

RESOLUTION NO. R 025 89

PROVIDING FOR THE TREATMENT OF HOLDING TANK WASTEWATER AT THE SOUTH COASTAL REGIONAL WASTEWATER FACILITIES RESULTING FROM A SEPTIC SYSTEM MORATORIUM IMPOSED BY THE STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL IN THE WEST REHOBOTH AREA.

WHEREAS, the State of Delaware Department of Natural Resources and Environmental Control imposed a septic system moratorium as of 12:00 p.m. on August 11, 1989 for the West Rehoboth area as defined in a letter dated August 11, 1989 to William D. Stevenson, Sr., President of the Sussex County Council from Edwin H. Clark II, Secretary of the State of Delaware Department of Natural Resources and Environmental Control, a copy is attached as Exhibit A; and

WHEREAS, the State of Delaware Department of Natural Resources and Environmental Control has reported that there are environmental and public health reasons for imposing a moratorium; and

WHEREAS, the moratorium provides for the use of temporary holding tanks for wastewater disposal, and

WHEREAS, the Sussex County Council operates and maintains the South Coastal Regional Wastewater Facilities near Ocean View which has sufficient capacity to treat holding tank wastewater originating in the area defined in the August 11, 1989 letter; and

WHEREAS, on February 21, 1984, the Sussex County Council established reasonable charges for treating holding tank wastewater at the South Coastal Regional Wastewater Facilities of a \$30.00 minimum charge per vehicle with a two cents (\$.02) additional charge for each gallon over 1,500 gallons during normal working hours and a \$45.00 minimum charge per vehicle with each additional gallon over 1,500 gallons at three cents (\$.03) per gallon during Saturdays, Sundays or holidays;

NOW, THEREFORE,

BE IT RESOLVED that the Sussex County Council has determined it is in the best interest of the public health to accept temporary holding tank wastewater at the South Coastal Regional Wastewater Facilities from properties in the West Rehoboth area as defined in the August 11, 1989 letter; and

BE IT FURTHER RESOLVED this process will be continued until a central wastewater system is constructed and operational; and

BE IT FURTHER RESOLVED each property owner wishing to discharge to the South Coastal Regional Wastewater Facilities will pay the holding tank treatment fees as given above and a one time permit fee according to the following schedule:

First EDU*	\$500.00
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Additional EDUs:


2.0 to 5.99	\$250.00 per EDU
6.0 to 10.99	\$200.00 per EDU
11.0 to 15.99	\$150.00 per EDU
16.0 to	\$100.00 per EDU

\*EDU means Equivalent Dwelling Unit

BE IT FURTHER RESOLVED that wastewater haulers wishing to discharge temporary holding tank wastewater at the South Coastal Regional Wastewater Facilities from properties in the West Rehoboth area as defined in the August 11, 1989 letter will pay an annual fee of \$100.000; and

BE IT FURTHER RESOLVED that this Resolution will take effect immediately upon its adoption.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 025 89 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 22ND DAY OF AUGUST, 1989.

  
Doris E. Rogers  
Clerk of the County Council



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
& ENVIRONMENTAL CONTROL

89 KINGS HIGHWAY  
P.O. Box 1401  
DOVER, DELAWARE 19903

OFFICE OF THE  
SECRETARY

TELEPHONE: (302) 736-4403



August 11, 1989

RECEIVED 8/11/89  
SUSSEX COUNTY ENGINEERING  
DEPARTMENT

RWW	<input checked="" type="checkbox"/>	MAI	_____
RWA	_____	RCG	_____
ITB	_____		_____

The Honorable William Stevenson  
President, Sussex County Council  
P.O. Box 589 Courthouse  
Georgetown, DE 19947

RE: Proposed West Rehoboth  
Route 1 Corridor Moratorium

Dear Mr. Stevenson:

I enjoyed very much having lunch with you, other council members, and the county administrator on Tuesday, August 1, 1989. As we discussed briefly since then, the Department and the County have been asked by the Inland Bays Monitoring Committee to consider a septic system moratorium for the above referenced area. The purpose of this letter is to discuss the proposed moratorium and ask of certain commitments from the Sussex County Council.

The Inland Bays Monitoring Committee cited the Environmental Protection Agency's 1982 environmental impact studies as a main reason for requesting the moratorium. These studies declare the west Rehoboth area to be a public health hazard. The reports reference investigations by the Division of Public Health and DNREC that declared the Lewes/Rehoboth Canal and adjacent waters in the Rehoboth Bay polluted or otherwise unfit for the growing or harvesting of shellfish, and also cite drinking water quality problems and failing septic systems in the area. Although considerable efforts have been made to clean up the Rehoboth and Lewes area through extensive upgrading of wastewater treatment plants, the west Rehoboth Route 1 corridor area has continued to grow without such benefits. Major projects such as the residential community of Kings Creek and various commercial projects (e.g., Ocean Outlet Mall) are being planned for this area.

As the Department contemplates a septic system moratorium for this area, I hereby request that the Sussex County Council extend the boundaries of its existing Dewey Beach Sanitary Sewer District to provide central sewers to the proposed area. The district should serve the area outlined on the attached map. This map contains the area recommended by the Inland Bays Monitoring Committee and also additional area adjacent to it which continues to experience high density growth being served by on-site wastewater systems. Some of this area has experienced problems that have led to evidence of groundwater nitrate contamination and/or surface "breakouts" of wastewater. All of this area was in your proposed West Rehoboth sanitary sewer district, and I understand that substantial wastewater planning has been performed by your engineering department in the past. Since the DNREC as well as other state and federal agencies have been on record as supporting central wastewater facilities for this area for almost a decade, I am also directing my staff to assist the County in receiving the maximum funding available through the first year of the State's revolving loan program.

So that there is not a total taking of one's property, the proposed moratorium being considered provides the use of temporary holding tanks. In order for the temporary holding tank program to be functional, a properly operated wastewater treatment facility must grant permission to dispose of holding tank wastewater from this area. Since the Sussex County Council has one of the finest run wastewater treatment facilities in the state (South Coastal Regional Wastewater Treatment Facilities), I respectfully request that the Sussex County Council accept holding tank wastewater from this area, should the moratorium be imposed. The program would be consistent with that which was run in the North Bethany area before the county completed the central wastewater facilities for that area, and is also similar to the arrangement we presently have to handle the Long Neck sewer district.

In closing, I would like to thank you in advance for your consideration of the above matters and would be more than willing to answer any questions you may have that would assist you in making your decision.

Respectfully yours,



Edwin H. Clark, II  
Secretary  
Department of Natural Resources  
and Environmental Control



