

Steck Comments on June 13, 2019 DNREC Hearing on
Forcemain to Artesian's Milton Regional Wastewater Project

Thank you for the opportunity to comment on this permit request.

I'll begin by saying that I have a few general comments, then more specific comments.

General Comments

- Is spray field E operational? There are signs stating it is using recycling wastewater and not to drink it--see two separate electronic photographic files.
- The DNREC notice about the "forcemain" project should have been more "user-friendly." What I mean is that probably 99 percent of the population don't know what the term is or means. It would have been useful to the public for the notice to have said "underground pipeline" in parentheses. Further, the notice should have identified the spray fields--if this is pertaining Artesian's spray field E on the west side of the Isaacs Road (Rte 30) and Reynolds Pond Road intersection, say that. Likewise, it's not clear which spray field north of Reynolds Pond Road is involved--is it spray field A, B, or D--and simply saying "a spray field" isn't especially helpful. Please consider more definitive descriptions in the future; that would help with building some good will with the Public.
- How is DNREC ensuring Artesian complies with laws and regulations pertaining to this project? For example, if Artesian needs easements for the installation of the forcemains, what is DNREC doing to ensure Artesian obtains easements and has private property owners' permission, if the forcemains have to go on private property? This is not an academic question. When Artesian had the pipeline brought up from Harbeson, its pipeline contractor did not obtain easement authority from at least one property owner.
- While my other comments tonight focus specifically on this permit application, many are also relevant to future Artesian forcemain/pipeline permit applications regarding this project.

Specific Comments

- How has DNREC allowed parcel 235.6.11.01 to be included in the design and plans for the forcemain, given it has never been approved by Sussex County for this project? This parcel runs parallel to Rte 30 just above the intersection with Reynolds Pond Road and is designated part of spray field E, despite not having

included in the list of parcels approved by Sussex County ordinance 1923 and Conditional Use 1725, which were approved in July 31, 2007. In fact, this issue was identified in the May 5, 2017, Amended Design Development Report for the Artesian project on a number of pages. Further, the project engineer acknowledged to me at a public meeting about this project last winter that this was still this case and I have found no public documents saying this parcel has been approved for this project.

- So, given this parcel has never been approved for this project, how could Artesian incorporate it into its plans and designs? Why has DNREC not required the removal of it from the designs, calculations, and other aspects of this project?
 - More importantly, Designs and plans for the construction of the forcemain should not be allowed through this parcel, which runs right along Rte 30 north of the Reynolds Pond Road intersection. This parcel should be excluded from project documents, designs, and calculations and they should be revised accordingly.
 - Cynics might say no one is going to remove this parcel from this project, the County is not going to act, and everyone is just going to keep quiet and the project will move forward without any action. This is another example of DNREC failing to ensure compliance with requirements.
- Speaking of Sussex County's ordinance and approved conditional use of this project, Condition 6 specifically states: "The irrigation rates shall be determined by crop utilization and uptake limits RATHER THAN BY WASTEWATER DISPOSAL NEEDS [emphasis added]."
 - Practically everything I have seen, read, and heard is the opposite--the emphasis is on disposing of wastewater. As a reminder, Artesian has built this for its sole customer--Allen Harim Foods in Harbeson--as a means for handling its treated wastewater. Further, the title of Artesian's company and facility names says it all--ARTESIAN WASTEWATER MANAGEMENT... and NORTHERN SUSSEX REGIONAL WATER RECHARGE FACILITY. I DON'T HEAR IT CALLED ARTESIAN IRRIGATION FACILITY.
 - That said, from the design plans, volume calculations, and other documents, etc. everything seems to be geared toward getting rid of the wastewater. How is DNREC ensuring the forcemain and irrigation

designs, including irrigation calculations, the irrigation plans don't drown the plants or reduce crop production? My understanding is that crop production has actually gone DOWN over at the Rehoboth spray irrigation operation. If crop production decreases, does that jeopardize agricultural preservation payments to the land owners? So, again, what design features have been incorporated into the forcemain/irrigation systems to ensure compliance with the approved conditional use?

- Another issue has to do with the 100 foot flood plain in the area. What design considerations are being taken into account for the forcemain project, especially regarding the pipeline installation, the lift/pumping station, electrical equipment, and other appurtenances? While documents identify and mention the flood plain, I don't see any discussion or consideration for factoring this in. Similarly, what considerations are designed into this project for any water table issues and expected sea-level rise?
- Regarding this actual forcemain/pipeline running along Reynolds Pond Road and Rte 30, will it run in front of homes along that road or be behind these properties?
- If it goes behind the properties, what kind of setback is there from the homeowners' property lines--50 feet, 100 feet, something else?
- Similarly, because homes in this area use private drinking wells and have septic systems, what kind of separation is required between the pipeline and septic systems and drinking wells?
 - According to the May 5, 2017, Amended Design Development Report for the Artesian project, Specific Condition 2. Requires "In accordance with DNREC Hydrogeologic review dated March 25, 2010, all of the spray fields have to be located at least 150' from any off-site drinking water supply well."
- Regarding the pipeline, given that it will require lift or stations and electricity to move water to the actual spray fields, where will these pump stations be located?
 - Will they be above ground and visible from homes? How close will they be to homes? What plans are there for landscaping or other visible buffers, if they are above ground?
 - Will the pipeline and lift stations, etc. generate noise and be noticeable to residents?
 - Will the pipeline, lift stations, etc. operate at night or on a 24/7 schedule?

- What about the actual construction of the pipeline?
 - When will it begin and how many months will it take?
 - Are there any restrictions on the days of the week and working hours?

- Regarding the electrical service to the pipeline, will there be signs identifying where the pipeline is so that people know there's potential danger if they play, dig, or otherwise mess around with the pipeline?

- The construction of the pipeline is close to the Reynold Church cemetery. What safeguards are designed into this project to ensure there's no disturbance of the graves or damage to the cemetery?

- One last point. According to 7101 on the Design, Installation, and Operation of Onsite Wastewater and Disposal Systems, surface water monitoring can be undertaken for surface waters near irrigation systems? What design plans are there for Reynolds Pond, which is very close to spray fields D and E? I don't see any plans or mention in documents.

ADVISORY

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