

DELAWARE RIVER BASIN COMMISSION

MEETING OF DECEMBER 9, 2015

Minutes

Commissioners Present: Kara S. Coats, Delaware, Chair
Lieutenant Colonel Michael A. Bliss, United States, Vice Chair
Kelly J. Heffner, Pennsylvania, Second Vice Chair
Daniel M. Kennedy, New Jersey
Angus Eaton, New York

DRBC Staff Participants: Steven J. Tambini, Executive Director and Hearing Officer
Kenneth J. Warren, Warren Glass LLP, General Counsel
Pamela M. Bush, Commission Secretary & Assistant General Counsel
Thomas J. Fikslin, Branch Manager, Modeling, Monitoring and Assessment
Richard C. Gore, Chief Administrative Officer
David Kovach, Supervisor, Project Review
William J. Muszynski, Branch Manager, Water Resources Management
Hernan Quinodoz, Senior Engineer/Hydrologist, Operations

The Commission met at the Washington Crossing Historic Park Visitor Center in Pennsylvania on December 9, 2015.

Minutes. The Minutes for the Commission Meeting of September 16, 2015 were approved unanimously.

Announcements. Ms. Bush announced the following meetings:

- *DRBC Toxics Advisory Committee (TAC).* The TAC will meet on Wednesday, January 6, 2016 at the DRBC's office building in West Trenton, New Jersey at 10:00 a.m. Contact Ron MacGillivray at extension 252 for more information.
- *DRBC Flood Advisory Committee (FAC).* The FAC will meet on Wednesday, January 13, 2016 in West Trenton, New Jersey at 10:00 a.m. For more information, contact Laura Tessieri at extension 304.
- *DRBC Monitoring Advisory and Coordination Committee (MACC).* The MACC will meet on Thursday, January 14, 2016 at 9:30 a.m. at the John Heinz National Wildlife Refuge at Tinicum, Cusano Environmental Education Center, located at 8601 Lindbergh Boulevard, Philadelphia, PA. *Please note this is a change of location.* Contact John Yagecic, 609-883-9500, extension 271 for more information.

- *DRBC Water Quality Advisory Committee (WQAC)*. The WQAC will meet on Thursday, January 28, 2016 in West Trenton, New Jersey at 10:00 a.m. Contact Erik Silldorff at extension 234 for more information.

Hydrologic Conditions. Mr. Quinodoz reported on hydrologic conditions in the Basin:

The observed precipitation for the portion of the Basin above Montague, New Jersey for the period January 1 through December 6, 2015 was 40.36 inches or 2.20 inches below normal. The observed precipitation for the Basin above Trenton for the same period was 40.76 inches or 4.20 inches below normal and for the Basin above Wilmington, Delaware for this period, 44.79 inches or 4.52 inches above normal.

The average observed streamflow of the Delaware River at Montague, New Jersey in November 2015 was 4,393 cubic feet per second (cfs), or 97 percent of the long-term average for the month. The average observed streamflow of the Delaware River at Trenton, New Jersey for the same period was 8,351 cfs, or 83 percent of the long-term average for the month.

For December 1-6, the average observed streamflow at Montague was 4,883 cfs, or 97 percent of the long-term average for the month. The average streamflow at Trenton during the same period was 9,202 cfs, or 71 percent of the long-term average for the month.

In the Lower Basin, as of December 7, 2015, Beltzville Reservoir contained 13.54 billion gallons (bg) usable, or 100 percent of usable storage, and Blue Marsh contained 4.50 bg usable, or 102 percent of winter pool usable storage. As of November 30, Merrill Creek contained 14.05 bg usable, or 90 percent of usable storage.

In the Upper Basin, as of December 7, Pepacton Reservoir contained 98.5 bg usable or 70.3 percent of usable storage. Cannonsville contained 64.5 bg usable, or 67.4 percent of usable storage. Neversink contained 33.0 bg usable or 94.4 percent of usable storage. The total New York City Delaware Basin reservoir storage was 196 bg usable or 72.4 percent of usable storage.

During the month of November 2015, the location of the seven-day average of the 250-parts-per-million (ppm) isochlor, also known as the “salt front,” ranged from River Mile (RM) 80 to RM 73. The normal location of the salt front during November is RM 70, which is eight miles downstream of the Delaware-Pennsylvania state line. As of December 6, the salt front was located at RM 73, which is four miles upstream of the normal location of the salt front during December.

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

- *DRBC Changes Public Hearing and Meeting Format*. Beginning with the December 2015 business meeting, the Commissioners will implement on a trial basis a new format that separates the public hearing from the business meeting by four to five weeks. The fourth quarter public hearing was held on November 10. In another change to the format, the segment that we have previously called “Public Dialogue” will be renamed “Open Public Comment.” During each quarter, and time permitting, there will be two Open Public Comment sessions – one immediately following the close of the public hearing and the other upon conclusion of all official business at the public business meeting. FAQs posted on the DRBC web site provide details regarding the format of these sessions, as well as for

DRBC's public hearings and business meetings. These new procedures are focused on safety and making sure that people have an opportunity to speak and be heard. The trial for the new procedures will continue through 2016, after which additional changes may be made.

- *Delaware River Recreation Maps.* The Delaware River Recreation Maps are available for purchase on the DRBC web site now at a reduced price. They're just 10 dollars for ten comprehensive, waterproof maps that are great holiday gifts. DRBC is not trying to make a profit with these, only to recover our costs.
- *DRBC 2016 Water Quality Assessment for the Delaware River and Bay.* A draft methodology for the 2016 Water Quality Assessment for the main stem river and bay has been posted for comment on the Commission's website. Comments are due by December 31, 2015.
- *DRBC Flood Resources Web Portal.* The Commission's website has a new flood resources portal that includes links and detailed information about flood forecasts, flood alerts, and flood preparedness from multiple reliable sources, including the National Weather Service. The time to prepare for floods is not the day before or during the next big storm – it's now. Residents of flood-prone areas are encouraged to visit the portal and learn what it contains in advance of the next potential flood event. DRBC also welcomes feedback from users regarding how to improve the portal.
- *DRBC Branch Manager to Retire.* Earlier this year, DRBC's Water Resource Management Branch Manager Bill Muszynski announced his retirement effective April 1, 2016. Before that date, Bill is being recognized for his great work over a long career in many different ways. Most recently, the Schuylkill Action Network named Bill its 2015 "Most Valuable Partner" for his contributions to the work of the Schuylkill River Restoration Fund. On behalf of the DRBC staff, Mr. Tambini congratulated Bill for this recent award.
- *Annual Washington Crossing Reenactment.* A rehearsal will take place Sunday, December 12 for the reenactment of George Washington's courageous Christmas Day crossing of the Delaware River during the freezing winter of 1776. Mr. Tambini noted that this event was pivotal for our nation in multiple ways and deserves more recognition than it receives. He recommended the rehearsal and reenactment to anyone who could attend.

General Counsel's Report. Mr. Warren reported that the Commission had no pending litigation. For the record, he recused himself from hearing item number 6, Docket D-1991-088 CP-8 for Upper Gwynedd Township. Mr. Warren wished everybody a very happy holiday.

Resolution Authorizing the Executive Director to Enter into an Agreement with the University of Delaware for the Analysis of Water Quality Data Collected by the University on the Cape May – Lewes Ferry, for use in Refining Water Quality Models of the Delaware Estuary and Delaware Bay. Dr. Fikslin explained that the resolution would allow DRBC to enter into an agreement with the University of Delaware for the latter to analyze data the University collects on the Cape May – Lewes Ferry. Because collection times depend on the ferry schedule rather than the tides, the analysis is more complex than it otherwise might be. The Commission needs the data to better calibrate and refine a three-dimensional water quality model currently being developed with the U.S. Army Corps of Engineers and a one-dimensional model that DRBC is developing independently. Funding in the amount of \$24,375 for the analysis will come from DRBC’s annual Clean Water Act Section 106 Grant, administered by the U.S. Environmental Protection Agency. In accordance with Section 14.9 (5) of the *Compact*, competitive bidding provisions are deemed waived in view of the specialized and professional nature of the services being procured.

Hearing no further comments or questions concerning the proposal, Ms. Coats requested a motion to approve the resolution authorizing the Executive Director to enter into an agreement with the University of Delaware for the analysis of water quality data collected by the University on the Cape May – Lewes Ferry, for use in refining water quality models of the Delaware Estuary and Delaware Bay. Mr. Eaton so moved, Mr. Kennedy seconded his motion and Resolution No. 2015-8 was adopted by unanimous vote.

Resolution to Amend the *Administrative Manual Part II – Rules of Practice and Procedure* to Provide for the One Process/One Permit Program. Ms. Bush explained that sponsors of many water resource related projects in the Delaware River Basin currently are required to apply to both DRBC and a signatory party agency, among others, for approvals. Through implementation of a duly adopted administrative agreement between a participating Signatory Party agency and the Commission, the One Permit Rule creates a mechanism for including in a single instrument of approval all requirements of the DRBC and the state agency pertaining to programs covered by the agreement. “One Process/One Permit,” as the resulting program is called, will promote close interagency collaboration and meet the objectives of Section 1.5 of the *Compact*.

The public process for the required amendments to the *Rules of Practice and Procedure* ran for four and one-half months. It began with meetings among DRBC staff and regulated entities, environmental organizations and other stakeholders on February 12 and March 3, 2015, during which staff described the Program and received feedback. On February 27, a press release and a set of FAQs on the Program were posted to the DRBC’s website. On March 10 the Commission held a duly noticed public hearing and on March 11 it adopted Resolution No. 2015-4, authorizing and directing the Executive Director to initiate rulemaking to provide specific authorization for and define the scope of the Program. On May 5 DRBC hosted a joint meeting of our Water Quality and Water Management Advisory Committees, dedicated to discussion of the Program. A draft rule was published on the DRBC website on May 7, along with an updated version of the FAQs addressing issues raised by commenters during the stakeholder and advisory committee meetings and during the public hearing on Resolution No. 2015-4. Between May 17 and June 1, DRBC’s notice of proposed rulemaking appeared in the *Federal Register* and each of the state registers, after which a duly noticed public hearing was held on June 9 and written comments were accepted through July 1. During the complete comment period that began with publication of the register notices, we received 19 oral comments and 12 written submissions, which collectively were

offered in the names of 41 different named entities. Many included thoughtful and specific recommendations and requests for improving the rule. In consultation with the Commissioners, staff developed a detailed comment and response document that included recommended changes in response to comments received. Today, I am recommending that the Commissioners find the changes both responsive to the public's concerns and a logical outgrowth of the draft originally published for comment.

The recommended action consists of adoption of amendments to the *Rules of Practice and Procedure* by the addition of a new section 2.3.11 (18 CFR § 401.42) captioned "One Permit Program," the text of which is attached to the resolution in a clean form. The action would also adopt the staff memorandum dated December 1, 2015 as the Commission's response to comments on the draft rule published in May of 2015. The memorandum includes a redline that compares the staff-proposed final rule with the proposed rule.

Upon the effective date of the rule, the March 2015 NJDEP Administrative Agreement will become the operative administrative agreement between the Commission and New Jersey Department of Environmental Protection (NJDEP), superseding DRBC's previous administrative agreement with NJDEP. In accordance with the final rule, administrative agreements between DRBC and other signatory party agencies that elect to participate in the Program will be approvable by the Commission after each such agreement undergoes a duly noticed public hearing. The final rule is proposed to become effective 30 days following its publication in the *Federal Register*.

Hearing no further comments or question, Ms. Coats requested a motion to approve the resolution amending the *Rules of Practice and Procedure* and adopting the comment and response memorandum. Mr. Eaton so moved, Mr. Kennedy seconded his motion, and Resolution No. 2015-9 was adopted by unanimous vote.

Project Review Applications. The Commission held a duly noticed public hearing on November 10, 2015 on 19 draft dockets for water-related projects. Mr. Kovach reported that the Commission received no substantive comments on 17 of these projects. He recommended approval of hearing items 1 through 14, 16, 17 and 19. A description of each of the applications is provided in an appendix to these Minutes. Thirteen of the projects are located in Pennsylvania, three in New Jersey, one in Delaware, and one in New York. One project is located in both Delaware and Pennsylvania.

Chairwoman Coats requested a motion to approve the draft dockets constituting hearing items 1 through 14, 16, 17 and 19, all of which were the subjects of a public hearing on November 10, 2015. Lieutenant Colonel Bliss so moved, Mr. Kennedy seconded his motion, and 17 dockets were approved by unanimous vote.

As Mr. Kovach prepared to describe the comments received on item 15 – docket D-2002-034 CP-4 for the Artesian Water Company – and item 18 – docket D-2015-018-1 for Sunoco Pipeline LP – a demonstration opposing the pipeline project began. Mr. Tambini explained that in accordance with the published meeting procedures, signs, placards, banners and other display media are permitted only as long as they do not interfere with the ability of non-demonstrators to see and

hear and do not otherwise disrupt the meeting. He asked sign-holders to allow those behind them to see. Ms. Coats encouraged everyone to make sure all attendees had a full view.

Mr. Kovach turned to hearing item 15, docket D-2002-034 CP-4 for the Artesian Water Company, approving the Broad Run well. He explained that many commenters had expressed concern over this well over the past year and DRBC had participated in a number of meetings with the docket holder and others concerning the project. He said that among the many comments received on the project were a number that demonstrated high technical proficiency and really challenged the staff. Staff had addressed these in a thorough comment and response document provided earlier to the Commissioners, including proposed revisions to the docket. He said the changes primarily concern the monitoring program associated with the Broad Run, PA Well – in particular, the pre-pumping phase and operation pumping phases. Modifications to the docket itself consisted mainly of clarifications of language. Mr. Kovach said that some of the proposed modifications to the monitoring program will improve the quality of the data DRBC receives. He noted that the organization Save Our Water, and individuals such as Denis Newbold and Jan Bowers of Chester County Water Resources Authority had provided technical comments and questioned the way some docket conditions were written. He said staff's revisions were intended to provide a level of specificity that would satisfy the commenters.

Mr. Kovach said comments received on the monitoring plan primarily concerned the stream gaging, including questions about the instruments to be used. The revised docket requires the use of a particular electronic, calibrated velocity instrument – the Marsh McBirney flo-mate. The depth at which velocity monitoring would occur was also a concern. Staff made clear that measurements must be taken at the industry standard of 60 percent of the total depth of the stream below the water surface or forty percent of the total depth of the stream above the stream bottom. A requirement was added for multiple measurements to be made along the transect at each location to accommodate any variability that might occur with measuring or with the instrument, and for those measurements to be averaged as the flow at one point along the transect.

Additionally, in instances where there are three inches of water or less, the docket now requires the use of an instrument capable of measurement at that depth. The monitoring plan also requires weekly velocity measurements at the beginning of the plan in order to establish a rating curve. Commenters had requested that weekly velocity measurements be made during the low-flow period from about June 1 to October 15 as well. Staff required that weekly measurements be performed from June 1 through October 15 during the first year to fill out the rating curve to accommodate base flow observations of low flow in the stream. The monitoring plan formerly had required such readings only from April through August. Ultimately, all were in agreement that the June to mid-October period would more accurately represent low flow for the stream. Mr. Kovach explained that the objective is to round out the rating curve of the stream with measurements of average to higher flows in the spring as well as low flows. Real observations of velocity will inform the rating curve, and ultimately the flow will be measured by transducers installed at prescribed locations and calibrated with the rating curve.

Commenters also expressed concern about the amount of time that it takes streams to recede after precipitation events. The U.S. Geological Survey recommends approximately three to seven days, depending on the stream. However, in order to accommodate and measure base flow and non-

stream flow recession, staff recommends that flow velocity measurements not be made within seventy-two hours of a precipitation event.

Mr. Kovach said the remaining modifications to the docket were clarifications in language, some of which were proposed by commenters and others that were initiated by staff. He noted that all of the comments received on the project are addressed in staff's comment and response document, which will become a public record. Mr. Kovach recommended approval of docket D-2002-034 CP-4 for the Artesian Water Company.

Chairwoman Coats requested a motion to approve the Artesian Water Company docket. Ms. Heffner so moved, Mr. Kennedy provided a second, and hearing item 15 – docket D-2002-034 CP-4 for the Artesian Water Company – was approved by unanimous vote.

Mr. Kovach said the final docket – hearing item 18 – was docket D-2015-018-1 for Sunoco Pipeline LP's Pennsylvania Pipeline Project (f.k.a., "Mariner East"). The Commission received multiple comments on this docket before the close of the comment period on November 12, 2015.

Mr. Tambini stopped Mr. Kovach's presentation to remind several audience members to lower their signs so that no one's view was blocked. The sign-holders began to speak aloud their opposition to the project and the Commission's consideration of it. Ms. Coats suspended the meeting, asking the demonstrators to leave the room. Security personnel ended the disruption by escorting the demonstrators out. Ms. Coats then reopened the meeting.

Mr. Kovach noted that all of the comments received were addressed in a comment and response document that staff had provided to the Commissioners. He noted that one of the comments was an objection alleging that the project had been "fast-tracked". Mr. Kovach explained that DRBC staff disagree with this characterization, noting that as a routine matter, DRBC's Project Review Section gives construction projects priority over straight renewals in recognition of the fact that construction seasons are time-limited. Other commenters objected that the project does not meet DRBC criteria for inclusion of a project in the Comprehensive Plan. Mr. Kovach noted that the Sunoco pipeline was not required or proposed to be *added* to the Comprehensive Plan; rather, it must be approved *if it does not substantially impair or conflict with* the Comprehensive Plan.

Other comments consisted of objections to the project on grounds that it had not received other required state or federal approvals or was the subject of legal challenges. In general, Mr. Kovach noted that DRBC does not as a rule wait for all other state and federal approvals to be issued before the Commission proceeds with its own determination regarding a project. Rather, the Commission may act before other regulators, but in doing so, makes clear that the applicant must obtain all other required federal, state and local approvals before it can proceed. In response to comments specifically citing pending decisions by the Pennsylvania Public Utilities Commission (PUC), Mr. Kovach said that DRBC's determination is not dependent upon any particular action by the PUC. The PUC will act on its own schedule, which is not linked to DRBC's. In response to comments citing a legal challenge involving alleged wetlands violations by the project sponsor, Mr. Kovach said that this matter would be settled or adjudicated in due course, but did not involve the Commission.

Some commenters objected that wetlands were not properly classified by the applicant. Mr. Kovach explained that unless no state level review is taking place, the Commission's rules provide that it will not consider the alteration of fewer than 25 acres of wetlands. This project involves disturbance of approximately seven acres of wetlands, in connection with which a state review is ongoing. Staff noted that the wetlands classifications involved might change upon further state or federal review. However, staff solicited and obtained strong assurances from the applicant and state regulators that total affected wetlands would remain well below 25 acres.

A number of comments on the draft docket involved the Commission's *Flood Plain Regulations*. The DRBC's review in this respect concludes that because the pipeline is proposed to be buried well beneath the stream bed, the project will not exacerbate flooding.

Mr. Kovach concluded by recommending the approval of hearing item number 18, docket D-2015-018-1 for Sunoco Pipeline LP.

Hearing no further questions, Ms. Coats requested a motion to approve Sunoco Pipeline LP's Pennsylvania Pipeline Project. Ms. Heffner so moved, Mr. Kennedy seconded her motion and the docket D-2015-018-1 for Sunoco Pipeline LP was approved by a vote of four in favor, with an abstention by LTC Michael Bliss on behalf of the United States.

Chairwoman Coats thanked the DRBC staff, expressing the Commissioners' great appreciation for their hard work.

Audio Recording. An audio recording of the public hearing of November 10, 2015 and a professional transcript of portions of the hearing are on file with the Commission Secretary. A description of each of the approved dockets is provided as an Attachment to these Minutes.

Adjournment. Ms. Coats requested a motion to adjourn the Commission's Business Meeting of December 9, 2015 and begin the Open Public Comment session. Mr. Eaton so moved, Lieutenant Colonel Bliss seconded his motion and the meeting was adjourned by unanimous vote at approximately 11:30 a.m.

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 DECEMBER 9, 2015

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 of the projects approved by the Commission on December 9, 2015 were subjects of a duly noticed public hearing on November 10, 2015. Descriptions of the projects for which the Commission issued approvals on December 9 are listed below, in the order in which they were presented at the November 10 public hearing.

A. Renewals with No Substantive Changes (hearing items 1 through 12).

1. Brookhaven Borough, D-1966-096 CP-4. An application to renew the approval of the applicant's existing 0.192 million gallons per day (mgd) wastewater treatment plant (WWTP) and its discharge. The WWTP will continue to discharge to Chester Creek at River Mile 82.93

- 4.3 (Delaware River - Chester Creek) in Brookhaven Borough, Delaware County, Pennsylvania.
2. Jim Thorpe Borough, D-1981-071 CP-5. An application to renew the approval of an existing surface water withdrawal (SWWD) of up to 13.175 million gallons per month (mgm) from an existing intake on Mauch Chunk Creek and up to 12.4 mgm of groundwater from existing Wells Nos. 1 and 4 for use in the applicant's West Side and East Side public water systems. The docket combines two previous DRBC approvals with a decrease in groundwater allocation. The wells are completed in the Mauch Chunk Formation, and the wells and surface water intake are located in the Mauch Chunk Creek - Lehigh River Watershed in the Borough of Jim Thorpe, Carbon County, Pennsylvania within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
 3. J. G. Townsend, Jr & Company, D-1989-048-4. An application to renew the approval of the existing importation of up to 15.5 mgm from the Chesapeake Bay Basin from existing Wells Nos. 1 and 5 to supply water to the applicant's vegetable processing facility. The applicant also seeks to renew the approval to withdraw up to 15.5 mgm of groundwater from five groundwater sources. The requested allocation is not an increase from the previous allocation. The project's existing groundwater withdrawals are approved by the Delaware Department of Natural Resources and Environmental Control (DNREC) and will continue to be regulated by DNREC in accordance with the Administrative Agreement (AA) between the Commission and the State of Delaware. The wells are located in the Savannah Ditch Watershed in the Town of Georgetown, Sussex County, Delaware.
 4. Hackettstown Municipal Utilities Authority, D-1991-030 CP-3. An application to renew the approval of the applicant's existing 3.39 mgd Water Pollution Control Plant (WPCP) and its discharge, as well as to approve the demolition of the existing equalization basin and its related appurtenances. Treated effluent will continue to be discharged to the Musconetcong River at River Mile 174.6 - 28.3 (Delaware River - Musconetcong River) via Outfall No. DSN002A, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Washington Township, Morris County, New Jersey.
 5. Bucks County, Neshaminy Manor, D-1991-036 CP-3. An application to renew the approval of an existing groundwater withdrawal (GWD) of up to 6.2 mgm to supply the applicant's Neshaminy Manor Complex from existing Wells Nos. 4 and 5. Well No. 4 is completed in the Lockatong Formation and Well No. 5 is completed in the Stockton Formation. The requested allocation is not an increase from the previous allocation. The wells are located in the Commission's designated Ground Water Protected Area (GWPA) in the Neshaminy Creek Watershed in Doylestown Township, Bucks County, Pennsylvania.
 6. Upper Gwynedd Township, D-1991-088 CP-8. An application to renew approval of the applicant's existing 6.5 mgd WWTP and its discharge. The WWTP will continue to discharge to Wissahickon Creek, which is a tributary of the Schuylkill River, at River Mile 92.5 - 12.8 - 12.7 (Delaware River - Schuylkill River - Wissahickon Creek) in Upper Gwynedd Township, Montgomery County, Pennsylvania.

7. Jackson Township Municipal Utilities Authority, D-1994-018 CP-3. An application to renew the approval of an existing import of up to 0.792 mgd of groundwater from the Atlantic Basin from existing Well No. 14 to supply water to the applicant's Six Flags Great Adventure Theme Park Complex. The application will also renew the approval of an existing groundwater withdrawal of up to 30 mgm to the applicant's theme park complex from existing Wells Nos. 7, 10 and ASR-12, completed in the Upper Potomac-Raritan-Magothy Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Crosswicks Creek Watershed in Jackson Township, Monmouth County, New Jersey.
8. Pennsylvania American Water Company, D-1999-030 CP-5. An application to renew the approval of an existing GWD of up to 81.778 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. G1, G5, G7, G8, G9, G9A, GL2A, DG3, DG4, DG6, DG11, DG12A and DG13. Wells Nos. G1, G5 and G7 are completed in Hornblende Gneiss; Wells Nos. G8, G9 and 9A are completed in a fanglomerate aquifer and Wells Nos. GL2A, DG3, DG4, DG6, DG11, DG12A and DG13 are completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The project wells are located in the Trout Run, Schuylkill River and Manatawny watersheds in Amity, Exeter and Lower Alsace townships, Berks County, Pennsylvania.
9. Fleischmanns Village, D-2002-033 CP-2. An application to renew approval of the applicant's existing 0.16 mgd WWTP and its discharge. The WWTP will continue to discharge to Bush Kill, which is a tributary of Dry Brook, which is a tributary of the East Branch Delaware River, at River Mile 330.7 - 56.8 - 1.2 - 4.4 (Delaware River – East Branch Delaware River – Dry Brook – Bush Kill) and is located 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, in the Village of Fleischmanns, Delaware County, New York.
10. Tuthill Corporation & Aquashicola-Little Gap, Inc., D-2008-023-4. An application to renew the approval of the applicant's existing 0.06 mgd Blue Mountain Ski Area WWTP and its discharge, as well as its expansion to 0.28 mgd. Treated effluent will continue to be discharged to Aquashicola Creek at River Mile 183.66 - 36.32 - 5.73 (Delaware River – Lehigh River – Aquashicola Creek) via Outfall No. 002, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Lower Towamensing Township, Carbon County, Pennsylvania.
11. Kinsley Group Family, LP, D-2010-005 -3. An application to renew the approval of the applicant's existing 0.02 mgd Kinsley Shopping Center (KSC) WWTP and its discharge. The Pennsylvania Department of Environmental Protection (PADEP) and DRBC have based effluent limitations on a discharge flow of 0.0177 mgd. Treated effluent will continue to be land-discharged to grade seepage beds in the Weir Creek Watershed near River Mile 183.66 - 40.88 - 6.30 - 6.51 - 7.40 - 2.40 (Delaware River – Lehigh River – Pohopoco Creek – Beltzville Reservoir – Pohopoco Creek – Weir Creek), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Chestnuthill Township, Monroe County, Pennsylvania.
12. Reading Area Water Authority, D-2010-009 CP-2. An application to renew the approval of the applicant's existing 35 mgd Maiden Creek water filtration plant (WFP) and its discharge of

up to 4.3 mgd of filter backwash, pump seal water, chlorine analyses, and diesel generator cooling water. The PADEP and DRBC have based effluent limits on a discharge flow of 3.26 mgd. Treated effluent will continue to be discharged to Maiden Creek at River Mile 92.47 - 85.63 - 0.24 (Delaware River – Schuylkill River – Maiden Creek) via Outfall No. 001, in Ontelaunee Township, Berks County, Pennsylvania.

B. Renewals with Substantial Changes (hearing items 13 through 16).

13. Spring City Borough, D-1974-061 CP-5. An application to renew the approval of the applicant's existing 0.6 mgd WWTP and its discharge. The applicant has also requested approval to expand the WWTP to 0.787 mgd. Treated effluent will continue to be discharged to the Schuylkill River at River Mile 92.47 - 41.3 (Delaware River – Schuylkill River) via Outfall No. 001, in Spring City Borough, Chester County, Pennsylvania.
14. Chalfont-New Britain Township Joint Sewage Authority, D-1999-063 CP-3. An application to renew the approval of the applicant's existing WWTP and its discharge, and to approve a re-rate of the hydraulic capacity of the WWTP from 6.0 mgd to 7.0 mgd. No modifications to the WWTP are proposed; the applicant has performed design calculations demonstrating that the existing WWTP can treat up to 7.0 mgd. The WWTP will remain at an average annual design flow of 4.625 mgd and will continue to discharge to Neshaminy Creek at River Mile 115.63 - 37.4 (Delaware River – Neshaminy Creek) in Doylestown Township, Bucks County, Pennsylvania.
15. Artesian Water Company (AWC), D-2002-034 CP-4. An application to renew the approval of an existing import project of up to 3.0 mgd from the Chesapeake Bay Basin from the Old County Road, Chesapeake City Road and Eastern States well fields, and up to 3.0 mgd from the Susquehanna River Basin from an interconnection with Chester Water Authority to augment water supply to the applicant's public water supply system. The applicant also seeks approval of new Well Broad Run PA for inclusion in the AWC public water supply system and renewal of the approval to withdraw up to 612.83 mgm of groundwater for the applicant's public water supply distribution system. AWC is not requesting an increase in groundwater withdrawal allocation. The water supply system and wellfields are located in New Castle County, Delaware and New Garden Township, Chester County, Pennsylvania.
16. Union Lake Hotel, Inc., D-2012-018 -2. An application to renew the approval of the applicant's existing 0.06 mgd Camp Equinunk WWTP and its discharge. The applicant has also requested approval to modify the WWTP without expanding its capacity. The WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of Little Equinunk Creek at River Mile 312.7 - 3.64 - 2.37 (Delaware River - Little Equinunk Creek - UNT) via Outfall No. 001, 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, in Manchester Township, Wayne County, Pennsylvania.

C. New Projects (items 17 through 19).

17. Pennsylvania American Water Company, D-2015-015 CP-1. An application to approve a new intermittent discharge of up to 1.93 mgd of process wastewater from the applicant's existing

18.0 mgd Norristown WFP. The project consists of constructing a new outfall to the Schuylkill River and modifying the existing WFP facilities to allow for the intermittent discharge of the clarifier supernatant. The WFP currently recycles the clarifier supernatant back to the head of the WFP treatment system. The WFP will discharge to the Schuylkill River at River Mile 92.47 - 24.5 (Delaware River - Schuylkill River) in the Borough of Norristown, Montgomery County, Pennsylvania.

18. Sunoco Pipeline LP, D-2015-018 -1. An application to approve the construction of the Delaware River Basin portion of the applicant's Pennsylvania Pipeline Project, including one new 20-inch diameter natural gas liquid (NGL) pipeline and one 16-inch diameter NGL pipeline constructed parallel to one another within a single 49.8-mile long right-of-way (ROW); one 2.3 mile long, up to 20-inch diameter lateral pipeline; and nine above-ground facilities. The project, taken together with existing SPLP pipeline systems, will provide NGL transportation of up to 700,000 barrels per day total, including the existing and proposed pipelines from the Utica and Marcellus Shale formations for both domestic and foreign markets. The two pipelines will be constructed parallel to one another within a 49.8-mile long, 75-foot wide construction (50-foot permanent) ROW, the majority of which is located within the applicant's existing Mariner East pipeline system ROW. The new 2.3-mile long lateral pipeline will be constructed within a new 75-foot wide construction (50-foot wide permanent) ROW. The docket also constitutes a special use permit in accordance with Section 6.3.4 of the Commission's *Flood Plain Regulations*. The project is located within multiple municipalities in Berks, Chester and Delaware counties, Pennsylvania.
 19. Public Service Electric & Gas, D-2015-019 -1. An application to approve the applicant's new temporary 0.35 mgd industrial wastewater treatment plant (IWTP) and its discharge. The IWTP will treat supernatant from a temporary sediment dewatering project utilizing a filtration treatment system consisting of dual train filter bags, Organoclay vessels, and granular activated carbon (GAC). The treated effluent from the IWTP will discharge to Water Quality Zone 3 of the Delaware River at River Mile 98.4, in the City of Camden, Camden County, New Jersey.
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