Carbonate Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Schuylkill River Watershed in the City of Reading, Berks County, Pennsylvania.
 16. Pennsylvania Department of Conservation and Natural Resources (DCNR), D-2013-008 CP-2. *Consideration of this docket has been postponed to allow additional time for review.*
 17. Lehighon Water Authority, D-2014-006 CP-2. An application to renew the approval of the existing Lehighon Water Authority Water Filtration Plant (WFP) and its discharge. The WFP will continue to treat up to 1.6 mgd and discharge a monthly average of 0.023 mgd treated and filtered backwash to Long Run at River Mile 183.7 - 44.0 - 2 (Delaware River - Lehigh River - Long Run) via Outfall No. 001, located within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters in Franklin Township, Carbon County, Pennsylvania.
- B. Renewals with Substantive Changes (hearing items 18 through 24).*
18. Green Lane - Marlborough Joint Authority, D-1966-002 CP-2. An application to renew the approval and upgrade of the existing 0.20 mgd Green Lane - Marlborough Joint Authority WWTP. The upgrade consists of the installation of a new influent splitter box and ultraviolet (UV) light disinfection. The WWTP will remain designed for a flow of 0.2 mgd and will continue to discharge treated effluent to Perkiomen Creek at River Mile 92.47 - 32.3 - 19.5 (Delaware River - Schuylkill River - Perkiomen Creek) in Green Lane Borough, Montgomery County, Pennsylvania.
 19. Merrill Creek Owners Group (MCOG), D-1977-110 CP-19. An application to update the Docket and Plan of Operation for the Merrill Creek Reservoir in accordance with Delaware River Basin Commission Consumptive Use Policy Resolution No. 2018-5.
 20. Berks County, D-1990-036 CP-2. An application to renew the approval of the existing 0.50 mgd County of Berks WWTP, its discharge and modifications to its facilities. Proposed

modifications will include the following: (a) an upgrade of the existing headworks process with equipment improvements; (b) replacement of existing oxidation equipment; (c) replacement of the existing chlorine disinfection system with UV disinfection; and (d) replacement of the existing sludge dewatering system and appurtenant improvements to its sludge conveyance operations. The WWTP will continue to operate at its current flow and discharge treated effluent to Plum Creek, within the drainage area of the Schuylkill River Watershed at River Mile 92.47 - 76.8 - 4.8 - 0.35 (Delaware River - Schuylkill River - Tulpehocken Creek - Plum Creek) via Outfall No. 001, in Bern Township, Berks County, Pennsylvania.

21. Pennsylvania American Water Company, D-1997-034 CP-3. An application to renew the approval of an existing groundwater withdrawal with an increase in allocation from 23.56 mgm to 27.10 mgm for public water supply from existing Wells Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 10A and 12 completed in the Delaware River Member and Towamensing Member of the Catskill Formation and the Sloat Brook Member and Millrift Member of the Trimmers Formation. The wells are located 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.
22. Kennett Square Borough, D-1999-017 CP-2. An application to renew the approval and upgrade of the existing 1.1 mgd Kennett Square Borough WWTP. The upgrade will consist of converting the current oxidation ditch/activated sludge treatment process to a Modified Ludzak-Ettinger (MLE) treatment process. The WWTP will remain designed to treat an annual average flow of 1.1 mgd and will continue to discharge treated effluent to the West Branch Red Clay Creek, at River Mile 70.73 - 10.0 - 2.6 - 13.4 - 3.3 (Delaware River - Christina River - White Clay Creek - Red Clay Creek - West Branch Red Clay Creek) in Kennett Township, Chester County, Pennsylvania.
23. New Hanover Township Authority, D-1999-040 CP-4. An application to renew the approval of the existing 1.925 mgd New Hanover Township Authority WWTP and its discharge, and to approve a total dissolved solids (TDS) determination consisting of an increase in the average monthly TDS effluent limit from 1,000 mg/l to 1,200 mg/l. No modifications to the WWTP facilities are proposed. The WWTP will continue to discharge treated effluent to Swamp Creek at River Mile 92.47 - 32.3 - 12.9 - 4.8 (Delaware River - Schuylkill River - Perkiomen Creek - Swamp Creek) in New Hanover Township, Montgomery County, Pennsylvania.
24. Aqua Pennsylvania Wastewater, Inc. (Willistown Woods), D-2000-024 -2. An application to renew the approval and upgrade of the applicant's existing 0.175 mgd Willistown Woods WWTP. The upgrade will consist of converting the existing conventional activated sludge and cloth disc filter treatment system to a membrane bioreactor (MBR) treatment system, and headworks and appurtenant improvements. The WWTP will remain at 0.175 mgd and will continue to discharge treated effluent to an unnamed tributary (UNT) of Hunters Run at River Mile 83.8 - 16.5 - 0.6 - 0.5 (Delaware River - Ridley Creek - Hunters Run - UNT Hunters Run) in Willistown Township, Chester County, Pennsylvania.

C. New Projects (projects not previously reviewed by the Commission) (hearing items 25 and 26).

25. Lake Bryn Mawr Camp, Inc., D-2017-011-1. An application to approve the existing 0.012 mgd Lake Bryn Mawr Camp WWTP and its discharge. The WWTP will continue to discharge treated effluent to an UNT of Big Brook at River Mile 277.9 - 27.1 - 4.9 - 0.8 - 0.7 (Delaware River - Lackawaxen River - Dyberry Creek - Big Brook - UNT Big Brook), 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 Oregon Township, Wayne County, Pennsylvania.
 26. SPG, Inc., D-2018-002-1. An application to approve the existing 0.02 Whispering Hollow South Mobile Home Park (MHP) WWTP, its discharge and proposed modification to its facilities. Proposed modifications include the installation of a new flow equalization tank and installation of new aerobic sludge digestion tank with appurtenant improvements. The WWTP will continue to operate at its current flow and discharge to an UNT of Hokendauqua Creek, at River Mile 183.66 - 22.5 - 6.3 - 0.8 (Delaware River - Lehigh River - Hokendauqua Creek - UNT Hokendauqua Creek) 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 Allen Township, Northampton County, Pennsylvania.
 27. Keystone Anthracite Company, Inc., D-2018-003-1. *Consideration of this docket has been postponed to allow additional time for review.*
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