

Grabowski, Matthew T. (DNREC)

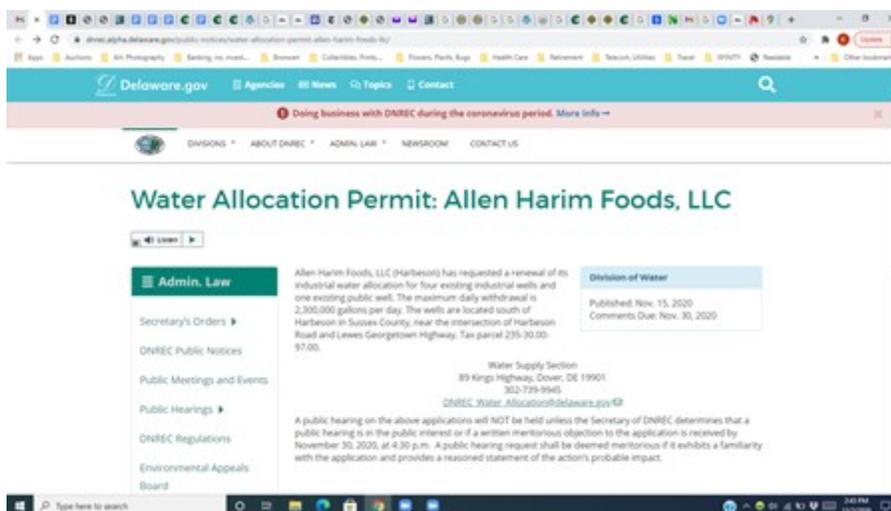
From: Helmer, Heather (DNREC) on behalf of DNREC_Water_Allocation
Sent: Tuesday, December 8, 2020 6:52 AM
To: Murray, Patricia E. (DNREC); Grabowski, Matthew T. (DNREC)
Subject: FW: Request for DNREC Hearing on Harim Water Allocation

Switch-MessageId: 95fd72198cda40d6ac6abedef9780213

From: Keith Steck <steckke@gmail.com>
Sent: Monday, December 7, 2020 4:10 PM
To: DNREC_Water_Allocation <DNREC_Water_Allocation@delaware.gov>; Diggins, Allison (DNREC) <allison.diggins@delaware.gov>; Cocke, William W. (DNREC) <William.Cocke@delaware.gov>; Nick Wasileski <heeltoetoe@gmail.com>
Subject: Request for DNREC Hearing on Harim Water Allocation

This is to request a public hearing regarding the water allocation request of Allen Harim Foods LLC in Harbeson, Delaware. My understanding is that the original Nov. 30th deadline was extended until today, Dec. 7th, although the public notice--see below--does not reflect this new date. Moreover, no documents were included with the original notice nor have any been added to this notice since the comment period was extended.

Immediately below is a screen shot taken earlier this afternoon of the public notice as it appears on DNREC's website. As is clear, the revised deadline was not added, nor have any documents--including the original request from Allen Harim. Without this information, how can the public provide details that indicate familiarity with this request? However, based on some independent research, I believe there should be a hearing for reasons listed below.



Given that there is no basic information, including the original request, let's start with the basics and go from there. That said, for the questions and reasons discussed below there should be a public hearing.

1) DNREC's failure to provide even the basic request to the public raises questions as to what Allen Harim is actually requesting. It also raises questions as to whether the request meets standards and

other basic requirements of a water allocation request. This is even more of a concern since the extension was given but no documents have been made available via the public notice and the public has not been advised on whom to contact or any reference to an allocation number, permit application number, case number, or any other unique identifier.

2) What are the current allocations of water for the existing wells? The 2.3MG/day is a total, not a per-well allocation. What is the breakdown per well and does the allocation vary by type of well, e.g., industrial vs. public well?

3) What are Harim's current contingency plans, such as a Draught Emergency Plan, for Harim and the current allocations should a draught or other natural... or man-caused event... occur? If there is not, why?

4) Is Harim actually requesting an increase to the current allocation of water rather than just maintaining its current level? If it is requesting an increase to serve these wells, what will that allocation be to each of the five wells? When would these increases occur?

4) Is a Drought Emergency Plan required as part of an allocation request... or increase in allocation?

5) What effects will a draught or other emergency have on the new allocations and Harim's operations, should any of those circumstances occur?

6) Given that Allen Harim is planning to discharge treated wastewater to the Artesian facility based north of Milton and sewage to the Artesian Wastewater Treatment Plant behind the Meadows of Beaver Creek community, what impact will the water allocation have on these discharges? What is the current status of these plans and when would any increase in allocations take place?

7) What impact does the current water allocation have on groundwater and drinking water wells in the area surrounding the Harim facility? If there is to be an allocation increase, what are the expected impacts of that on drinking water quality? Given the ever-increasing number of homes reliant on drinking water and of farm-irrigation wells in the area that are effectively competing with Harim for water, what is the impact of the current allocation having on the amount of water and the quality of drinking water in the immediate--say 3-mile radius--area? When was a base-line, or initial, test done on area drinking water and for which chemicals, compounds, and other constituents--such as nitrates and heavy metals--were checked? Where are these test wells located? What plans are in place to update these tests, whether the current allocation is left in place or increased and what will the future testing schedule be? How many more test wells will be added to reflect the denser development of the surrounding area and where?

Based on these and other questions, concerns, and lack of information available to the public, any hearing scheduled should include public access via the hearing announcement to any and all documents associated with water allocation to the Harim facility. Without the relevant information, it is impossible to have an informed public such that relevant comments may be presented. We therefore request that the consideration of the application be postponed until such time as adequate information and documentation is presented to both DNREC and the public, allowing a reasonable opportunity to comment.

Finally, DNREC's failure to provide basic information about the water allocation and Harim's request seems to be following a disturbing pattern of not making basic information about any project, proposal, permit renewal or application, etc. It's hard to tell if there is a breakdown in quality-

assurance procedures to ensure public notices include basic information, there is a concerted effort to leave the public in the dark, or something else going on. But the public has a right to know and DNREC has a responsibility to provide the public with information.

For this reason, if DNREC does not have information from Allen Harim regarding this water allocation, it needs to obtain it. Moreover, DNREC needs to make it available to the public as part of any future hearing as well as to include in DNREC's records regarding this facility. Also I am submitting this in my capacity as both a private citizen from Milton and as the vice president of the Delaware Coalition for Open Government (DelCOG); I have cc'd Nick Wasileski, president of DelCOG.

Respectfully
Keith Steck, Vice President
Delaware Coalition for Open Government (DelCOG)