DOCKET NO. D-2008-027 CP-3

DELAWARE RIVER BASIN COMMISSION

West Deptford Energy, LLC
West Deptford Energy Station
Surface Water Withdrawal & Industrial Wastewater Discharge
West Deptford Township, Gloucester County, New Jersey

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by West Deptford Energy, LLC (WDE or docket holder) on February 26, 2014 (Application), for renewal of a cooling water withdrawal and an industrial wastewater discharge associated with the gas fired, combined cycle power generation facility known as the West Deptford Energy Station (WDES). Construction and operation of the WDES was completed in February 2014. New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0171905 for the industrial wastewater component of the project was issued by the New Jersey Department of Environmental Protection (NJDEP) on December 30, 2013, effective March 1, 2014. Renewal of the NJPDES Permit is expected shortly. The NJDEP issued a Tri-County Water Quality Management Plan (WQMP) for Gloucester County Utilities Authority (GCUA) and WDE on February 8, 2013 detailing the modifications to the withdrawal and discharge of cooling water at the WDES.

The Application was reviewed for continuation of the project in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact*. The Gloucester County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on September 15, 2015.

A. DESCRIPTION

1. Purpose. The purpose of this docket is to renew approval for the docket holder to withdrawal up to 374.914 million gallons per month (mgm) of treated effluent from GCUA's effluent pipeline for use at the WDES and to discharge of up to 4.051 million gallons per day (mgd) of concentrated industrial wastewater [which includes non-contact cooling water (NCCW) concentrate from a reverse osmosis system, regeneration wastes from a demineralization system, and boiler blow down] back into GCUA's effluent pipeline from the WDES prior to discharge into the Delaware River.

2. **Location**. The WDES is located adjacent to Water Quality Zone 4 of the Delaware River at River Mile 89.7. The facility is located in West Deptford Township, Gloucester County, New Jersey. The WDES's internal monitoring/compliance outfalls (DSN002A and DSN003A) and the GCUA effluent pipeline outfall (DSN004A) are located as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
DSN002A (WDES)	39° 50' 33.4"	75° 13' 14.5"
DSN003A (WDES)	39° 50' 29.6"	75° 13' 15.1"
DSN001A (GCUA)	39° 51' 10"	75° 13' 32.1"

The WDES's cooling water withdrawal location is being withheld for security reasons.

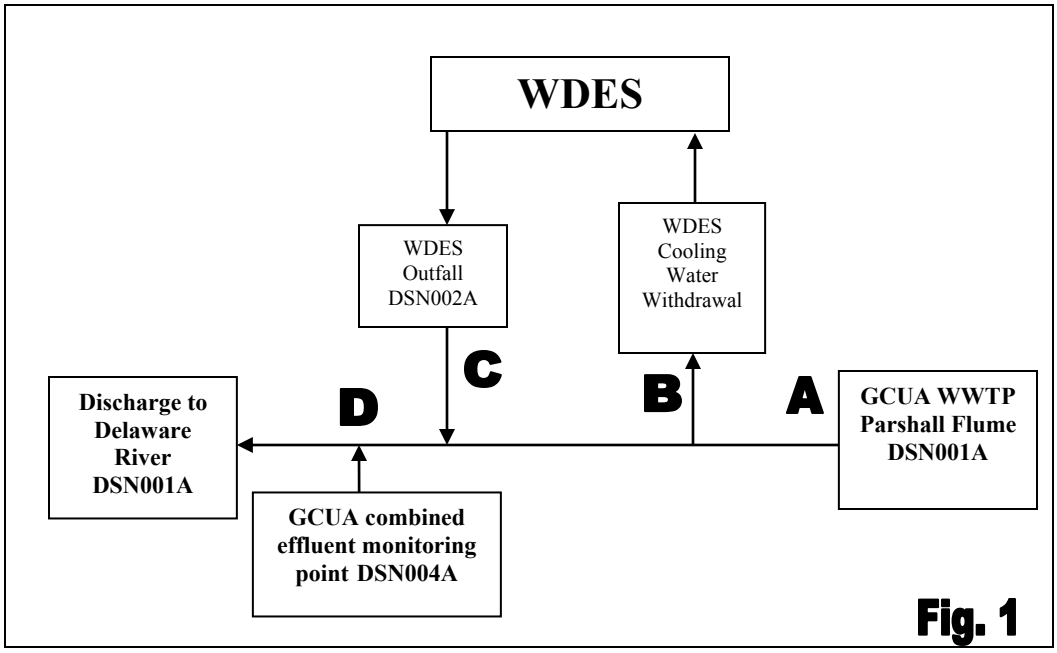

Fig. 1

3. **Area Served**. The diversion of water from GCUA's effluent pipeline for cooling water purposes will continue to be utilized by the docket holder's WDES. Additionally, WDES will continue to discharge concentrated industrial wastewater from on-site back to the GCUA effluent pipeline. For the purpose of defining the Area Served, Section B (Type of Discharge) and D (Service Area) of the docket holder's Application are incorporated herein by reference, to the extent consistent with all other conditions contained in the DECISION Section of this docket.

4. **Physical Features**.

a. **Design Criteria**. The docket holder will continue to operate the existing WDES, withdrawal up to 374.914 mgm of treated effluent from GCUA's effluent pipeline for use at the WDES, and discharge up to 4.051 mgd of concentrated industrial wastewater back into GCUA's effluent pipeline from the WDES prior to discharge into the Delaware River. Approximately 73% of the water withdrawn and used by WDES is estimated to be consumptively used.

b. Facilities. The docket holder will continue to divert treated wastewater effluent from GCUA's existing 6,025 foot long effluent pipeline to utilize as cooling water. WDES withdraws treated wastewater from GCUA's effluent pipeline at point B (See Fig. 1). WDES operates a pre-treatment system to remove suspended solids from the GCUA effluent.

The WDES is a dual-fuel combined-cycle electric generation facility that can generate up to a nominal output of 1,500 megawatts (MW). The primary fuel is pipeline quality natural gas and the secondary back-up fuel is ultra-low sulfur diesel (ULSD), containing less than or equal to 15 parts per million (ppm) of sulfur content. The energy facility is comprised of four combined-cycle power blocks; each block consisting of one Combustion Turbine Generator (CTG) and one Heat Recovery Steam Generator (HRSG). Each HRSG is equipped with a gas fired duct burner that is utilized to augment power production during operation of combustion turbines. Steam generated in the HRSGs is used to power one or more Steam Turbine Generators (STG).

The major equipment and ancillary system is comprised of four combined-cycle power blocks, two 40 MMBtu/hr natural gas-fired auxiliary boilers, two engine-driven 750 kW emergency generators with one 2,000 gallon diesel storage tank, a two million gallon fuel oil storage tank, a 45,000 gallon aqueous ammonia (19%) storage tank, and four multi-cell cooling towers.

In addition, the energy facility includes necessary balance-of-plant (BOP) equipment and systems such as natural gas metering and handling systems, plant instrumentation and control systems, water treatment and storage facilities, fuel oil receiving, storage and forwarding, high voltage electrical transformers, and an administration/maintenance building and warehouse. Water treatment equipment is required to provide boiler feed-water and cooling tower circulating water.

Existing Columbia Gas and Transco pipelines are located approximately 8,500 feet southeast of the WDES. The gas supplier has been granted permission from the Federal Energy Regulatory Commission (FERC) to interconnect their existing pipeline to a new gas metering station located within the fence line of the WDES. The WDES has routed the gas pipeline from the gas metering station to the combustion turbines.

WDES effluent will continue to be discharged back to GCUA's existing discharge pipe at a point approximately 720 feet from GCUA Outfall No. DSN001A (Outfall No. DSN002A, See Fig 1 – Point C). GCUA's existing discharge was approved by DRBC Docket No. D-1990-074 CP-4 on May 8, 2013. Renewal of the GCUA discharge is expected at the September 15, 2015 Commission Hearing with approval of Docket No. D-1990-074 CP-5. WDES's effluent will continue to be monitored and metered prior to discharge back to the GCUA pipeline and the effluent criteria included in this docket and NJPDES Permit No. NJ0171905 were established for this compliance point (DSN002A).

The project facilities are not located in the 100-year floodplain.

Wasted sludge will continue to be hauled off-site by a licensed hauler for disposal at a state approved facility.

c. Water withdrawals. The potable water supply in the project service area is supplied by the New Jersey American Water Company (NJAWC), which was approved by DRBC Docket No. D-99-73 CP on September 13, 2001 and administratively continued as part of the 2009 Administrative Agreement between NJDEP and the DRBC. In addition, the docket holder will withdrawal up to 374.914 mgm of treated effluent from GCUA's effluent pipeline for cooling water purposes.

d. NJPDES Permit / DRBC Docket. NJPDES Permit No. NJ0171905 was issued by the NJDEP on December 30, 2013 (effective March 1, 2014) and includes effluent limitations for the project discharge of up to 4.051 mgd (average flow 3.1 mgd) to surface waters classified by the NJDEP as Delaware River Zone 4. The following average monthly effluent limitations are among those listed in the NJPDES Permit and meet or are more stringent than the effluent requirements of the DRBC.

EFFLUENT TABLE A-1: DRBC Parameters Included in NJPDES Permit

OUTFALL DSN002A (Internal Monitoring Point for WDES prior to discharge to GCUA Outfall Line**)**		
PARAMETER	**LIMIT**	**MONITORING**
pH (Standard Units)	6 to 9 at all times	Monthly
Toxicity (Chronic & Acute)*	Monitor & Report	1 sample per 6 months
Total Dissolved Solids**	5,000 mg/l (daily max)	Monthly
Temperature	34°C	Monthly
Total Suspended Solids	60 mg/l	Monthly
CBOD (5-Day at 20° C)	Monitor & Report	Monthly

* See DECISION Condition II.k.

** See DECISION Condition II.t.

The requirements in EFFLUENT TABLE A-2 are not listed in the NJPDES Permit, were included in Docket No. D-2008-027 CP-2, and are Commission basin-wide and/or estuary specific parameters that must continue to be met/monitored as a condition of this docket approval (See DECISION Condition II.h.). Commission staff have requested NJDEP include these parameters in their renewed Permit.

EFFLUENT TABLE A-2: DRBC Parameters Not Included in NJPDES Permit

OUTFALL DSN002A (Internal Monitoring Point for WDES prior to discharge to GCUA Outfall Line**)**		
PARAMETER	**LIMIT**	**MONITORING**
Ammonia Nitrogen	Monitor & Report	Quarterly
CBOD 20*	Monitor & Report	Monthly

* See DECISION Condition II.l.

The effluent limitation for TSS of 60 mg/l was applied to the WDES discharge. This limitation is larger than the Commission's basin-wide effluent limitations because WDES has an internal monitoring point and the compliance point (Outfall DSN002A) is not a direct outfall to a waterbody.

The docket holder has four (4) internal monitoring points (DSN003A, DSN004A, DSN005A, and DSN006A) that all provide a portion of the effluent at DSN002A. The NJDEP has placed monitoring requirements on these internal points, but Commission staff recommended as part of the approval for Docket No. D-2008-027 CP-2 that the combined effluent prior to mixing with GCUA's effluent was the only monitoring required.

e. Other. Sanitary wastewater from WDES will be conveyed to the head of the GCUA WWTP for complete treatment. The GCUA WWTP was most recently approved by DRBC Docket No. D-1990-074 CP-4 on May 8, 2014. The treatment facility has adequate capacity to receive wastewater from the WDES.

f. Cost. There are no construction costs associated with this renewal.

g. Relationship to the Comprehensive Plan. The WDES was included in the Comprehensive Plan upon approval of Docket No. D-2008-027 CP-2 on May 8, 2013. Issuance of this docket will continue approval of the WDES in the Comprehensive Plan (See DECISION Condition I.c.).

B. FINDINGS

The purpose of this docket is to renew approval to withdrawal up to 374.914 mgm of treated effluent from GCUA's effluent pipeline for use at the WDES and to discharge up to 4.051 mgd of concentrated industrial wastewater back into GCUA's effluent pipeline from the WDES prior to discharge into the Delaware River.

Toxicity

Zone 4 stream quality objectives exist for toxic pollutants. They include criteria to protect the taste and odor of ingested water and fish [Table 4 of DRBC's *Water Quality Regulations* (*WQR*)], to protect aquatic life (Table 5), and to protect human health (Tables 6 & 7). The stream quality objectives include Whole Effluent Toxicity (WET) as a measure of cumulative toxicity in effluent for both acute and chronic exposures.

The docket holder started monitoring for toxicity in February 2014 when the WDES became operational. Commission staff do not have enough samples to assess the level of toxicity in the docket holder's effluent. The docket holder shall continue to monitor for both Acute Toxicity and Chronic Toxicity using the fathead minnow and *Ceriodaphnia* species at WDES's internal Outfall No. DSN002A. All samples are to be taken in conjunction with GCUA samples (Outfalls Nos. DSN001A & DSN004A). After review of the first 24 months of sampling, the testing frequency may be reduced, eliminated or modified, dependent upon the results. The docket holder can make this request in writing to the Executive Director.

Chronic Toxicity

To determine the need for chronic wasteload allocation, the DRBC requires chronic toxicity monitoring for discharges in the estuary. DECISION Condition II.l. of Docket No. D-2008-027 CP-2 required the docket holder to monitor for chronic toxicity. DECISION Condition II.k. of this docket continues this requirement.

Acute Toxicity

To determine the need for an acute wasteload allocation and effluent limit, the DRBC requires acute toxicity monitoring for discharges in the estuary. The acute toxicity stream quality objective for Zone 4 is 0.3 Toxic Units (TUa = 0.3).

In the event that WDES's acute toxicity monitoring results demonstrate the potential to exceed the Commission's Stream Quality Objective for acute toxicity (TUa = 0.3), the Executive Director will direct the docket holder and GCUA to conduct additional studies of the commingled effluent.

Furthermore, all WET sampling shall be coordinated with GCUA to ensure that monitoring is done by both WDES and GCUA on the same day (See DECISION Condition II.k.).

The acute results shall be reported as a 48-hour and 96-hour lethal concentration (LC_{50}) and TUa. The testing should follow USEPA guidance on Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (EPA 821-R-02-012, 5th Ed, October 2002) or equivalent New Jersey guidance on effluent limits.

Heat Dissipation Area

Section 4.30.6C. of the Commission's *WQR* require that discharges to Zone 4 shall not result in an induced temperature increase of 5°F (2.8°C) above the average 24-hour temperature gradient displayed during the 1961-1966 period, or a maximum of 86°F (30.0°C), whichever is less.

Section 4.30.6F.3. of the Commission's *WQR* allows for heat dissipation areas (thermal mixing zone) up to 3,500 feet in length. The docket holder has provided data that supports that under the 1961-1966 condition a thermal mixing zone need not be larger than 994 feet (361 feet upstream and 633 feet downstream) by 144 feet wide centered on GCUA Outfall No. DSN001A when effluent temperatures do not exceed 34 °C at Outfall No. DSN002A. The dilution factor was calculated to be 5.9 to 1. DRBC staff have determined that the heat dissipation area conforms with the Commission's *WQR* and it has therefore been assigned to GCUA Outfall No. DSN001A (See draft Docket No. D-1990-074 CP-5).

Total Dissolved Solids (TDS)

The Commission's basin-wide TDS effluent limit is 1,000 mg/l (Section 3.10.4D.2. of the Commission's *WQR*). In addition, the Commission's Water Quality Zone 4 in-stream TDS requirement provides the analysis of the instream conditions after the introduction of the project's effluent discharge demonstrate that the receiving stream's resultant TDS concentration be less than 133% of the background (Section 3.10.3B.1.b. of the Commission's WQR). The 133% of the background TDS requirement is for the protection of aquatic life.

Background TDS is to be the observed concentration of TDS during low flow conditions ($Q_{7\text{-}10}$) or, in the absence thereof, an estimate acceptable to the Commission (Section 3.10.6G. of the Commission's *WQR*). Observed TDS concentrations from the Delaware Estuary, from years 2000 to 2005 were provided by DRBC staff and the impact of effluent is evaluated at various quantities.

WDE provided a document for CORMIX model run analyses in September 2008 and a document responding to Commission staff's comments on November 25, 2008. Background TDS concentrations vary from 130.5 mg/l to 519.5 mg/l (at 25th and 95th percentile) in the based upon hydrologic and astronomical tidal conditions near River Mile 90 (where the combined GCUA and WDES effluent discharge is located). The high background TDS condition is reasonably assumed to occur during low flow conditions. Therefore, the 95th percentile value, or 519.5 mg/l of TDS was used for background TDS concentration around river mile 90.

The estimated **daily maximum** TDS concentration for the combined effluent in 2008 was 1,400 mg/l requiring a dilution factor of 5.1 to meet the 133% of background TDS concentration of 519.5 mg/l. The Commission's WQRs do not specifically provide criteria to evaluate TDS mixing zones, however, Section 4.20.5A.1.a of the Commission's *WQR* provides criteria for the evaluation of acute toxicity mixing zones. Based on CORMIX model runs, a dilution factor of 5.1 can be achieved within a guideline acute toxicity mixing zone. The guideline acute toxicity mixing zone is defined as the more stringent of the following restrictions:

- A distance of 50 times the discharge length scale in any direction from the outfall structure, or
- A distance of 5 times the local water depth in any direction from the outfall structure.

The guideline acute toxicity mixing zone criteria for Outfall No. DSN001A was used to evaluate TDS at that time and the second restriction (a distance of 5 times the local water depth) was found most limiting. The docket holder was granted a TDS variance of 5,000 mg/l at DSN002A as part of Docket No. D-2008-027 CP-2. Using the acute toxicity guidelines as was performed in Docket No. D-1990-074 CP-3, the resulting TDS mixing zone centered on GCUA Outfall No. DSN004A is 1,561 feet in length (844 feet upstream and 717 feet downstream) by 217 feet wide.

In summary, this docket continues approval of a variance to the Commission's 1,000 mg/l basin-wide TDS effluent limit of 5,000 mg/l at Outfall No. DSN002A (location C, Fig.1).

$CBOD_{20}$ Wasteload Allocation

The Commission's *WQR* provide for the allocation of the stream assimilative capacity where waste discharges would otherwise result in exceeding such capacity. It was determined in the 1960's that discharges to the Delaware Estuary be limited to a total of 322,000 lbs/day of carbonaceous biochemical (first stage) oxygen demand ($CBOD_{20}$). In accordance with the Regulations, the assimilative capacity of each Delaware Estuary zone minus a reserve was originally allocated in 1968 among the individual dischargers based upon the concept of uniform reduction of raw waste in a zone (Zones 2, 3, 4 and 5). The totals and percent reduction for each zone are given in Table 1 of the Commission's *Status of CBOD20 Wasteload Allocations* (Revised October 1, 2000). The combined GCUA and WDES outfall is located in Water Quality Zone 4 at River Mile 89.7. Zone 4 has a reserve capacity of ~26%.

The docket includes a monitoring requirement for WDES (Outfall No. DSN002A) to gather data to help determine whether an allocation of $CBOD_{20}$ is warranted. The docket holder is required to monitor for both BOD_5 and $CBOD_{20}$ monthly until at least 24 total monitoring samples have been recorded (thru February 2016). The docket holder may then submit those samples along with their counterparts from GCUA in order to provide a correlation between the two. If the docket holder can show that $CBOD_{20}$ loading is the same for WDES and GCUA or that there is a reduction in loading as a result of the docket holder's process, a request to reduce or eliminate monitoring may be requested. During the renewal of this docket, if necessary, a $CBOD_{20}$ allocation will be established for the facility that includes the site specific correlation between $CBOD_{20}$ and BOD_5 (See DECISION Condition II.l.).

Other

At Outfall No. DSN001A, the Delaware River is tidal and its flow is regulated by upstream reservoir releases. The Trenton low flow target is 2,500 cfs (1.62 billion gallons per day). The addition of the tidal tributaries upstream of the discharge location at their Q7-10 flow and the low flow Trenton target results in a low-flow of approximately 4,318 cfs (2.79 billion gallons per day) for the Delaware River at the discharge location (River Mile 89.7).

All water used by WDES is subject to surface water fees.

There are no public water supply intakes within 5 tidally influenced river miles of GCUA's outfall.

The project does not conflict with the Comprehensive Plan and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

The limits in the NJPDES Permit are in compliance with Commission effluent quality requirements, where applicable.

The project is designed to produce a discharge meeting the effluent requirements as set forth in the Commission's *WQR*.

C. DECISION

I. Effective on the approval date for Docket No. D-2008-027 CP-3 below:

a. The project described in Docket No. D-2008-027 CP-2 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-2008-027 CP-3; and

b. Docket No. D-2008-027 CP-2 is terminated and replaced by Docket No. D-2008-027 CP-3; and

c. The project and the appurtenant facilities described in Section A "Physical Features" of this docket shall be added to the Comprehensive Plan.

II. The project and appurtenant facilities as described in Section A "Physical Features" of this docket are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the NJDEP in its NJPDES Permit, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission's.

b. The facility and operational records shall be available at all times for inspection by the DRBC.

c. The facility shall be operated at all times to comply with the requirements of the Commission's *WQR* and *Water Code*.

d. During any month, the withdrawal from the GCUA effluent pipeline shall not exceed 374.914 million gallons.

e. The docket holder shall pay DRBC for the water withdrawn from the GCUA effluent pipeline in accordance with the provisions of Resolution No. 74-6, as amended.

f. The project withdrawals shall be metered with an automatic continuous recording device that measures to within 5 percent of actual flow. An exception to the 5 percent performance standard, but no greater than 10 percent, may be granted if maintenance of the 5 percent performance is not technically feasible or economically practicable. A record of daily withdrawals shall be maintained and shall be available at any time to the Commission if requested by the Executive Director.

g. During any water emergency or other non-emergency declaration by the Governor of New Jersey, NJDEP or the Commission, water service or use by the project docket holder pursuant to this docket approval shall be subject to any order or restriction governing those non-essential uses specified by the NJDEP to the extent that they may be applicable, and to any other emergency resolutions or orders adopted by the Commission.

h. The docket holder shall comply with the requirements contained in the EFFLUENT TABLES in Section A.4.d. of this docket. The docket holder shall submit the required monitoring results electronically to the DRBC Project Review Section via email **aemr@drbc.state.nj.us** on the **Annual Effluent Monitoring Report Form** located at this web address: http://www.state.nj.us/drbc/programs/project/application/index.html. The monitoring results shall be submitted annually, absent any observed limit violations, by January 31. If a DRBC effluent limit is violated, the docket holder shall submit the result(s) to the DRBC within 30 days of the violation(s) and provide a written explanation that states the action(s) the docket holder has taken to correct the violation(s) and protect against any future violations.

i. Except as otherwise authorized by this docket, if the docket holder seeks relief from any limitation based upon a DRBC water quality standard or minimum treatment requirement, the docket holder shall apply for approval from the Executive Director or for a docket revision in accordance with Section 3.8 of the *Compact* and the *Rules of Practice and Procedure*.

j. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

k. The docket holder shall monitor for both Acute Toxicity and Chronic Toxicity using both the fathead minnow and *Ceriodaphnia* species at a frequency of once every 6 months at WDES Outfall No. DSN002A. After 24 total months of sampling (thru February 2016), the docket holder can request in writing to the Executive Director to modify the toxicity monitoring frequency requirement. All samples are to be taken in conjunction with GCUA samples at Outfalls Nos. DSN001A and DSN004A.

l. The docket holder shall perform monthly monitoring for both $CBOD_{20}$ and BOD_5 at WDES Outfall No. DSN002A (Internal Monitoring Point for WDES prior to discharge to GCUA) in order to develop the facility specific correlation between the two. After 24 months of sampling (February 2016), the docket holder can request in writing to the Executive Director to modify the $CBOD_{20}$ and BOD_5 monitoring frequency requirement if a correlation between the two can be established. The docket holder should take its samples in conjunction with GCUA Outfall No. DSN001A samples to determine if the docket holder's process is altering the $CBOD_{20}$ loading. During the renewal of this docket, the monitoring results will be used to adjust any $CBOD_{20}$ allocation as necessary.

m. The docket holder is permitted to treat and discharge wastewaters as set forth in the Area Served Section of this docket, which incorporates by reference Sections B

(Type of Discharge) and D (Service Area) of the docket holder's Application to the extent consistent with all other conditions of this DECISION Section.

n. The docket holder shall make wastewater discharge in such a manner as to avoid injury or damage to fish or wildlife and shall avoid any injury to public or private property.

o. Nothing in this docket approval shall be construed as limiting the authority of DRBC to adopt and apply charges or other fees to this discharge or project.

p. The issuance of this docket approval shall not create any private or proprietary rights in the waters of the Basin, and the Commission reserves the right to amend, suspend or rescind the docket for cause, in order to ensure proper control, use and management of the water resources of the Basin.

q. Unless an extension is requested and approved by the Commission in advance, in accordance with paragraph 11 of the Commission's Project Review Fee schedule (Resolution No. 2009-2), the docket holder is responsible for timely submittal of a docket renewal application on the appropriate DRBC application form at least 12 months in advance of the docket expiration date set forth below. The docket holder will be subject to late charges in the event of untimely submittal of its renewal application, whether or not DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date below (or the later date established by an extension that has been timely requested and approved), the terms and conditions of the current docket will remain fully effective and enforceable against the docket holder pending the grant or denial of the application for docket approval.

r. The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.

s. Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the Rules of Practice and Procedure. In accordance with Section 15.1(p) of the Delaware River Basin Compact, cases and controversies arising under the Compact are reviewable in the United States district courts.

t. The docket holder may request of the Executive Director in writing the substitution of specific conductance for TDS. The request should include information that supports the effluent specific correlation between TDS and specific conductance. Upon review, the Executive Director may modify the docket to allow the substitution of specific conductance for TDS monitoring.

u. Whenever the Commission's Drought Management Plan (present or future) indicates that storage levels in the Delaware River Basin have fallen below normal

conditions for five consecutive days, and the daily mean "Equivalent Flow" (as measured at the Trenton U.S.G.S. gage, minus the previous day's release from Merrill Creek Reservoir, and including appropriate adjustments for directed releases from Blue Marsh Reservoir) is below 3,000 cfs and is forecast to remain below 3,000 cfs for the next day, or whenever the salt front (250 isochlor) is above River Mile 92.5, the docket holder shall operate the power supply project at a level corresponding to the equivalent consumptive use that the docket holder can replace on a daily basis, or as otherwise approved by the Executive Director of the DRBC. The docket holder has purchased storage in Merrill Creek so that they do not have to curtail operations when the Delaware River is under these conditions. The docket holder shall operate the WDES in accordance with its approved Operating Plan. The docket holder may request the Commission's Executive Director to approve an amended Operating Plan should it be necessary.

BY THE COMMISSION

DATE APPROVED: **September 16, 2015**

EXPIRATION DATE: **September 16, 2020**