



## **Division of Water – Facts and Information**

Community Involvement Advisory Council (CIAC) Public Workshop

November 21, 2013

RE: Potential redevelopment of the former Vlasic Pickle site at 29984 Pinnacle Way, Dagsboro

### **Wastewater Permits**

**Spray Permit:** Current Pinnacle permit expires in 2016.

- Transfer of ownership is a minor amendment, which does not require public notice.
- Current permit allows discharge of processing water from plant pasteurizers by spray irrigation.
- If discharge changes to treated wastewater by way of spray irrigation, the permit needs to be amended.
  - This would be a major amendment to permit.
  - Requires a new Design Development Report.
  - Groundwater Discharges Section (GWDS) reviews and advertises the draft permit changes.
  - Public hearing will be held upon request. After a public hearing, the Hearing Officer issues a report including all information submitted as a part of the hearing process. The Secretary reviews the documents and issues a Secretary's Order with his determination of the path forward and the Order is implemented by Department staff.

**Rapid Infiltration Basins (RIBs) Permit:** GWDS has a letter of intent if plans proceed.

- Site Investigation Report (SIR) will be required.
- Groundwater Impact Assessment (GIA) will be required.
  - GWDS reviews SIR.
  - Water Protection Branch reviews GIA.
  - Once both are approved, applicant moves to facility design and submits application.
- Once construction permit application is received:
  - Advertise no less than 20 days.
  - Public hearing will be held upon request. After a public hearing, the Hearing Officer issues a report including all information submitted as a part of the hearing process. The Secretary reviews the documents and issues a Secretary's Order with his determination of the path forward and the Order is implemented by Department staff.
- After construction, an Operation Permit would be advertised and a public hearing will be held upon request. After a public hearing, the Hearing Officer issues a report including all information submitted as a part of the hearing process. The Secretary reviews the documents and issues a Secretary's Order with his determination of the path forward and the Order is implemented by Department staff.
- The Design Development Report (DDR), Site Investigation Report (SIR) and Groundwater Impact Assessment (GIA) may be submitted at the same time. Both construction permits require advertising and if requested a public hearing may be held for each permit at the same time.

### **National Pollution Elimination Discharge System (NPDES) Permit:**

- Pinnacle applied for a permit renewal prior to expiration of their existing permit.
- Pinnacle permit is administratively extended until such time as the Department takes action on the application in accordance with 7 Del. Admin. C. §7201- 6.21.2 of the *Regulations Governing the Control of Water Pollution* and their existing permit.
- Any stream discharge, including the current permit, requires an offset agreed to by the Department and subject to public review.
- Any new or revised permit will follow the permitting process including public notice and upon request, a public hearing on the proposed draft permit. After a public hearing, the Hearing Officer issues a report including all information submitted as a part of the hearing process. The Secretary reviews the documents and issues a Secretary's Order with his determination of the path forward and the Order is implemented by Department staff.

### **Water Supply Permits**

#### **Transfer of Existing Allocations Permits:**

Harim must submit the "acquisition of a water system" form.

#### **For Increased Water Supply Allocation Permits:**

#### General Application Procedures:

- Application for water allocation permits are made on forms provided by the Department. <http://www.dnrec.delaware.gov/wr/Information/WaterSupplyInfo/Documents/WAP%20MODIFICATION%20APP%20FOR%20PUBLIC%20INDUSTRIAL.pdf> and instructions at: [http://www.dnrec.delaware.gov/wr/Information/WaterSupplyInfo/Documents/Instructions\\_for\\_filing\\_a\\_water\\_allocation\\_application.pdf](http://www.dnrec.delaware.gov/wr/Information/WaterSupplyInfo/Documents/Instructions_for_filing_a_water_allocation_application.pdf)
- Information required on the application form shall include, but not be limited to, supply source(s), type of water use, withdrawal point locations, maximum daily, maximum monthly, and annual rates of withdrawal, conservation measures, estimated depletive use, water shortage contingency plans, and manner and location of wastewater disposal.
- The additional water requested in the application may not be used until the modified water allocation permit has been issued by the Department. However, the existing permitted quantity can be used.
- Upon receipt of a completed application, it shall be reviewed by the Department for completeness and consistency with local, State and Regional Water Resources Plan, Land Use Plans and zoning requirements. If the application is insufficient, incomplete, or prepared improperly, the applicant shall be notified within fifteen (15) working days as to what steps must be taken to make the application complete.
- Once an application is deemed complete, the application is advertised and upon request, a public hearing will be held.
- If no hearing is scheduled, the applicant will be notified of the Department's decision. Any denial of an application shall state reasons for denial. Upon request, a public hearing will be held. After a public hearing, the Hearing Officer issues a report including all information submitted as a part of the hearing process. The Secretary reviews the documents and issues a Secretary's Order with his determination of the path forward and the Order is implemented by Department staff.

**For questions or more information, please contact Kathy Stiller at 302-739-9949, or by email at [Kathleen.Stiller@state.de.us](mailto:Kathleen.Stiller@state.de.us)**