



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**
DIVISION OF WATER
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

Commercial & Government Services

Telephone: (302) 739-9948

August 24, 2022

Hans M. Medlarz, P.E.
Sussex County Engineer
2 The Circle P.O. Box 589
Georgetown, DE 19947

RE: Request for Additional Information, Public Hearing (Docket #2022-P-W-0008) on the Application(s) submitted for Permits to Construct and Operate the Phase 2 Upgrades and Expansion at the Inland Bays Regional Wastewater Treatment Facility, State of Delaware Spray Irrigation Operations Permit (No. 359141-05)

Dear Mr. Medlarz:

On May 10, 2022, the Delaware Department of Natural Resources and Environmental Control (the Department) held a Public Hearing on the applications submitted by Sussex County Council for Construction and Operations Permits for the Phase 2 upgrade and expansion project at the Inland Bays Regional Wastewater Treatment Facility (IBRWTF). Comments on the applications and proposed draft permits were submitted to the Department during the Hearing and associated public comment period which was held open until June 7, 2022. The Department is in the process of preparing the Technical Response Memorandum (TRM) to address comments and questions submitted by the Public. To complete the TRM, the Department is requiring the submission of additional information in accordance with Section 3.32.5 of 7 Del. Admin. C. §7101, *Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems* (the Regulations).

Please submit the following information in electronic format by October 24, 2022.

1. A table providing updated tax map parcel numbers. Include the name of each site/field, wetted acreage, etc.
2. A revised site map(s) of the existing and proposed facility layout in its entirety including:
 - a) Wastewater treatment facility, including lift stations, basins, clarifiers, storage structures, and biosolids facilities
 - b) Irrigation fields including acreage of each pivot or zone with contour elevations
 - c) Depiction of the distribution loop, as well as the proposed wetted areas affiliated with proposed distribution
 - d) Denote property owned/utilized by the IBRWTF (or County)

- e) Depict the proposed constructed wetland system
 - f) All Monitoring Well, Observation Wells, Lysimeters, and Piezometers (identified by both DNREC and Local ID)
 - g) Tax Map Parcel Numbers and local field names
 - h) Access roads and utilities, as applicable
 - i) Buffers to property lines, watercourses, and wetlands, as applicable
 - j) Location of any storm water control structures or drainage structures
 - k) FEMA 100-year floodplain line
 - l) Location of any wetlands, refer to the 2007 Statewide Wetlands Mapping Project (SWMP) map, and State Tidal Wetlands maps, if applicable
 - m) Watercourses within or contiguous to the site, if applicable
 - n) Residences and habitable structures within or contiguous to the site, as applicable
3. An updated facilities process flow diagram (i.e., updating Mechanical Drawing M00.04 of the Dec 2020 drawing set).
 4. A list of all facilities that the IBRWTF is interconnected with and what capabilities the connection provides (i.e., treatment and disposal, or just disposal)
 5. A biosolids management plan. Include copies of all applicable permits.
 6. A Forest Stewardship Plan (FSP) for the proposed wooded irrigation fields: Fields A, B, C and D.
 7. A listing of all proposed construction changes that differ from the original application submission in accordance with Section 6.6.3.13 of the Regulations. Note any affected section and verbiage of the draft Construction or Operations Permits.
 8. An Agricultural Spray Agreement with each farmer receiving treated wastewater. The agreement must include a point of contact and mailing address for the farmer, and Land Zoning/Ownership verification of the farmers' properties. If the farmer does not own the property, the property owner must also sign the agreement.
 9. A Diversion Management Plan addressing the requirements of Section 6.3.2.3.2.4 of the Regulations requiring: automatic diversion of wastewater that fails to meet the operating criteria must be included in the system design. Discuss methodology of diversion and options for re-treatment and/or addressing non-compliant effluent including use of interconnections if applicable. Include depiction of relevant components on a Process Flow Diagram.
 10. The proposed locations and details of signage for the disposal system in accordance with Section 6.3.2.3.13.2 & 6.5.1.5.3.17 of the Regulations.
 11. A Contingency Plan (Plan) to address effluent flow management and spray irrigation field maintenance during periods of compromised crop growth/density, flooding or freezing in accordance with Section 6.3.2.3.13.7 of the Regulations. The Plan must demonstrate

preparedness should the wastewater treatment facility experience a significant natural occurrence. The Plan must address, but must not be limited to, extended periods of excessive precipitation, and extended periods of subfreezing temperatures causing prolonged periods of frozen soil conditions. The Plan must delineate the County's available options to reduce, eliminate and/or prevent non-compliant conditions.

12. Documentation resulting from coordination/correspondence with Delaware's Division of Fish and Wildlife in response to the attached request (see enclosure).

Please note, the information requested in this letter is essential for the Division of Water to complete the TRM in a timely manner and additional information may be requested as staff continues to address public comments. If you have any questions regarding this letter, please feel free to contact me at (302) 739-9327 or email at john.rebar@delaware.gov or Marlene Baust, P.E. at (302) 739-9948 or email at marlene.baust@delaware.gov.

Sincerely,



John J. Rebar Jr.
Environmental Program Manager II
Commercial & Government Services
Section

ENC: DNREC DFW Email dated June 1, 2022

CC: Steve Smailer, P.G., DNREC
Jennifer Roushey, DNREC
Marlene Baust, DNREC
Derrick Caruthers, DNREC

RE: DFW Comments - Inland Bays Wastewater Treatment Facility**Ellis, Danielle (DNREC) <Danielle.Ellis@delaware.gov>**

Wed 6/1/2022 9:40 AM

To: HearingComments, DNREC (MailBox Resources) <DNRECHearingComments@delaware.gov>**Cc: Rebar Jr., John J (DNREC) <John.Rebar@delaware.gov>**

Good morning.

Please see Division of Fish and Wildlife comments below for the Inland Bays Wastewater Treatment Facility project. Feel free to reach out to me with any further questions.

Thank you!
Danielle

Rare Species/Site Visit Request

Our field scientists have not surveyed the project area, therefore, we are unable to provide information pertaining to the existence of state-rare or federally listed plants, animals or natural communities at this project site.

In order to provide informed comments, our program scientists request the opportunity to conduct surveys within the project area to evaluate habitat and determine the potential for species of conservation concern. Please note that our scientists have decades of experience in comprehensive rare species survey methods. They have extensive knowledge of the flora and fauna of the state and are qualified in making rare species identifications. The survey will be conducted at no expense to the landowner.

Please contact me at (302) 223-2446 or at Danielle.Ellis@delaware.gov if the landowner will grant a site visit.

Danielle Ellis (she/her)
Environmental Scientist III - Environmental Review Coordinator

Species Conservation and Research Program
Delaware Division of Fish and Wildlife
6180 Hay Point Landing Road
Smyrna, DE 19977
302-223-2446

Delaware Division of Fish & Wildlife

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