

DOCKET NO. D-99-49

DELAWARE RIVER BASIN COMMISSION

**Allen Family Foods, Inc.
Industrial Wastewater Treatment Plant Rerate
Village of Harbeson, Sussex County, Delaware**

PROCEEDINGS

This is an application referred to the Commission, pursuant to an Administrative agreement under Sections 2-3.4 (a) and 2-3.7 of the *Administrative Manual - Part II, Rules of Practice and Procedure*, by the Delaware Department of Natural Resources & Environmental Control (DNREC) on August 18, 1999, for review of an industrial wastewater treatment plant rerate project. The project was approved by the DNREC on September 30, 1999, subject to approval by the Delaware River Basin Commission (DRBC).

The application was reviewed for approval under Section 3.8 of the Delaware River Basin Compact. The Sussex County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on October 27, 1999.

DESCRIPTION

Purpose.—The purpose of this project is to rerate the applicant's existing industrial wastewater treatment plant (IWTP) from 0.91 mgd to an average monthly flow of 1.25 mgd.

Location.—The project IWTP is located on-site at the applicant's poultry processing facility in the Village of Harbeson, on the west side of Route 5, approximately 1,400 feet south of Route 18 in Sussex County, Delaware.

The project outfall is located in the Broadkill River watershed as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
001	38° 43' 11"	75° 17' 22"

Treated effluent will continue to be discharged to Beaverdam Creek at River Mile 0.71 - 0.28 - 8.5 - 6.8.

Area served.—The existing IWTP will continue to serve only the applicant's facility.

Physical features.—

a. **Design criteria.**—The existing IWTP was designed to provide 95 percent removal of BOD₅ and TSS and advanced treatment of 0.91 mgd for poultry process and sanitary wastewater. The project rerating is necessary to comply with the USDA mandate program "Zero Tolerance for Visible Fecal Matter", which requires additional washing of poultry prior to packing, as a food safety standard.

The applicant proposes to treat an average monthly flow of 1.25 mgd while meeting existing NPDES permit limits. During wet weather conditions, the plant will treat an additional 0.2 mgd of storm water.

b. **Facilities.**—Approved by Docket No. D-84-11 on August 15, 1984, the existing IWTP includes a bar screen, a grease skimmer, a polymer mix/application unit, a dissolved air floatation/skimmer unit, a 3 mg anoxic lagoon, two aeration wells, an alum addition unit, two clarifiers, a chlorination/dechlorination tank, two sludge digesters and a sludge filter press.

No new wastewater treatment facilities are proposed.

c. **Other.**—The potable water supply in the project service area is provided by the applicant's wells which were approved by Docket No. D-89-43 on September 27, 1989.

The project facilities are above the 100-year flood zone.

Emergency power is not provided because the poultry processing operations would cease during a power outage.

Wasted sludge will be hauled off-site by a licensed hauler for deposit at a State-approved facility.

The National Pollutant Discharge Elimination System (NPDES) Permit No. DE0000299 issued by DNREC on September 30, 1999, includes final effluent limitations for the receiving stream designated by DNREC for industrial and agricultural water supply, primary and secondary contact recreation and aquatic life. The following average monthly effluent limits are among those listed in the NPDES permit and meet or are more stringent than the effluent requirements of the DRBC.

PARAMETER	LIMIT
Waste Flow	1.25 mgd
pH (Standard Units)	6 to 9 at all times
Total Suspended Solids	23 mg/l (85% minimum removal-daily maximum)
BOD (5-Day at 20° C)	23 mg/l (daily maximum)
Ammonia Nitrogen	4 mg/l
Enterococcus	33 colonies per 100 ml as a geo. avg.
Phosphorus	3 mg/l (daily maximum)

The total dissolved solids (TDS) concentration in the effluent is expected to be less than 1,000 mg/l.

FINDINGS

There are no surface water intakes of record for public water supply downstream of the project discharge. The project is approximately 16 river miles from the Atlantic Ocean.

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

The proposed project is designed to produce a discharge meeting the effluent requirements as set forth in the Water Quality Standards of the DRBC.

At the project site, the Beaverdam Creek is intermittent. However, the Broadkill River is tidal located in Water Quality Zone 6, just downstream. The project TDS discharge does not represent a substantial impact to the brackish waters of Water Quality Zone 6. Also, the receiving stream is not designated for public water supply.

The project does not conflict with nor adversely affect the Comprehensive Plan, is physically feasible, and does not adversely influence the present or future use and development of the water resources of the Basin.

DECISION

I. The project is approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

- a. Approval is subject to all conditions imposed by the DNREC.
- b. The facility shall be available at all times for inspection by the DRBC.
- c. The facility shall be operated at all times to comply with the requirements of the Water Quality Standards of the DRBC.
- d. Any relaxation to the water quality-based effluent limitations of the NPDES Permit, which results in a change to the limitations that would permit any or all of them to exceed Commission Water Quality Standards will require the applicant to apply for revision to the docket in accordance with Section 3.8 of the *Compact*.
- e. Nothing herein shall be construed to exempt the applicant from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.
- f. The area served by this project is limited to the service area as described above. Any expansion beyond this area is subject to review in accordance with Section 3.8 of the *Compact*.
- g. Any requirements imposed by the National Pollutant Discharge Elimination System permitting agency shall supersede the requirements of this approval insofar as they impose more stringent treatment criteria.
- h. The applicant shall make waste water discharge in such a manner as to avoid injury or damage to fish or wildlife and shall avoid any injury to public or private property. The applicant shall assume all responsibility for any claims arising from the proposed discharges and shall indemnify and hold harmless the Commission against and from any and all claims made by or on behalf of any person arising from any discharges made by the applicant.
- i. Nothing in this docket shall be construed as limiting the authority of DRBC to adopt and apply charges or other fees to this discharge or project to compensate for flow augmentation or other actions necessary to compensate for impacts on the Delaware estuary salinity.

j. The issuance of this docket shall not create any private or proprietary rights in the water of the Basin and the Commission reserves the right to amend, alter or rescind any actions taken hereunder in order to insure proper control, use and management of the water resources of the Basin.

BY THE COMMISSION

DATED: