

**TIDEWATER**  
ENVIRONMENTAL SERVICES, INC.  
1100 SOUTH LITTLE CREEK ROAD  
DOVER, DELAWARE 19901

March 3, 2010

Mr. Jack Hayes  
Department of Natural Resources and Environmental Control  
Division of Water Resources  
89 Kings Highway  
Dover, DE 19901

RE: Wandendale - Phased approach

Dear Mr. Hayes:

As you know we have submitted a detailed soils investigation report and a preliminary groundwater impact assessment that illustrate that our proposed RIB area at Wandendale has a capacity of 1.45 MGD. Our overall plan is to use the spray area as our "spare area"; however, we plan to implement our system in phases as it will take many years to approach the 1.45 MGD capacity.

At this point, our initial phases are estimated as follows:

Phase 1	150,000 gpd
Phase 2	150,000 gpd
Phase 3	<u>300,000</u> gpd
Total for first three phases	600,000 gpd

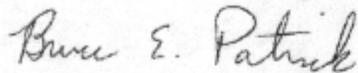
Initially, we are proposing to use  $\frac{1}{2}$  of the RIB area for the spare for the initial phases, so we would have 725,000 gpd capacity of spare area available for the first three phases. Based on this methodology, we do not need any additional spare area, until we approach the 725,000 gpd limit. Therefore, we are requesting that any additional soils or hydro-geo work needed to demonstrate the full spare area capacity of 1.45 MGD in the spray area be deferred until such time as it is needed. Our suggested approach would be to use the operating permit as a trigger for requiring the additional work, i.e., when we approach 80% of 725,000 gpd limit that we have available for spare, which would be 580,000 gpd or near the buildout of our third phase, we would need to start the additional work to demonstrate that we have 100% spare for the 1.45 MGD and it would need to be completed and approved before we could exceed 725,000 gpd.

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In summary, our approach is to secure a construction permit for 1.45 MGD, but our operating permit would be limited to 725,000 gpd until we demonstrate the additional spare area capacity as mentioned above. We believe that a phased approach like this makes a lot of sense and we request your concurrence as we proceed in this matter.

Should you have any further questions, please feel free to contact me at 302-734-7500, ext. 1023.

Sincerely,



Bruce E. Patrick, P.E.  
Vice President of Engineering  
Tidewater Environmental Services, Inc.

cc: Hilary Valentine