

DELAWARE RIVER BASIN COMMISSION

MEETING OF MARCH 10, 2021

Minutes

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

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

The Commission held its quarterly Business Meeting virtually to comply with guidelines in effect within one or more of the basin states during the Covid-19 pandemic. Shawn Garvin, Secretary, Delaware Department of Natural Resources and Environmental Control and Alternate Commissioner for Governor John C. Carney of Delaware, presided as the Commission's chair *pro tem*. Secretary Garvin welcomed attendees and noted that the virtual Business Meeting had been advertised on the DRBC website, in the member state and federal registers, by email, and via social media. In addition to the Zoom webinar platform and telephone access, the meeting was broadcast on YouTube. Secretary Garvin noted that after all business items were completed, Mr. Tambini would lead an Open Public Comment session of approximately one hour.

Minutes. Ms. Bush noted that one correction had been requested to the draft Minutes of December 10, 2020, and a corrected version of the Minutes had been circulated. On a motion by Mr. Kosinski, seconded by Mr. Hoffman, the Minutes of the Commission's regularly scheduled business meeting of December 10, 2020 were unanimously approved without further correction or comment.

Announcements. Ms. Bush announced that the DRBC Water Management Advisory Committee would meet on March 16, 2021 commencing at 10:00 a.m. and that a draft agenda and contact information for the Committee's staff liaison, Evan Kwityn, could be found on the DRBC website.

Hydrologic Conditions. Highlights of Ms. Shallcross's report are set forth below. A graphical summary of hydrologic conditions in the Basin as of March 8, 2021 can be accessed at: <https://www.state.nj.us/drbc/library/documents/hydro-rpts/weekly/030821.pdf>

Ms. Shallcross explained that as the agency responsible for managing the Basin's water resources, the Commission is concerned with the hydrologic cycle, which describes how and where water interacts among the atmosphere, land and water bodies.

Precipitation. Normal annual precipitation in the Basin is between 40 and 45 inches, depending upon location. Year-to-date precipitation as of the meeting date ranged from more than 70 inches along the Delaware coast to just over 40 inches in the northern and western parts of the Basin. The lowest amounts of precipitation over the past 12 months occurred along a corridor running from southwest to northeast, through Schuylkill, Pike and Sullivan counties. Over the same period, the Basin below Philadelphia received from 20 to 30 inches of precipitation above normal, while areas in the dry corridor received approximately 5 inches below normal, or 90 percent of normal.

The pattern for the 180 days preceding the meeting date was the same as for the previous 365 days, except that relative to normal conditions the dry corridor was even drier and the wet areas even wetter. The areas that received the least rainfall—approximately four inches—were along the corridor where Pennsylvania, New York, and New Jersey meet. The largest amounts of rain fell in the lower Basin, with up to 14 inches in southern Delaware. A persistent pattern was observed of a wetter lower basin, a somewhat drier upper basin, and a much drier corridor running from southwest to northeast in between.

During the winter of 2020-2021, the upper basin received up to 80 inches of snow in some areas, with the highest amounts above Cannonsville Reservoir. Southeastern Pennsylvania, near Philadelphia, received approximately 20-25 inches of snow, which is twice the normal amount. The lowest snowfalls occurred in the Poconos.

The snow water equivalent, or "SWE," is the amount of water contained in the snowpack, which is not the same as the depth of snow. The SWE in the upper basin ranged from two to six inches. The most recent snow survey indicated that more than 40 billion gallons of water was stored in snow within the watershed above the New York City reservoirs, or 1.5 times the historic snowpack for March. The spill mitigation program, under which releases from the reservoirs are made to provide space for anticipated snowmelt, was thus in effect.

Stream flows. As of the meeting date, many streams in the Basin were experiencing normal or above normal streamflow for this time of year, primarily due to snowmelt. Below normal streamflow was observed in some lower basin tributaries where all of the snow had melted and little rain had recently fallen.

The flow gage at Montague, New Jersey is significant because releases from the New York City reservoirs are required to ensure a flow past the gage of 1750 cubic feet per second or 1130 million gallons per day under the 1954 Supreme Court Decree. As of March 10, flow for the Delaware River at Montague was 4,920 cubic feet per second. Main stem flow had been below normal since mid-January because the precipitation received since then was stored in the snowpack. Downstream at Trenton, however, flow in the main stem was above normal at 13,400 cubic feet per second on March 10. The lower basin experienced several high flow events over the 12 months preceding the meeting

date, including Hurricane Isaias in August and a large storm on December 24-25, resulting in significant flooding along the Schuylkill River and tributaries below Trenton.

DRBC reservoir storage. Storage in the Basin was normal. F.E. Walter, a federally owned and operated flood control and recreation reservoir in the Lehigh Basin, was empty, in accordance with its normal seasonal operations. Later in March, the Corps would begin storing water to release for fisheries and whitewater rafting over the summer months. Blue Marsh reservoir, also operated by the Corps, was likewise at its winter pool level as of the meeting date and would begin to be filled later in March to bring it to its summer pool and recreation level. Beltzville does not have a seasonally low winter pool. The Commission uses storage from Blue Marsh and Beltzville reservoirs to meet a flow rate at Trenton of 1,940 million gallons per day or 3,000 cubic feet per second. DRBC has access to water in these and other reservoirs during a drought emergency.

New York City Delaware Basin storage. Combined storage in the New York City (also, “City”) reservoirs, the three largest reservoirs in the Basin, was normal for the time of year. The River Master uses releases from the City reservoirs to maintain a flow rate at Montague. The Commission’s basinwide drought management plan is also based on the combined amount of water stored in these three reservoirs. At times, releases from these reservoirs can make up a large percentage of flow in the main stem river. For much of the twelve months preceding the meeting date, storage in the City’s reservoirs was near normal except in the fall. Rain from the December 25 storm increased storage above normal levels. Precipitation in the reservoirs’ drainage areas after that date remained stored in snowpack, which was anticipated to provide up to 40 billion gallons of water to the reservoirs.

Salt front. One of the major drivers for the development of a Trenton flow objective was high salinity concentrations in the Delaware River Estuary during drought conditions. The Trenton flow objective ensures a certain amount of freshwater inflow into the Estuary to repel the salinity. The “salt front,” which is based on the location in the Estuary at which the concentration of chloride becomes greater than 250 mg/l for 7 days, is used as an indicator of salinity intrusion. For the most part, water in the Estuary at Philadelphia and Delran is fresh enough for use by industry and for drinking water serving the Philadelphia metropolitan area and central New Jersey. However, if the saltwater-freshwater interface migrates too far upstream, the use of this water may be compromised. On the meeting date, the salt front was at River Mile 70, which is typical for March.

Groundwater. Groundwater conditions in the Basin are measured by eleven indicator wells. The water levels in these wells reflect the amount of precipitation and its form (snow or rain) for the western and lower portions of the Basin. Areas with lower levels in early March are indicative of water still stored in the snowpack. Groundwater levels except in Monroe County, Pennsylvania, were normal or above normal as of the meeting date.

Drought outlook. At the end of 2020, areas in Pennsylvania and New York located west and north of the Commission’s office building in West Trenton, were under drought watches and warnings. However, most of those had been lifted, and the seasonal drought outlook indicated that the Basin was unlikely to experience drought conditions over the next few months.

Three-month outlook. Temperatures during the meeting week were expected to be in the 60s but cooler temperatures were expected for the remainder of March. The three-month outlook from the National Weather Service was for warmer temperatures and normal precipitation for the region.

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

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

- *Attendance.* Zoom data indicated there were a total of 52 people in attendance, including the Commission's members. No data exist for viewership on the YouTube platform.
- *Advisory Committee on Climate Change.* On March 2, 2021 the Commission's Advisory Committee on Climate Change hosted its first Climate Forum for the Delaware River Basin. Mr. Tambini thanked New Jersey Governor Phil Murphy for addressing the Forum. The technical sessions covered topics that consider the complex impacts of climate change on the water cycle, including the effect of sea level rise on marshes, floods, droughts and more. Dr. Ben Hemlington, lead for NASA's sea level rise team, was the forum's keynote speaker. Special guest Glenn 'Hurricane' Schwartz, meteorologist for NBC 10 Philadelphia, offered the attendees his perspectives on climate science. This year's Forum was a part of the Partnership for the Delaware Estuary's (PDE) biennial Science Summit. Mr. Tambini thanked PDE and its staff for their collaboration and support. He also recognized Kristin Bowman Kavanagh and Peter Eschbach of the DRBC for their leadership in organizing this successful inaugural event.
- *Hearing on Francis E. Walter Dam Reevaluation Study.* Mr. Tambini noted that the Pennsylvania House Republican Policy Committee had scheduled for March 18, 2021 a hearing on the Francis E. Walter Dam Reevaluation Study being performed by the U.S. Army Corps of Engineers. As a non-federal sponsor of the study, he said, DRBC would offer testimony at the hearing.
- *Hearing on Protecting the Delaware River Basin.* On February 22, 2021, DRBC Deputy Executive Director Kristen Bowman Kavanagh and Senior Environmental Toxicologist Dr. Ron MacGillivray delivered testimony before the Pennsylvania House Democratic Policy Committee on issues regarding protecting the Delaware River Basin. Ms. Cavanagh's remarks provided background on the DRBC and described its importance in managing, protecting, and improving the water resources of the Basin. Dr. MacGillivray discussed some of DRBC's key water quality programs, including PCB reduction, research on contaminants of emerging concern, and emergent issues such as perfluoroalkyl substances (PFAS).

- *Hearing on Infrastructure and Natural Resources.* Also, on February 22, 2021, DRBC's Manager of Water Resources, Amy Shallcross, testified before the New Jersey Assembly Special Committee on Infrastructure and Natural Resources concerning the impacts of climate change and sea level rise on flooding, water supply and droughts.
- *Publications.* Two new DRBC reports are now available on the Commission's website. The annual hydrologic conditions report, summarizing hydrologic conditions in the Basin for calendar year 2020, was completed in February. The *Nitrogen Reduction Cost Estimation Study: Final Summary Report*, prepared for the Commission by Kleinfelder, was completed in January. The latter is one of a number of studies being performed under DRBC Resolution No. 2017-4, concerning designated aquatic life uses in the Delaware River Estuary.

General Counsel's Report. Mr. Warren reported on three ongoing lawsuits in which the DRBC is involved:

Wayne Land and Mineral Group v. DRBC. In this case brought in 2016, a landowner in Wayne County, Pennsylvania seeks a declaration that its proposed high volume hydraulic fracturing (HVHF) activities are not a "project" as defined by the Compact, and thus are not subject to DRBC's project review authority. The district court judge has set a date of October 18, 2021 for trial in this matter. DRBC is exploring the implications for the case of the Commission's recent adoption of regulations prohibiting HVHF in the Basin. Counsel will in the near future be advising the court as to DRBC's view on those implications.

Yaw v. DRBC. In January 2021, Pennsylvania state senators Gene Yaw and Lisa Baker, along with the Pennsylvania Senate Republican Caucus and Damascus Township, commenced an action against the Commission seeking a declaration that the so-called *de facto* moratorium on HVHF in the Basin is unlawful or constitutes a taking for which just compensation is required. Because upon adoption of final regulations by the Commission in February, the so-called *de facto* moratorium expired by its own terms, this case, too, could be affected by the Commission's recent rulemaking prohibiting HVHF. Mr. Warren noted that meanwhile, Ms. van Rossum and the Delaware Riverkeeper Network intervened in the case, and the DRBC's response to the complaint would be due on March 15, 2021.

DRN v. DRBC (Gibbstown Logistic Center Dock 2). The DRBC conducted an administrative hearing on the Gibbstown Logistics Center Dock 2 docket in May of 2020. After considering the hearing record and the report of the hearing officer, the Commissioners again approved the docket at their business meeting of December 9, 2020. The Riverkeeper Network appealed the decision to the U.S. District Court for the District of New Jersey, and DRBC's response to the complaint would be due later in March.

Resolution for the Minutes Authorizing the Executive Director to enter into an agreement with Temple University's Water and Environmental Technology (WET) Center for technical and analytical services related to contaminants of emerging concerns. Dr. Suk read highlights of the proposed resolution and recommended that the Commissioners adopt it.

Hearing no questions or comments, Secretary Garvin requested a motion. LTC Park moved for adoption of the resolution as proposed, Mr. Kosinski offered a second, and the Resolution for the Minutes Authorizing the Executive Director to enter into an agreement with Temple University's Water and Environmental Technology (WET) Center for technical and analytical services related to contaminants of emerging concerns was approved by unanimous vote.

The text of the resolution follows:

RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes Authorizing the Executive Director to enter into an Agreement with Temple University's Water and Environmental Technology (WET) Center for technical and analytical services related to contaminants of emerging concern.

WHEREAS, Resolution No. 2000-13 provided in part that the Commission "shall continue to work cooperatively with the signatory parties, their agencies, and dischargers to control the discharge of toxic substances that could adversely affect human health and aquatic and other wildlife in the Delaware Estuary"; and

WHEREAS, Resolution No. 2013-7 reauthorizing the Toxics Advisory Committee identified ambient surveys for contaminants of emerging concern and testing for toxicity in ambient waters of the Estuary and its tributaries as ongoing initiatives for the control and abatement of toxic contaminants in Basin waters; and

WHEREAS, Temple University's Water and Environmental Technology (WET) Center has been a valued collaborator with the DRBC on such matters as:

- analyzing pharmaceuticals and personal care products in the Delaware River Estuary and tributaries thereto, resulting in the 2020 publication, "Occurrence and aquatic toxicity of contaminants of emerging concern (CECs) in tributaries of an urbanized section of the Delaware River Watershed," AIMS Environmental Science, 2020, 7(4): 302-319. doi: 10.3934/environsci.2020019;
- assessing the ability of green adsorbents to improve water quality and green stormwater infrastructure; and
- analyzing microplastics for samples collected in the Delaware River Estuary; and

WHEREAS, the Temple WET Center has the capacity to perform two specialized alternative effects-based tests for toxic substances – the Yeast Endocrine Screen (YES) and Yeast Androgen Screen (YAS) – as well as to conduct target and non-target analysis of per- and polyfluoroalkyl substances (PFAS); and

WHEREAS, both DRBC and the Temple WET Center continue to plan and perform projects relating to the control of toxic substances in the Delaware River and Bay, including under:

- a Pennsylvania Coastal Resources Management Program grant awarded to the DRBC on December 21, 2020 that includes funds for YES and YAS testing of ambient samples; and
- a Pennsylvania Sea Grant award, if secured, for the funding cycle running from February 1, 2022 through January 31, 2024, of which half is proposed for analysis of target and non-target PFAS;

Now therefore, BE IT RESOLVED by the Delaware River Basin Commission:

1. The Executive Director is authorized to enter into an agreement with the Temple University Water and Environmental Technology (WET) Center for studies relating to the monitoring, maintenance, and improvement of water quality.

2. Unless additional funds are awarded to the Commission or allocated by it for the purposes specified below, such agreement shall be limited to:

- a. Expenditures not to exceed \$15,400 for effects-based toxicity testing under the Pennsylvania Coastal Resources Management Program grant awarded to the DRBC on December 21, 2020.
- b. Expenditures not to exceed \$59,785 for the analysis of target and non-target PFAS under a Pennsylvania Sea Grant award for the funding cycle running from February 1, 2022 through January 31, 2024, *if secured*.

3. Because the analytical services to be provided under the agreement hereby authorized are of a specialized and professional nature, in accordance with Article 14.9 of the Delaware River Basin Compact, the requirement for competitive bids for the purposes set forth above is waived.

4. This Resolution for the Minutes shall take effect immediately.

Resolution for the Minutes Authorizing the Executive Director to enter into a contractual agreement for analytical services for the analysis of 1,4-dioxane in water samples from the Delaware River and its tributaries. Dr. Suk read highlights of the proposed resolution and recommended that the Commissioners adopt it.

Hearing no questions or comments, Secretary Garvin requested a motion. Mr. Hoffman moved for adoption of the resolution as proposed, Mr. Kosinski offered a second, and the Resolution for the Minutes Authorizing the Executive Director to enter into a contractual agreement for analytical services for the analysis of 1,4-dioxane in water samples from the Delaware River and its tributaries was approved by unanimous vote.

The text of the resolution follows:

RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes authorizing the Executive Director to enter into a contract for analytical services for the analysis of 1,4-Dioxane in water samples from the Delaware River and its tributaries.

WHEREAS, 1,4-Dioxane, a synthetic industrial chemical identified by the U.S. Environmental Protection Agency (EPA) as a likely human carcinogen, has recently been detected in ambient surface water in the Delaware River; and

WHEREAS, the New Jersey Department of Environmental Protection has established an External Working Group in which the Commission and others are participants, to develop a coordinated approach to monitoring, identifying pollutant sources (trackdown), and addressing the science and policy issues arising from the presence of 1,4-Dioxane in the Delaware River; and

WHEREAS, the Commission's Toxics Advisory Committee (TAC) on January 28, 2021 received a detailed presentation on the data and information then available, and on recommended actions concerning 1,4-Dioxane in the Delaware River; and

WHEREAS, monitoring and trackdown of 1,4-Dioxane are among the tasks included in the Commission's work plan for its 2021 Clean Water Act Section 106 (Water Pollution Control) grant administered by the EPA, and a Quality Assurance Project Plan has been submitted to the EPA for the appropriate tasks; and

WHEREAS, the analysis of water quality samples for 1,4-Dioxane is a highly specialized service that can properly be conducted only by qualified professionals and facilities; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Executive Director is authorized to enter into a contract with a carefully screened and qualified vendor for analysis of 1,4-Dioxane in water samples.
2. The amount of such contract shall not exceed \$50,000, the sum allocated for this work in the Commission's Clean Water Act Section 106 grant for Calendar Year 2021, unless additional funds are awarded to the Commission or allocated by it for this purpose.
3. Because the analytical services to be provided under the agreement hereby authorized are of a specialized and professional nature, in accordance with Article 14.9 of the Delaware River Basin Compact, the requirement for competitive bids for this purpose is waived.

This Resolution for the Minutes shall take effect immediately.

Project Review Applications. Mr. Kovach reported that 21 draft dockets had been subjects of a duly noticed public hearing on February 10, 2021. Consideration of one of these—a draft docket for the Hazleton City Authority (hearing item 19)—would be presented for the Commissioners' consideration at a later meeting to allow additional time for the Pennsylvania Department of

Environmental Protection to complete its water allocation permit review for the proposed withdrawal before the Commission considered issuing a renewal docket to the Authority.

The Commission had received comments on two of the remaining draft dockets—hearing item 12, for the Reading Area Water Authority and hearing item 7 for Waste Management Disposal Services of Pennsylvania. The Reading Area Water Authority requested that its draft docket be modified to provide for conservation releases from the Ontelaunee Lakes Dam at a consistent rate of 46.55 cfs, rather than at graduating rates linked to declining water elevations behind the dam as proposed in the draft docket. The requested change would align the Commission’s conservation release requirement with that established by Pennsylvania’s Water Allocation Permit issued in 2019. Mr. Kovach recommended that the table of graduated releases be removed from the docket and replaced with a flat conservation release of 46.55 cfs to align the condition with the corresponding provision of the state’s permit.

The draft docket for a leachate treatment plant owned and operated by Waste Management Disposal Services of Pennsylvania had been the subject of comments by the Delaware Riverkeeper Network (DRN). As DRN has in response to other proposed renewals of dockets for treatment plant discharges, it commented that monitoring, reporting, and treatment requirements for PFAS, Radium 226 and Radium 228 should be added to the docket. Mr. Kovach explained that the discharge in question is to water quality Zone 2 of the Delaware River, for which the DRBC has not established effluent limits, stream quality objectives, or treatment requirements for any of the three parameters that are subjects of DRN’s request. He explained that although the DRBC supports and has participated in the collection of data and information regarding emerging contaminants, it does not support the imposition of monitoring, reporting or treatment requirements in a piecemeal way. If effluent monitoring is required at some point in the future, he explained, it will be in accordance with a plan that is developed in coordination with DRBC’s member states and the United States, that has been subjected to public comment, and that is applied uniformly to similarly situated dischargers. A draft comment and response document prepared by staff and circulated to the Commissioners in advance of the meeting contains this proposed response.

With respect to Radium 226 and 228 in particular, Mr. Kovach added that he had looked at radiological data from three effluent samples from the leachate treatment plant discharge that had been submitted in connection with the National Pollutant Discharge Elimination System (NPDES) permit for the facility. He noted that the three samples, collected over a short period of time, showed an average of 0.69 picocuries per liter (pCi/L) of Radium 226 and 228 total. While the DRBC does not have a stream quality objective in Water Quality Zone 2 for either of these radioactive chemical elements, it does have a stream quality objective of 3 picocuries per liter for alpha emitters. In two of the three effluent samples, alpha emitters exceeded the Commission’s three-picocurie-per-liter in-stream water quality objective. The average of the three samples was about 3.62 picocuries per liter, slightly above the water quality objective. The highest reported concentration was 6.73 picocuries per liter of gross alpha. In order to better characterize the presence of gross alpha in effluent from the facility, Mr. Kovach said the staff were recommending that the draft docket be amended to require monthly effluent monitoring and reporting for gross alpha to determine whether

additional treatment might be required to remove or reduce alpha emitter concentrations in this discharge.

Mr. Kovach recommended that the Commissioners approve the dockets comprising hearing items (and docket agenda items) 1 through 18, and 20 and 21.

Hearing no further comments or questions, Secretary Garvin requested a motion. Ms. Atkinson moved for approval of docket items 1 through 18, 20 and 21 with the amendments described by Mr. Kovach. Mr. Hoffman offered a second, and the draft dockets comprising items 1 through 18 and 20 through 21 of the meeting agenda were approved by unanimous vote.

Adjournment. Mr. Garvin asked the Commissioners and staff whether any other matters required the commissioners' consideration during the business meeting. Hearing none, Mr. Kosinski moved for adjournment, Ms. Atkinson seconded, and the meeting was adjourned by unanimous vote at 11:26 a.m.

Audio Recording. Audio recordings of the public hearing of February 10 and the Business Meeting of March 10, 2021 are on file with the Commission Secretary. A description of each of the applications for dockets approved during the Business Meeting of March 10, 2021 is provided as an attachment to these Minutes.

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

Pamela M. Bush

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

Commission Secretary and Assistant General Counsel

ATTACHMENT
DESCRIPTION OF PROJECTS APPROVED BY THE COMMISSION DURING THE
BUSINESS MEETING OF MARCH 9, 2021

Background. Projects subject to Commission review in accordance with the Delaware River Basin Compact and Commission regulations must have the Commission's approval in the form of a docket, permit or resolution (collectively, "docket"). The Commission's project review process takes six to nine months to complete, and the public is informed of the status of project applications by a variety of means during that period. Each project for which an application is received is added to the "Project Review Status Report" maintained on the DRBC website. This report includes the applicant's name and project location, a description of the proposed project, the docket number assigned to the project, and the name of the staff member reviewing the project. A list of applications received also is compiled approximately five times a year and posted on the Commission's website as a "Notice of Applications Received" (NAR). An "Interested Parties List" (IPL) is created for each project under review. Anyone can have his or her name added to the IPL for a given project. All those listed on the IPL receive email notification of public notices for the project as they are posted on the Commission's website, including the notice advertising the public hearing. Members of the public seeking additional information about a project may contact the staff member reviewing the project or arrange by appointment to review the relevant Project Review file at any time that is mutually convenient for the staff and the party. Approximately six weeks before the Commission's scheduled public hearing date, draft dockets are circulated to the Commission's members for review and comment by the appropriate state and federal agencies. Shortly thereafter, a public notice, including descriptions of the draft dockets, is filed with state and federal bulletins or registers. Ten or more business days prior to the hearing date, the hearing notice, along with draft dockets, is posted on the Commission's website. Written comment on hearing items is accepted through the close of the public hearing. At the Commissioners' regularly scheduled public meetings, the Commissioners may approve, disapprove or postpone consideration of any docket for which a hearing has been completed.

Approved dockets are posted on the Commission's website as quickly as possible following the date on which the Commission acted. Delay of a few days may occur to complete clerical work, particularly in instances in which the Commissioners approve a docket with modifications. The projects are customarily considered in three categories—Category A, project renewals with no substantive changes; Category B—project renewals with substantive changes; and Category C—projects not previously reviewed by the Commission. Descriptions of the projects (based on the applications received, which may vary from final projects) for which the Commission issued approvals on December 11 are presented below.

A. Renewals with No Substantive Changes (Items 1 through 18 and 20 through 21).

1. Vicinity Energy, D-1964-074 -3. An application to renew the approval to withdrawal surface water from the Schuylkill River through Intake No. 1 for non-contact cooling, steam generation, and fire control and the consumptive use of water for electric generating and cogenerating. The docket reduces the existing surface water withdrawal allocation from 5,180 million gallon per month (mgm) to 1,860 mgm as the former Schuylkill Generating Station generating units no longer exist. The docket holder continues to provide water to two separate facilities and these projects previously described in Docket Nos. D-1995-010 CP-2 (Tri-Gen) and D-1995-032 CP-

2 (Grays Ferry Co-gen) are now incorporated into this docket. Docket Nos. D-1964-074 CP-2, D-1995-010 CP-2 and D-1995-032 CP-2 will be terminated and removed from the Comprehensive Plan. The withdrawal is located on the Schuylkill River at River Mile 92.47 - 5.60 (Delaware River - Schuylkill River) in the City of Philadelphia, Philadelphia County, Pennsylvania.

2. Pen Argyl Municipal Authority, D-1975-028 CP-5. An application to renew approval of the applicant's existing 0.95 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of Waltz Creek at River Mile 190.65 - 4.7 - 4.1 - 0.6 (Delaware River - Martins Creek - Waltz Creek - UNT of Waltz Creek) in 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 the Borough of Pen Argyl, Northampton County, Pennsylvania.
3. Lower Frederick Township, D-1978-041 CP-4. An application to renew the approval of the docket holder's existing 0.5 mgd WWTP and its discharge. The existing WWTP will continue to discharge treated effluent to Perkiomen Creek at River Mile 92.47 - 32.3 - 13.4 (Delaware River - Schuylkill River - Perkiomen Creek) via Outfall No. 001, in Lower Frederick Township, Montgomery County, Pennsylvania.
4. SPS TECHNOLOGIES, D-1979-088 -6. An application to renew the approval of an existing groundwater withdrawal of up to 8.99 mgm to supply water to the applicant's manufacturing plant from existing Well No. 7. The project well is completed in the Wissahickon Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) in the Upper Reach Frankford Creek Watershed in Abington Township, Montgomery County, Pennsylvania.
5. Pennsylvania Department of Conservation and Natural Resources, D-1980-007 CP-5. An application to renew the approval of an existing groundwater withdrawal of up to 3.1 mgm to supply the French Creek State Park from existing Wells A and B. The project wells are completed in the Hammer Creek Formation. The requested allocation is not an increase from the previous allocation. The State Park is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) within the French Creek Watershed in Union Township, Berks County, Pennsylvania.
6. GenOn REMA, LLC., D-1987-026 -5. An application to renew approval of the docket holder's existing 1.3 mgd discharge of treated industrial wastewater (coal-ash leachate) and stormwater from the closed Beagle Club Ash Disposal (BCAD) Site. The docket also renews the approval of a total dissolved solids (TDS) determination consisting of an effluent concentration limit of 3,500 mg/l (monthly average) and 7,000 mg/l (daily maximum) for the existing discharge. The BCAD site will continue to discharge up to 1.3 mgd to the Schuylkill River at River Mile 92.47 - 71.3 (Delaware River - Schuylkill River) in Cumru Township, Berks County, Pennsylvania.
7. Waste Management Disposal Services of Pennsylvania, Inc., D-1988-054 -8. An application to renew approval of the applicant's existing 0.3 mgd GROWS Landfill leachate treatment plant

(LTP) and its discharge. The LTP will continue to discharge treated effluent directly to Delaware River Water Quality Zone 2 at River Mile 125.6 in Falls Township, Bucks County, Pennsylvania.

8. Pennsylvania American Water Company, D-1988-089 CP-3. An application to renew approval of the applicant's existing 0.75 mgd Saw Creek WWTP and its discharge. The WWTP will continue to discharge treated effluent to Saw Creek at River Mile 226.9 - 3.6 - 0.9 (Delaware River - Bush Kill - Saw Creek) and is located in the drainage area to 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.
9. Lansdale Borough, D-1996-045 CP-4. An application to renew the approval of the existing 4.5 mgd WWTP and its discharge. The existing WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) to West Branch Neshaminy Creek at River Mile 115.63-40.0-5.35-1.25 (Delaware River-Neshaminy Creek-West Branch Neshaminy Creek-UNT Neshaminy Creek) via Outfall Nos. 001 and CSO Outfall No. 002, in Lansdale Borough, Montgomery County, Pennsylvania.
10. Pennsylvania American Water Company, D-1998-016 CP-4. An application to renew the approval of an existing groundwater withdrawal of up to 63.55 mgm to supply the applicant's Pocono District public water supply distribution system from existing Wells PF No. 7, PCP No. 2, PCP No. 3, PCP No. 4, PFE No. 2, PFE No. 4, Pine Hill, Summit Pointe, PMIPA, Coolbaugh No. 1, MP Field Office and Lexington Well No. 2. The project wells are completed in the Catskill Formation. The requested allocation is not an increase from the previous allocation. The project is located in the East Branch Tobyhanna Creek, Tobyhanna Creek, Devils Hole Creek, Tank Creek, Red Run and Indian Run Watersheds in Coolbaugh Township, Monroe County, Pennsylvania within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.
11. Dublin Borough, D-2000-011 CP-3. An application to renew the approval of an existing groundwater withdrawal of up to 7.13 mgm to supply the applicant's public water supply system from existing Wells Nos. 1, 2, 3 and 5. The project wells are completed in the Lockatong Formation. The requested allocation is not an increase from the previous allocation. The project wells are located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) in the Perkiomen and Tohickon Creek Watersheds in the Borough of Dublin, Bucks County, Pennsylvania, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.
12. Reading Area Water Authority, D-2000-059 CP-3. An application to renew the approval of an allocation of 35 million gallons per day (mgd) of water from the Lake Ontelaunee Dam Intake and approve an allocation of up to 20 mgd from the Maiden Creek Intake with a combined total allocation of 35 mgd (1,085 million gallons per month) for public water supply. The Lake Ontelaunee Dam and Reservoir are located on Maiden Creek in the Schuylkill River Watershed in Ontelaunee Township, Berks County, Pennsylvania.
13. Buckingham Township, D-2004-015 CP-4. An application to renew the approval of the docket holder's existing 0.236 mgd Buckingham Village WWTP and its seasonal discharge to Lahaska

Creek and to land via the existing Furlong lagoon treatment system which includes three sets of spray irrigation fields, referred to as the Kaplan, Coles, and Lindquist Spray Fields. Treated effluent not discharged to the Furlong spray fields will continue to be discharged to Lahaska Creek at River Mile 115.6 - 23.7 - 5.7 - 0.4 (Delaware River - Neshaminy Creek - Mill Creek-Lahaska Creek) in Buckingham Township, Bucks County, Pennsylvania.

14. Pleasant Valley School District, D-2008-005 CP-3. An application to renew approval of the applicant's existing 0.03 mgd Brodheadsville WWTP and its land discharge via spray irrigation. The WWTP will continue to discharge treated effluent to 12 existing spray fields located in the Weir Creek watershed, tributary to Pohopoco Creek, which is tributary to the Lehigh River. The spray fields are located in the drainage area to the Lower Delaware Special Protection Waters, in Chestnuthill Township, Monroe County, Pennsylvania.
15. Aqua Pennsylvania, Inc., D-2010-042 CP-2. An application to renew the approval of an existing groundwater withdrawal of up to 6.9 mgm to supply the applicant's Tanglewood public water supply distribution system from existing Wells 1, 1A, 2 (Eastwood) and 8 (Indian). The project wells are completed in the Catskill Formation. The requested allocation is not an increase from the previous allocation. The approval will also remove Big Bear Wells 3A and 3B from the system, the wells have been taken offline and are no longer part of the system. The project is located in the Kleinhans and Wallenpaupack Creek Watersheds in Palmyra Township, Pike County, Pennsylvania within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which is classified as Special Protection Waters.
16. Covanta Delaware Valley, LP, D-2011-003 CP-2. An application to renew the approval of Covanta Delaware Valley, LP's Delaware Valley Resource Recovery Facility (DVRRF), which derives energy from waste, and the subsidiary water allocation for the facility of up to 62.372 mgm from the Chester Water Authority (CWA) and Delaware County Regional Water Quality Control Authority (DELCORA) WWTP. The docket holder is not requesting an increase in subsidiary water allocation from that contained in its prior approval. The water is used for cooling purposes associated with power generation. The DVRRF is located in Chester City, Delaware County, Pennsylvania.
17. Tinicum Township, D-2014-014 CP-2. An application to renew approval of the applicant's existing 2.8 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the tidal portion of Darby Creek, which is located in Delaware River Water Quality Zone 2, at River Mile 85.5 - 1.8 (Delaware River - Darby Creek) in Tinicum Township, Delaware County, Pennsylvania.
18. Roamingwood Sewer and Water Association, D-1988-014 CP-4. An application to approve the proposed project to upgrade the docket holder's existing 1.755 mgd WWTP. Proposed upgrades will include the addition of nutrient and copper removal technology, in addition to the replacement of existing disinfection, sludge handling, piping, and appurtenant equipment. Treated effluent will continue to discharge to Ariel Creek at River Mile 277.7 - 15.8 - 14.2 - 3.5 (Delaware River - Lackawaxen River - Wallenpaupack Creek - Ariel Creek), within the drainage area to the Upper Delaware Special Protection Waters (SPW), upstream of Lake Wallenpaupack, in Salem Township, Wayne County, Pennsylvania.

19. [Item postponed to allow additional time for review.]
20. Aqua Pennsylvania Wastewater, Inc., D-2016-011 -3. An application to approve the docket holder's proposed project to modify its existing 0.070 mgd Thornhurst WWTP. Modifications include the replacement of the existing influent screening equipment, replacement of equalization pumping equipment, upgrade of aeration and equalization blower equipment, replacement of chlorine disinfection with ultraviolet disinfection, and appuertant equipment. The docket holder will continue to discharge treated effluent to Pond Creek, upstream of F.E. Walter Reservoir, at River Mile 183.7 - 88.8 - 2.5 (Delaware River - Lehigh River - Pond Creek), via Outfall No. 001, within the drainage area to the Lower Delaware Special Protection Waters, in Thornhurst Township, Lackawanna County, Pennsylvania.
21. Aqua Pennsylvania, Inc., D-2019-006 CP-1. An application to approve a groundwater withdrawal of up to 7.5 mgm to supply the applicant's Mountainhome public water supply distribution system from existing Wells Nos. 1 and 2. The wells are completed in the Long Run Member of the Catskill Formation in the Mill Creek Watershed, 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 Barrett Township, Monroe County, Pennsylvania.