

Docket No. 20010401
Approval Date: April 12, 2001

DEPARTMENT OF THE ARMY
CARLISLE BARRACKS GOLF COURSE

Ground-Water Withdrawal (30-Day Average) of 0.197 mgd
from Well IR 1, for Golf Course Irrigation,
North Middleton and Middlesex Townships, Cumberland County, Pennsylvania

Review Authority

Commission staff reviewed the application pursuant to Article 3, Section 3.10 of the Susquehanna River Basin Compact, P.L. 91-575, Commission Regulation §803.43, relating to ground-water withdrawals. The Commission received the application for a new ground-water withdrawal on November 3, 2001. The consumptive water use of the project was previously approved in Commission Docket No. 19991101.

Description

Purpose. The purpose of the application is to request approval for a ground-water withdrawal from Well IR 1. The water will be used for irrigation of fairways, greens, and tees at an existing 18-hole golf course.

Location. The project is located in the Townships of North Middleton and Middlesex, Cumberland County, Pennsylvania.

Project Features. The applicant has requested approval for a ground-water withdrawal (30-day average) of 0.197 million gallons per day (mgd) from Well IR 1. The applicant has abandoned a previously approved well, Well IR 3, due to excessive turbidity and installed a new well, Well IR 1. The new source will be used in conjunction with an existing well (Well IR 2) and will not require an increase in the consumptive water use of 0.350 mgd previously approved in Commission Docket No. 19991101.

The site is an operating 18-hole golf course at the Department of Army Headquarters Carlisle Barracks. Water withdrawn from the wells will be directly fed to a booster pump that distributes water to the sprinkler heads for irrigation of fairways, greens, and tees. There are no storage ponds at the site.

The new irrigation well was drilled on August 1, 2000. Well IR 1 is 297 feet deep and finished with 63 feet of 8-inch steel casing. The well is completed in carbonate rocks of the Saint Paul Group and the Rockdale Run Formation.

Nearby Homes. Public water suppliers that use surface-water sources serve most of the area surrounding the golf course, including the Borough of Carlisle and North Middleton Township (Carlisle Suburban Water Authority). In Middlesex Township and South Middleton Township, potable water is supplied by the South Middleton Township Authority, which uses wells located several miles to the southeast (near Boiling Springs) and a well located to the west of the Borough of Carlisle.

About 7 homes along Trindle Road, between Interstate Route 81 and Greystone Road, are not serviced by municipal water. The applicant notified these homeowners of its intention to conduct pumping tests and requested permission to monitor water levels in the domestic wells. Two homeowners granted permission. After inspection of the wellhead pits, the well at 1113 Trindle Road was excluded from consideration as a monitoring well due to the plumbing configuration. Water levels in the well at 1107 Trindle Road were monitored during the test.

Pumping Test. The applicant conducted a 48-hour constant rate pumping test on Well IR 1 during September 11-13, 2000. Well IR 1 was pumped at an average rate of 490 gpm over 48 hours (0.7056 mgd), which produced 5.76 feet of total drawdown in the well. The test was conducted at approximately 3 1/2 times the amount requested for approval.

During the test, three additional wells and two springs were monitored; a domestic well at 1107 Trindle Road, Well IR 2, and Well IR3, the Barracks Spring and the Keim Spring. The Barracks Spring, which is the potable water supply for the Carlisle Barracks, is located approximately 2,900 feet north-northwest of the irrigation wells. The Barracks Spring has a reported flow of 1,400 gpm or approximately 2 mgd. The Keim Spring is located approximately 2,500 feet north-northwest of the golf course irrigation wells, east of the Barracks Spring, and has a reported flow of approximately 1,000 gpm or 1.44 mgd. The Keim Spring is not used as a potable water supply source. No water level changes attributable to the pumping of the irrigation wells were observed in the domestic well (1107 Trindle Road) or the two, high flow springs.

Findings

The project is subject to the Commission's ground-water withdrawal approval and reporting requirements, as per Commission Regulation §803.43.

Analysis of the data gathered during testing indicates Well IR 1 taps a highly transmissive karst aquifer that has extensive storage. No water level changes attributable to the pumping of the irrigation well were observed in the domestic well (1107 Trindle Road) or the two, high flow springs.

The water budget analysis of the area of the golf course, a portion of the Letort Run watershed, developed for the previous application, demonstrates that there is sufficient recharge to satisfy all ground-water and existing permitted uses in the local watershed area during drought conditions. During average annual conditions, 33 percent of the available recharge on the 151-acre site is required to support the withdrawal. During extended dry periods and droughts,

the wells would be sustained by aquifer storage, which is considerable in these carbonate formations.

The assessment shows that a total ground-water withdrawal of 350,000 gpd for a 180-day irrigation season at the project site will be adequately supported by the aquifer. Further, during a declared drought emergency golf courses would be under bans for non-essential uses of water, requiring reductions in irrigation and significantly reducing the amount of the withdrawal.

Mrs. Charles S. Rousek, property owner of Keim Spring, is concerned about the potential reduction of spring flow and lowering of water levels in an overflow pond at the spring during project operations. Significant drawdown in the pond from well pumping is not anticipated, due to the large volume of underground storage associated with the carbonate aquifers. However, short-term pumping tests did not adequately assess this impact.

Staff originally recommended the weekly monitoring of water levels in the pond at the Keim Spring during the first year of project operations to determine any impacts (Commission Docket No. 19991101 item "c"). Review of these data indicate that stage in the pond is not sufficiently sensitive to assess any adverse impacts from the pumping wells to the spring, possibly because leakage through and around the containing stonewall. Staff has concluded that only by monitoring the flow from the spring during project operations, on a continuous basis concurrent with continuous monitoring of water levels in the irrigation wells, can any adverse impacts (or lack thereof) be determined. The monitoring should be conducted for a year of project operations, following which staff can review the data and make appropriate determinations.

The Commission approved two irrigation wells at the Carlisle Barracks Golf Course in 1999. When these wells were put into operation in spring 2000, Well IR 3 pumped an undesirable amount of sediment. Attempts to remediate the well were not successful, and the applicant relied solely on Well IR 2 until Well IR 1 was drilled in August, 2000. This well was brought on-line August 15, 2000 in non-compliance with Commission regulations, and used for 25 days. The applicant stopped using the well upon notification by Commission staff, and promptly completed the required testing and submitted the appropriate application. While the use of Well IR 1 has been in non-compliance with Commission regulation, there have been no adverse impacts associated with that short-term use and the applicant has cooperated with Commission staff. Therefore, staff does not recommend the imposition of penalties.

The project is subject to water conservation requirements as per Commission Regulation §804.20(c).

The applicant is exempt from application fee requirements, pursuant to Commission Regulation §803.28 and in accordance with Commission Resolution 98-19, as amended by Commission Resolution 2000-06. The applicant has provided all proofs of required notification as called for in Commission Regulation §803.25.

No adverse impacts on other area ground-water or surface-water withdrawals are anticipated. The project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin.

Decision

The project is approved for a ground-water withdrawal (30-day average) of 0.197 mgd from Well IR 1, pursuant to Article 3, Section 3.10 of the Compact subject to the following conditions:

a. The applicant shall comply with all Commission regulations, including ground-water reporting requirements as per Commission Regulation §803.43.

b. The applicant shall install meters, accurate to within five percent, to determine the amount of withdrawal from Well IR 1. The applicant shall keep records of the project's daily pumpage from and weekly water levels in Well IR 1. The applicant shall submit the required ground-water reporting data to the Commission quarterly and as otherwise requested.

c. The applicant shall, with the landowner's permission, monitor and record the flow from Keim Spring during the first year of operation of Well IR 1. This monitoring shall be conducted on a continuous basis, concurrent with the continuous monitoring of water levels in all of the irrigation wells. The applicant shall provide the results to the Commission quarterly and as otherwise requested. Following review of the year's monitoring data, the Commission will determine the required frequency of future measurements. Should the water level monitoring data prove to be inconclusive with respect to interference concerns, the Commission reserves the right to require additional monitoring as necessary.

d. The applicant shall comply with Commission water conservation requirements as per Commission Regulation §804.20(c). The golf course shall use an irrigation system properly designed for the golf course's respective soil characteristics, topography, and management objectives.

e. If the Commission determines that operation of the proposed ground-water withdrawal adversely affects any existing ground-water or surface-water withdrawal, the applicant shall be required to provide, at its expense, an alternate water supply or other mitigating measures.

f. This action shall not be construed to exempt the applicant from obtaining all necessary permits and/or approvals required for the project from other federal, state or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend or revoke this action if the applicant fails to obtain or maintain such approvals.

g. If the project fails to comply with any term or condition of this docket, the Commission may suspend, modify or revoke its approval of same. Upon written notice by the

Commission, the project applicant shall have thirty (30) days to correct such non-compliance, unless an alternate period is specified in the notice. Failure to comply within thirty (30) days, or within the alternate period identified in the notice, shall result in a ninety (90) day suspension of approval of this docket. If the project applicant fails to address the non-compliance to the satisfaction of the Commission within the suspension period, this approval may be revoked. Nothing herein shall preclude the Commission from exercising its authority to immediately modify, suspend or revoke this approval where it determines exigent circumstances warrant such action.

h. The Commission reserves the right, based upon new findings, to reopen any project docket and make additional orders that may be necessary to mitigate or avoid adverse impacts or otherwise to protect the public health, safety, welfare or the environment. Commission approval confers no property rights upon project sponsors.

i. This approval is effective until April 12, 2026. The applicant shall submit a renewal application by October 12, 2025 and obtain Commission approval prior to continuing operation beyond April 12, 2026.

j. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may reasonably be inferred, the Commission may rescind the approval of the project unless a renewal is requested by the applicant and approved by the Commission.

By the Commission:

Dated: April 12, 2001


Chairman

Docket No. 20010402
Approval Date: April 12, 2001

GALLITZIN WATER AUTHORITY

Ground-Water Withdrawal (30-Day Average) of 0.250 mgd from Well 1,
for Public Water Supply,
Gallitzin Township, Cambria County, Pennsylvania

Review Authority

Commission staff reviewed the application pursuant to Article 3, Section 3.10 of the Susquehanna River Basin Compact, P.L. 91-575, and Commission Regulation §803.43 relating to ground-water withdrawals. The Commission received the application on December 26, 2000 and the final hydrogeological report on March 15, 2001.

Description

Purpose. The purpose of the application is to request approval for the withdrawal of ground water for distribution in a public water supply system.

Location. The project is located in Gallitzin Township, Cambria County, Pennsylvania.

Project Features. The applicant has requested approval for the withdrawal (30-day average) of 0.324 million gallons per day (mgd) from Well 1. This well will be used as an additional source for the public water supply system. The Gallitzin Water Authority is served by five existing surface-water reservoirs (Pa. DEP Permits WA11-375A and B) and purchases bulk water from the Highland Sewer and Water Authority.

Well 1, drilled in December 1999, is constructed as a double-cased, 8-inch final diameter well with 80 feet of 12-inch steel casing and 180 feet of 8-inch steel casing. The well penetrates water-bearing sandstone, shale and limestone, and the claystone of the Allegheny Group, and was back-filled with cement grout from 565 feet to 359 feet to seal off a poor quality water-bearing zone encountered in the Mauch Chunk Formation. Well 1 is located approximately 450 feet east of an unnamed tributary to Bradley Run.

The public water supply system has an existing average demand of 0.148 mgd and an existing maximum daily demand of 0.241 mgd. These demands are projected to grow to

0.200 mgd and 0.300 mgd, respectively by 2025. Since the Commission approves well usage based on maximum 30-day average use, this system's maximum 30-day needs would convert to 0.185 mgd for current use and 0.250 mgd in 2025. Therefore, the maximum combined water needs for all sources is 0.250 mgd. The Gallitzin Water Authority currently serves Gallitzin Borough, Gallitzin Township, Tunnelhill Borough and Allegheny Township.

Pumping Test. A 48-hour constant-rate pumping test was conducted from December 20-22, 1999 for Well 1. Pumping at an average rate of 225 gallons per minute (gpm) (0.324 mgd) over 48 hours produced approximately 48.9 feet of total drawdown in Well 1. There were no observation wells during the aquifer testing.

Coordination. Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (Pa. DEP) Southwest Regional Office during review of the project. Pa. DEP is reviewing the development and use of Well 1 as a source of public water supply, and has reviewed this docket for consistency with its draft Public Water Supply Permit.

Findings

The withdrawal of water from Well 1 is subject to the Commission's ground-water withdrawal approval and reporting requirements as per Commission Regulation §803.43.

Analysis of the data gathered during testing indicates Well 1 taps a confined to semi-confined aquifer. No adverse impact on the surface-water resources is expected as a result of long-term production from Well 1 due to the nature of the aquifer and the deep water-bearing zones. There are no private wells developed in this formation in the area.

Water from Well 1 will be blended with raw water from the existing surface reservoirs prior to treatment at the existing water treatment plant. The use of Well 1 will reduce the need for bulk water purchases and allow for reasonable expansion of the service area.

The pumping rate of the well at the tested rate of 225 gpm is acceptable. However, since the Commission approves well usage based on maximum 30-day average use, the applicant's requested quantity of 0.324 mgd has been reduced accordingly by staff. The system's maximum 30-day needs would convert to 0.185 mgd for current use and 0.250 mgd in 2025. Staff recommends approval of 0.250 mgd (30-day average) from Well 1.

The withdrawal is subject to the Commission's water conservation requirements as per Commission Regulation §804.20(a). The water system is 100 percent metered, which is in compliance with the requirements. However, system losses were 32 percent in 1999, much higher than required by Commission Regulation §804.20(a)(1). Staff recommends that the applicant be required to comply with this regulation within 5 years and to report annually on its actions to reduce unaccounted-for water to the required 20 percent or less, including its routine leak detection program.

The applicant has paid the appropriate application fee, pursuant to Commission Regulation §803.28 and in accordance with Commission Resolution 98-19 as amended by Commission Resolution 2000-06. The applicant has also provided all proofs of required notification as called for in Commission Regulation §803.25.

No adverse impacts on other area ground-water withdrawals are anticipated. The project does not conflict with or adversely affect the Commission's 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

The project is approved for a 30-day average withdrawal of 0.250 mgd from Well 1, pursuant to Article 3, Section 3.10 of the Compact subject to the following conditions:

a. The applicant shall comply with all Commission regulations, including ground-water reporting requirements, as per Commission Regulation §803.43. The required reporting data shall be submitted to the Commission annually.

b. The applicant shall install a meter, accurate to within 5 percent, on Well 1. The Commission reserves the right to inspect all measurement equipment and audit all measurement records.

c. The applicant shall comply with Commission water conservation requirements, as per Commission Regulation §804.20(a). The applicant shall have reduced the unaccounted-for water to 20 percent or less by April 12, 2006. The applicant shall report to the Commission annually on the progress made pursuant to this requirement. The applicant must petition the Commission for an extension should unforeseen events occur that preclude compliance with the April 12, 2006 deadline.

d. If the Commission determines that operation of the proposed ground-water withdrawal adversely affects any existing ground-water or surface-water withdrawal, the applicant shall be required to provide, at its expense, an alternate water supply or other mitigating measures.

e. This action shall not be construed to exempt the applicant from obtaining all necessary permits and/or approvals required for the project from other federal, state or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend or revoke this action if the applicant fails to obtain or maintain such approvals.

f. If the project applicant fails to comply with any term or condition of this docket, the Commission may suspend, modify or revoke its approval of same. Upon written notice by the Commission, the project applicant shall have thirty (30) days to correct such non-compliance, unless an alternate period is specified in the notice. Failure to comply within thirty (30) days, or

within the alternate period identified in the notice, shall result in a ninety (90) day suspension of approval of this docket. If the project applicant fails to address the non-compliance to the satisfaction of the Commission within the suspension period, this approval may be revoked. Nothing herein shall preclude the Commission from exercising its authority to immediately modify, suspend or revoke this approval where it determines exigent circumstances warrant such action.

g. The Commission reserves the right, based upon new findings, to reopen any project docket and make additional orders that may be necessary to mitigate or avoid adverse impacts or otherwise to protect the public health, safety, welfare or the environment. Commission approval confers no property rights upon project sponsors.

h. This approval is effective until April 12, 2026. The applicant shall submit a renewal application by October 12, 2025 and obtain Commission approval prior to continuing operation beyond April 12, 2026.

i. The applicant has a period of three years from the date of this approval to initiate the project or such approval will automatically expire, unless an extension is requested by the applicant and approved by the Commission. Likewise, if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the applicant and approved by the Commission.

By the Commission:

Dated: April 12, 2001


Chairman

**Docket No. 19990504
As Amended April 12, 2001**

INTERNATIONAL BUSINESS MACHINES CORPORATION

Ground-Water Withdrawal (30-Day Average) of 0.008 mgd from Well EN-276,
for Ground-Water Remediation, Village of Endicott,
Broome County, New York

Review Authority

Commission staff reviewed the application pursuant to Article 3, Section 3.10 of the Susquehanna River Basin Compact, P.L. 91-575, and Commission Regulation §803.43 relating to ground-water withdrawals. The Commission originally approved this project on May 2, 1991, and modified that approval on October 5, 2000 to add an additional recovery well. The Commission received an application for an additional recovery well, Well EN-276, on February 2, 2001.

Description

Purpose. The purpose of the application is to request approval for an additional recovery well in the existing ground-water remediation system at the IBM Endicott facility.

Location. The project is located in the Village of Endicott, Broome County, New York.

Project Features. The applicant has requested approval for the withdrawal of 0.008 million gallons per day (mgd) from Well EN-276. The well will be used, along with seventeen existing wells, to remove contaminants from the upper sand and gravel aquifer and prevent down-gradient migration of contaminants toward the Susquehanna River and water supply wells located along the river. The withdrawal from all project wells averages 0.404 mgd.

Well EN-276 is 32.6 feet deep, finished with 5 feet of 12-inch diameter stainless steel screen set between 25.6 feet and 29.6 feet below grade. The well has a reported yield of 6 gallons per minute (gpm). All ground water withdrawn from the project wells is treated for organic contaminant removal, and discharged to the Susquehanna River via the Village of Endicott municipal storm sewers. The discharge is covered under New York State administered SPDES Permit Nos. NY0109592 and NY0003808.

Pumping Test. Well EN-276 was tested at an average rate of 5.6 gpm, or 0.008 mgd, for 48 hours in June 2000. During the test, water levels were measured in Wells EN-16, EN-15, EN-12, EN-13, EN-14, EN-17, EN-18, EN-19 and EN-20.

Findings

The project is subject to the Commission's ground-water withdrawal approval and reporting requirements as per Commission Regulation §803.43.

Staff recommends approval of the new recovery well, Well EN-276, that is being added to the existing ground-water remediation system. The remediation project was originally approved in May 1991 (Commission Docket No. 19910502) and included 12 recovery wells. New recovery wells added to the system were approved in 1994, 1997, 1999 and, most recently, in October 2000. The most recent docket, Commission Docket No. 19990504, should be amended to include this well in the section describing "Project Features." All other conditions and requirements of Docket No. 19990504 not inconsistent herewith remain unchanged.

Commission Regulation §804.20(b), regarding conservation requirements, does not apply to this project, because the purpose of the project is to pump and treat contaminated ground water.

The applicant has paid the appropriate application fee in accordance with Commission Regulation §803.28 and in accordance with Commission Resolution 98-19, as amended by Commission Resolution 2000-06. The applicant has requested a waiver of the Commission's Section 803.25 notification requirements other than the municipal notification, which the applicant has provided. Staff recommends that the waiver be granted, based on the nature of the relatively minor change to the existing well field and the extensive public notification already provided regarding the project.

The most recent prior docket approval is effective until May 13, 2024. Based on Commission Regulation §803.30(a), staff recommends the duration of this docket amendment be consistent with the term of the prior docket approval.

No adverse impacts on other area ground-water withdrawals are anticipated. The project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin.

Decision

The project as described is approved, and public notification requirements are waived, for a withdrawal of a 30-day average of 0.008 mgd from Well EN-276, pursuant to Article 3, Section 3.10 of the Compact subject to the following conditions:

a. The applicant shall comply with all Commission regulations, including ground-water reporting requirements as per Commission Regulation §803.43. The required reporting data shall be submitted to the Commission annually.

b. The applicant shall install a meter, accurate to within five percent, on Well EN-276. The Commission reserves the right to inspect all measurement equipment and audit all measurement records.

c. All other conditions and requirements of Docket No. 19990504 not inconsistent herewith shall remain effective.

d. If the Commission determines that operation of the proposed ground-water withdrawal adversely affects any existing ground-water or surface-water withdrawal, the applicant shall be required to provide, at its expense, an alternate water supply or other mitigating measures.

e. This action shall not be construed to exempt the applicant from obtaining all necessary permits and/or approvals required for the project from other federal, state or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend or revoke this action if the applicant fails to obtain or maintain such approvals.

f. If the project applicant fails to comply with any term or condition of this docket, the Commission may suspend, modify or revoke its approval of same. Upon written notice by the Commission, the project applicant shall have thirty (30) days to correct such non-compliance, unless an alternate period is specified in the notice. Failure to comply within thirty (30) days, or within the alternate period identified in the notice, shall result in a ninety (90) day suspension of approval of this docket. If the project applicant fails to address the non-compliance to the satisfaction of the Commission within the suspension period, this approval may be revoked. Nothing herein shall preclude the Commission from exercising its authority to immediately modify, suspend or revoke this approval where it determines exigent circumstances warrant such action.

g. The Commission reserves the right, based upon new findings, to reopen any project docket and make additional orders that may be necessary to mitigate or avoid adverse impacts or otherwise to protect the public health, safety, welfare or the environment. Commission approval confers no property rights upon project sponsors.

h. This approval is effective until May 13, 2024. The duration of this approval is in accordance with the term of the most recent prior docket approval. The applicant shall submit a renewal application by November 13, 2023, and obtain Commission approval prior to continuing operation beyond May 13, 2024.

i. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the applicant and approved by the Commission.

By the Commission:

A handwritten signature in black ink, reading "Matthew C. Zajkowski", is written over a horizontal line. The signature is cursive and includes a large, stylized initial "M".

Dated: April 12, 2001

Chairman

padam/word/dockets/IBMCorp401

Docket No. 20010403
Approval Date: April 12, 2001

WILBUR CHOCOLATE COMPANY

Ground-Water Withdrawal of 0.56 mgd (30-day average)
from the East Well (Well 3) for Industrial Use,
Borough of Lititz, Lancaster County, Pennsylvania

Review Authority

Commission staff reviewed this application pursuant to Article 3, Section 3.10 of the Susquehanna River Basin Compact, P.L. 91-575, and Commission Regulation §803.43, relating to ground-water withdrawals. The Commission received the application on January 4, 2001.

Description

Purpose. The purpose of the application is to request approval for a ground-water withdrawal from the East Well (Well 3). The water will be used for non-contact cooling, boiler make-up and sanitary purposes.

Location. The Wilbur Chocolate Company is located in the Borough of Lititz, Lancaster County, Pennsylvania.

Project Features. The applicant has requested approval for the withdrawal (30-day average) of 0.56 million gallons per day (mgd) from the East Well, also known as Well 3. The well will be used in conjunction with the two existing wells (the West and North Wells, also known as Wells 1 and 2, respectively). The West and North Wells predate the Commission's ground-water withdrawal regulation.

The majority of the water is used for non-contact cooling and is discharged approximately 1,000 feet downstream of the springhead of Lititz Run, as approved under Pennsylvania NPDES Permit No. PA0007536.

The East Well was constructed in November 1980, as a 10-inch bedrock well to a depth of 105 feet and a 6-inch borehole between 105 feet and 220 feet. The well has 16 feet of steel casing grouted in place. The well penetrates the limestones of the Ordovician-aged Stonehenge Formation.

Pumping Test. A 12-hour pumping test for the East Well was conducted on November 28, 1980. Pumping at an average rate of 425 gallons per minute (gpm) (0.61 mgd) over 12 hours produced 13 feet of total drawdown in the production well.

Findings

The withdrawal of water from the East Well (Well 3) is subject to the Commission's ground-water withdrawal approval and reporting requirements as per Commission Regulation §803.43.

The West Well and the North Wells date from 1941 and 1951, respectively. The East Well (Well 3) was drilled in 1980 to provide operating flexibility and redundancy for the project. Any of the three wells can supply the maximum daily water demand for the chocolate factory.

In this area, the Stonehenge Formation is a medium gray, crystalline limestone capable of supplying large yields to production wells. A spring with a yield exceeding 1,000 gpm is located about 1,000 feet to the west of the project site, and the Borough of Lititz has developed a well field for public water supply to the west of the spring. Water discharging from the spring forms Lititz Run, which flows within a stone-lined channel through the municipal park located along the south side of the chocolate factory.

The East Well is not currently metered although an hour meter is used to record the well's operation on a daily basis. The quantity of ground-water withdrawal is estimated from pump capacity and run time, and is thus conservative. Staff recommends that the applicant install a meter as required by the regulation, accurate to within five percent, on the East Well within one year of the date of this approval. This will allow sufficient time for the completion of meter installation during a regularly scheduled shutdown of production for plant maintenance.

The project is subject to water conservation requirements, as per Commission Regulation §804.20 (b).

The applicant has paid the appropriate application fee, pursuant to Commission Regulation §803.28 and in accordance with Commission Resolution 98-19, as amended by Commission Resolution 2000-06. The applicant has provided proofs of required notification to the Borough of Lititz, Lancaster County Planning Commission and news media, as called for in Commission Regulation §803.25. The applicant has requested a waiver of the Commission's requirement to notify contiguous property owners. The neighboring properties in the Borough are all served by public water and the well has operated in conjunction with Wells 1 and 2 without complaint for over twenty years. Staff feels the applicant's request is appropriate and recommends waiver of this requirement.

The project does not conflict with or adversely affect the Commission's Comprehensive Plan, is physically feasible, and does not adversely influence the present or future use and development of the water resources of the basin.

Compliance Incentive Program

Commission staff has determined that the applicant is eligible to participate in the Commission's Compliance Incentive Program (CIP). Therefore, the applicant is not subject to any penalties for water withdrawn in violation of Commission Regulation §803.43 prior to the date of this docket.

Decision

The 30-day average withdrawal of 0.56 mgd from the East Well (Well 3) and waiver of the requirement to provide notice to contiguous property owners are approved pursuant to Article 3, Section 3.10 of the Compact subject to the following conditions:

a. The applicant shall comply with all of the Commission's regulations, including ground-water reporting requirements, as per Commission Regulation §803.43. The required reporting data shall be submitted to the Commission annually.

b. The applicant shall install a meter, accurate to within five percent, on the East Well within one year of the date of this approval. Until that time, the quantity of ground-water withdrawal shall be estimated from daily records of pump operation and pump capacity. The Commission reserves the right to inspect all measurement equipment and audit all measurement records.

c. The applicant shall comply with Commission water conservation requirements, as per Commission Regulation §804.20(b).

d. The applicant is eligible for the Commission's Compliance Incentive Program (CIP). Therefore, the applicant is not subject to any penalties for prior noncompliance.

e. This action shall not be construed to exempt the applicant from obtaining all necessary permits and/or approvals required for the project from other federal, state or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend or revoke this action if the applicant fails to obtain or maintain such approvals.

f. If the project fails to comply with any term or condition of this docket, the Commission may suspend, modify or revoke its approval of same. Upon written notice by the Commission, the project applicant shall have thirty (30) days to correct such non-compliance, unless an alternate period is specified in the notice. Failure to comply within thirty (30) days, or within the alternate period identified in the notice, shall result in a ninety (90) day suspension of approval of this docket. If the project applicant fails to address the non-compliance to the satisfaction of the Commission within the suspension period, this approval may be revoked. Nothing herein shall preclude the Commission from exercising its authority to immediately modify, suspend or revoke this approval where it determines exigent circumstances warrant such action.

g. The Commission reserves the right, based upon new findings, to reopen any project docket and make additional orders that may be necessary to mitigate or avoid adverse impacts or otherwise to protect the public health, safety, welfare or the environment. Commission approval confers no property rights upon project sponsors.

h. This approval is effective until April 12, 2026. The applicant shall submit a renewal application by October 12, 2025 and obtain Commission approval prior to continuing operation beyond April 12, 2026.

i. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may reasonably be inferred, the Commission may rescind the approval of the project unless a renewal is requested by the applicant and approved by the Commission.

By the Commission:

Dated: April 12, 2001


Chairman

padam/word/dockets/WilburChoc401

Docket No. 20010404
Approval Date: April 12, 2001

YORKTOWNE GOLF CLUB, INC.
dba HAWK LAKE GOLF CLUB

Consumptive Water Use of up to 0.457 mgd and a
Ground-Water Withdrawal (30 day average) of 0.457 mgd from Well PW-1,
for Golf Course Irrigation,
West Manchester Township, York County, Pennsylvania

Review Authority

Commission staff reviewed this application pursuant to Article 3, Section 3.10 of the Susquehanna River Basin Compact, P.L. 91-575, Commission Regulation §803.42 relating to the consumptive use of water, and Commission Regulation §803.43 relating to ground-water withdrawals. The Commission received the application for consumptive water use on August 28, 2000, and received revisions to the consumptive water use application and an application for a new ground-water withdrawal on February 9, 2001.

Description

Purpose. The purpose of the application is to request approval for a ground-water withdrawal and a consumptive water use for irrigation of fairways, greens, and tees at an 18-hole golf course.

Location. The project is located in West Manchester Township, York County, Pennsylvania.

Project Features. The applicant has requested approval for the withdrawal (30-day average) of 0.457 million gallons per day (mgd) from Well PW-1 and a consumptive water use of up to 0.457 mgd for golf course irrigation. Water will be pumped from the well to a storage pond, and then withdrawn from the storage pond to irrigate tees, greens and fairways at an 18-hole golf course.

The Hawk Lake Golf Club, previously known as Yorktowne Golf Club, began operation in 1949. Prior to the 2001 irrigation season, the course irrigated only greens and tees with its irrigation water being withdrawn from one well (Well IW-1). The applicant submitted a consumptive water use application to the Commission in August 2000. In that application, the applicant had requested recognition of a grandfathered amount of 0.028 mgd (maximum 30-day average). The course is undergoing a major reconstruction and has added a full irrigation system that includes fairways, greens and tees. The course has also added approximately 3.75 acres of

storage ponds. The revised applications describe the water requirements of the reconstructed golf course.

The new irrigation well, Well PW-1, was drilled on May 29, 2000. The well is 296 feet deep and is finished with 230 feet of 8-inch diameter steel casing. Well PW-1 is located on a fault that trends approximately 35 degrees west of north and is completed in the Ledger Formation, a Cambrian-aged carbonate rock unit.

Nearby Homes. Public water supplies most of the area surrounding the golf course. However, there are three nearby homes that are not serviced by public water. The homes are located in West Manchester Township along Loucks Road (Knopp, Townsend and Smith). The homeowners' wells are located approximately 1,000 feet from the new irrigation well. The applicant notified these homeowners of its intention to conduct the required pumping test and requested permission to monitor the water levels in the domestic wells. Two of the domestic wells were monitored during the aquifer testing, the third (Smith) well was not monitored due to site access problems.

A second area of domestic ground-water use is located along Roosevelt Road in Manchester Township where the homes have wells drilled into the New Oxford formation, a Triassic-aged shale. Some of these homeowners have reported water supply problems during recent droughts. The Roosevelt Road wells are approximately 2,300 feet from the pumping well PW-1 and were not monitored during the aquifer test.

Pumping Test. The applicant conducted a 48-hour, constant-rate pumping test for Well PW-1 on July 19-21, 2000. Well PW-1 was pumped at a constant rate of 320 gpm (0.461 mgd), which produced 45.37 feet of total drawdown in the well. During the aquifer test, the applicant's consultant periodically measured water levels in eight wells using a manual water-level meter; including five on-site test wells (TW1, TW2, TW3, TW4 and TW5), the former clubhouse well (CH-1) and two residential wells on Loucks Road (Townsend and Knopp). The Townsend and Knopp wells experienced 6 feet and 2.5 feet of drawdown, respectively. This drawdown did not adversely impact the wells during the testing period.

Public Information. The Commission received correspondence and contacts from 19 parties about the project. In response to these concerns, the Commission held a public information meeting concerning the project on March 21, 2001 in Manchester Township, Pennsylvania. Fifty-three people attended the meeting. One of the residents presented a petition with 153 signatures opposing the project's requested withdrawal and consumptive water use.

Findings

The project's irrigation water use and storage pond evaporative losses are subject to the Commission's consumptive water use approval and reporting requirements as per Commission Regulation §803.42, and its withdrawal of water from Well PW-1 is subject to the Commission's ground-water withdrawal approval and reporting requirements as per Commission Regulation §803.43.

Analysis of data gathered during aquifer testing indicates that Well PW-1 is capable of yielding the quantities of ground water necessary for golf course irrigation. The well is finished

in the carbonate rocks of the Ledger Formation, but further, apparently intersects a fault that trends 35 degrees west of north. Water supplying Well PW-1 likely flows along bedding plane partings and is concentrated along the fault. The response of Well PW-1 to pumping appears to be highly anisotropic, with the majority of drawdown occurring in the east-west direction, parallel to the strike of the bedding.

The relatively complex geologic conditions, including the changes in lithology, the stratigraphy, and the structure, will serve to control impacts from long-term pumping of Well PW-1. The area of influence, as determined by the applicant's consultant, is highly elliptical, extending to the three domestic wells on Loucks Road but not to the wells at residences on Roosevelt Road. Staff concludes that there is a potential for adverse impact to the residential wells located along Loucks Road (Knopp, Townsend and Smith) from the long-term use of Well PW-1, and that additional monitoring of these wells is necessary.

The residential wells along Roosevelt Road are drilled in the New Oxford Formation, which locally consists of arkosic sandstone interbedded with a shale and mudstone. The beds dip to the north, away from the Hawk Lake Golf Club, and are not cut by the fault according to the mapping by the Pennsylvania Topographic and Geologic Survey. The source of the water for these wells is most likely water entering the unit along the bedding partings that project up to the top and along the southern slope of the small hill. Yields of wells of the residences on the hill are expected to be small due to the limited recharge area.

Although adverse impacts to wells on Roosevelt Road are unlikely, it is staff's opinion that some additional monitoring in the down-dip direction is desirable to document that impacts from pumping in the carbonate unit do not extend into the shale.

Staff recommends that the applicant provide to the Commission a monitoring plan that will include the proposed locations of monitoring wells to address the impacts and potential impacts of this withdrawal. The plan must also include mitigation measures available for the affected wells. Commission staff will review and approve the plan prior to the operation of Well PW-1.

All water evaporated from the ponds, as well as water withdrawn from the ponds and used for golf course irrigation, is considered to be consumptively used. The pre-1971 consumptive water use by the applicant is 0.028 mgd and, for purposes of this docket, this quantity of water is considered "grandfathered" and is exempt from compliance compensation requirements. The irrigation system has a meter that measures the quantity of water pumped.

The project's consumptive use of water in excess of the pre-1971 quantity is subject to water compensation requirements, as per Commission Regulation 803.42. To satisfy these requirements, the applicant proposes to make quarterly payments to the Commission in-lieu-of providing actual compensation water. The payment will be based on the quantity of water used minus the pre-1971 consumptive use of 0.028 mgd.

The project is subject to water conservation requirements, as per Commission Regulation §804.20 (b).

The applicant has paid the application fee pursuant to Commission Regulation §803.28 and in accordance with Commission Resolution 98-19, as amended by Commission Resolution 2000-06. The applicant has provided all proofs of notification, as called for in Commission Regulation §803.25.

The project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not influence the present or future use and development of the water resources of the basin.

Decision

The consumptive water use of up to 0.457 mgd and ground-water withdrawal of 0.457 mgd (30-day average) from Well PW-1 is approved pursuant to Article 3, Section 3.10 of the Compact, subject to the following conditions:

a. The applicant shall comply with all Commission regulations, including consumptive water use reporting requirements as per Commission Regulation §803.42, and ground-water reporting requirements as per Commission Regulation §803.43. The required reporting data shall be submitted to the Commission quarterly.

b. The applicant shall keep daily records of the project's consumptive water use, and shall provide the results to the Commission quarterly, and as otherwise required. The applicant shall install metering on the irrigation system, accurate to within five percent. Commission staff review and approval of the method for calculation of evaporative loss from storage ponds shall occur prior to the operation of Well PW-1.

c. The applicant shall comply with Commission water conservation requirements, as per Commission Regulation §804.20(b).

d. The applicant shall install a meter, accurate to within five percent, on Well PW-1. The Commission reserves the right to inspect all measurement equipment and audit all measurement records.

e. The applicant shall provide to the Commission, a monitoring plan that will include the location of proposed monitoring wells to address the impacts and potential impacts of this withdrawal. The plan must also include mitigation measures available for any affected wells. Commission staff review and approval of the plan shall occur prior to the operation of Well PW-1.

f. If the Commission determines that operation of the proposed ground-water withdrawal adversely affects any existing ground-water or surface-water withdrawal, the applicant shall be required to provide, at its expense, an alternate water supply or other mitigating measures.

g. The applicant shall make quarterly payments to the Commission based on the rate of \$0.14 per 1,000 gallons of water consumptively used by the project. For payment purposes, the daily quantity of water consumptively used shall be the quantity of evaporative loss from storage ponds plus the quantity pumped to the irrigation system, minus 0.028 mgd, the pre-1971

consumptive water use, when the quantity of water pumped during that day exceeds 0.028 mgd. When the daily total consumptive use is less than 0.028 mgd, no payment is required, but the use must be recorded. Payments shall begin with the year 2001 irrigation season. Payments shall be made quarterly and shall be calculated by applying this rate to the amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within 30 days after the close of the preceding quarter. The rate of payment, after appropriate notice to all consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

h. This action shall not be construed to exempt the applicant from obtaining all necessary permits and/or approvals required for the project from other federal, state or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend or revoke this action if the applicant fails to obtain or maintain such approvals.

i. If the project fails to comply with any term or condition of this docket, the Commission may suspend, modify or revoke its approval of same. Upon written notice by the Commission, the project applicant shall have thirty (30) days to correct such non-compliance, unless an alternate period is specified in the notice. Failure to comply within thirty (30) days, or within the alternate period identified in the notice, shall result in a ninety (90) day suspension of approval of this docket. If the project applicant fails to address the non-compliance to the satisfaction of the Commission within the suspension period, this approval may be revoked. Nothing herein shall preclude the Commission from exercising its authority to immediately modify, suspend or revoke this approval where it determines exigent circumstances warrant such action.

j. The Commission reserves the right, based upon new findings, to reopen this docket and make additional orders that may be necessary to mitigate or avoid adverse impacts or otherwise to protect the public health, safety, welfare or the environment. Commission approval confers no property rights to the project sponsor.

k. This approval is effective until April 12, 2025. The applicant shall submit a renewal application by October 12, 2024 and obtain Commission approval prior to continuing operation beyond April 12, 2025.

l. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may reasonably be inferred, the Commission may rescind the approval of the project unless a renewal is requested by the applicant and approved by the Commission.

By the Commission:

Dated: April 12, 2001


Chairman

Docket No. 20010405
Approval Date: April 12, 2001

KEYSTONE COCA-COLA BOTTLING COMPANY

Consumptive Water Use of up to 0.0721 mgd,
for Beverage Production,
Borough of Pittston, Luzerne County, Pennsylvania

Review Authority

Commission staff reviewed this application pursuant to Article 3, Section 3.10 of the Susquehanna River Basin Compact, P.L. 91-575, and Commission Regulation §803.42 relating to the consumptive use of water. The Commission received the application on January 22, 2001.

Description

Purpose. The purpose of the application is to request approval for the consumptive use of water for the production of carbonated soft drinks.

Location. Keystone Coca-Cola Bottling Company is located in the Borough of Pittston, Luzerne County, Pennsylvania.

Project Features. The applicant has requested approval for the consumptive water use of up to 0.0721 million gallons per day (mgd). A previous owner began production of soft drink operations at this site in 1968. No records of previous water use could be found at this time. The Pennsylvania America Water Company provides water to the plant. Approximately 43 percent of the water provided is consumptively used. Primarily, water is consumed by incorporating it into carbonated soft drinks that are bottled and sold. Wastewater is treated and released to the Wyoming Valley Sanitary Authority.

Findings

The project's consumptive water use is subject to Commission approval and reporting requirements as per Commission Regulation §803.42 regarding the consumptive use of water.

The applicant obtains water from a public supplier that meters all water entering the plant, but the applicant meters only part of the effluent being discharged to the regional sewer authority. The applicant can calculate the quantity of water consumptively used based on daily production reports.

The consumptive use of water by the project is subject to water compensation requirements as per Commission Regulation §803.42. To satisfy these requirements, the applicant has agreed to pay the Commission quarterly in-lieu-of providing actual compensation water.

The project is subject to water conservation requirements as per Commission Regulation §804.20 (b).

The applicant has paid the appropriate application fee, pursuant to Commission Regulation §803.28 and in accordance with Commission Resolution 98-19, as amended by Commission Resolution 2000-06. Staff recommends that since the project uses water provided by a public supplier, there will be no effect on water use by contiguous property owners, and the requirements to notify contiguous property owners should be waived. The applicant has provided all other proofs of notification, as called for in Commission Regulation §803.25.

The project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin.

Compliance Incentive Program

Commission staff has determined that the applicant is eligible to participate in the Commission's Compliance Incentive Program (CIP). Therefore, the applicant is not subject to any penalties for water consumed in violation of Commission Regulation §803.42 prior to the date of this docket. In accordance with the CIP, payment to the Commission as a method of compensation for the project's consumptive water use shall be effective and applicable to all consumptive water used by the project as of January 1, 2001.

Decision

The consumptive water use of up to 0.0721 mgd and the waiver of the requirement to provide notice to contiguous property owners are approved pursuant to Article 3, Section 3.10 of the Compact subject to the following conditions:

- a. The applicant shall comply with all Commission regulations, including consumptive water use reporting requirements as per Commission Regulation §803.42.
- b. The applicant shall keep records of the project's consumptive use, and shall provide the results to the Commission quarterly and as otherwise requested. The applicant shall compute daily consumptive water use based on production records.
- c. The applicant shall comply with water conservation requirements as per Commission Regulation §804.20 (b).
- d. The applicant is eligible for the Commission's Compliance Incentive Program (CIP). Therefore, the applicant is not subject to any penalties for prior noncompliance. In accordance with the CIP, payment to the Commission as a method of compensation for the project's

consumptive water use shall be effective and applicable to all consumptive water used by the project as of January 1, 2001. Payment for compensation since January 1, 2001 shall be included in the second quarter payment due on or before July 30, 2001.

e. The applicant shall make quarterly payments to the Commission in the amount of \$0.14 per 1,000 gallons of water consumptively used by the project, beginning January 1, 2001. Payment amounts shall be calculated by applying this rate to the amount of water used consumptively by the project during the preceding calendar quarter. Quarterly payments are due and payable within 30 days after the close of the preceding quarter. The rate of payment, after appropriate notice to all consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

f. This action shall not be construed to exempt the applicant from obtaining all necessary permits and/or approvals required for the project from other federal, state or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend or revoke this action if the applicant fails to obtain or maintain such approvals.

g. If the project applicant fails to comply with any term or condition of this docket, the Commission may suspend, modify or revoke its approval of same. Upon written notice by the Commission, the project applicant shall have thirty (30) days to correct such non-compliance, unless an alternate period is specified in the notice. Failure to comply within thirty (30) days, or within the alternate period identified in the notice, shall result in a ninety (90) day suspension of approval of this docket. If the project applicant fails to address the non-compliance to the satisfaction of the Commission within the suspension period, this approval may be revoked. Nothing herein shall preclude the Commission from exercising its authority to immediately modify, suspend or revoke this approval where it determines exigent circumstances warrant such action.

h. The Commission reserves the right, based upon new findings, to reopen any project docket and make additional orders that may be necessary to mitigate or avoid adverse impacts or otherwise to protect the public health, safety, welfare or the environment. Commission approval confers no property rights upon project sponsors.

i. This approval is effective until April 12, 2026. The applicant shall submit a renewal application by October 12, 2025 and obtain Commission approval prior to continuing operation beyond April 12, 2026.

j. If the project is discontinued for such a period of time and under such circumstances that an abandonment of the project may reasonably be inferred, the Commission may rescind the approval of the project unless a renewal is requested by the applicant and approved by the Commission.

By the Commission:

Dated: April 12, 2001


Chairman

padam/word/dockets/Keystone Coca-Cola401

Docket No. 20010406
Approval Date: April 12, 2001

PEI POWER CORPORATION

Surface-Water Withdrawal of up to 0.53 mgd,
when available, from White Oak Run Reservoir and Laurel Run Reservoir,
and a Consumptive Water Use of up to 0.53 mgd, for the Production of Electricity,
Borough of Archbald, Lackawanna County, Pennsylvania

Review Authority

Commission staff reviewed this application pursuant to Article 3, Section 3.10 of the Susquehanna River Basin Compact, P.L. 91-575, and Commission Regulation §803.42 relating to the consumptive use of water and §803.44 relating to surface-water withdrawals. The Commission first approved this project (known then as Archbald Power) on January 8, 1987, as Docket No. 19870102, and subsequently modified the approval on March 9, 1989, and September 12, 1991. A request to further modify the consumptive use approval was received on October 17, 2000, and an application requesting a withdrawal of the needed water from White Oak Run Reservoir and Laurel Run Reservoir was received on February 2, 2001.

Description

Purpose. The applicant has requested approval of a surface-water withdrawal and the consumptive use of water to produce electricity. This docket supersedes all previous Commission docket approvals associated with this facility.

Location. The power generating facility is located in the Borough of Archbald, Lackawanna County, Pennsylvania and was previously known as Archbald Power Corporation. The reservoirs are located in the Borough of Archbald, Lackawanna County, Pa.

Project Features. In 1987, the applicant requested approval for consumptive water use of up to 0.6 million gallons per day (mgd). This quantity was reduced to 0.35 mgd in a docket approved on March 9, 1989. The applicant now proposes to install an additional gas turbine generator that will increase the facility's consumptive water use by 0.18 mgd to a total of 0.53 mgd.

The withdrawal of surface water likewise will be increased by 0.18 mgd over the quantity withdrawn prior to the November 11, 1995 effective date of the Commission's surface-water withdrawal regulation. Water will be supplied to the facility from two reservoirs, White Oak

Run Reservoir and Laurel Run Reservoir, now owned by Theta Land Corporation. PEI Power Corporation has entered into an agreement with Theta Land Corporation to withdraw the water needed for their facility. Water from White Oak Run Reservoir and Laurel Run Reservoir is being used to supply the facility's current needs.

Water is withdrawn from the reservoirs, piped to the facility and consumptively used through cooling tower evaporative losses.

Coordination. Commission staff has coordinated the review of instream impacts associated with the surface-water withdrawals and the development of an instream flow recommendation with the Pa. Fish and Boat Commission.

Findings

The project's consumptive water use and surface-water withdrawal are subject to Commission approval and reporting requirements as per Commission Regulations §803.42 and §803.44, respectively.

The applicant's existing surface-water withdrawal of 0.35 mgd from reservoirs on White Oak Run and Laurel Run did not require Commission approval because it pre-dated the November 11, 1995 effective date of Commission Regulation §803.44, related to standards for surface-water withdrawal. However, the applicant now needs to increase its water withdrawal by 0.18 mgd. The 0.18 mgd increase will result in a total withdrawal up to 0.53 mgd. Staff discussed the increased water withdrawal with the applicant and advised the applicant that Commission approval of the increased surface-water withdrawal is necessary. The applicant has submitted the necessary surface-water withdrawal application.

In assessing the impact of the proposed increase, Commission staff has analyzed the hydrologic characteristics of the two watersheds and has estimated both the seven day-ten year low flow (Q7-10) and monthly flow values that could be reasonably expected at the points of withdrawal. As a result of these analyses, staff estimates that the Q7-10 flows on White Oak Run and Laurel Run are 0.21 cubic feet per second (cfs) and 0.16 cfs, respectively.

If these flow values are used as passby flows at the two reservoirs, the reservoirs' storage is insufficient to supply water to meet both the passby flow requirement and the consumptive needs of the applicant. Approximately 10 to 15 percent of the time, water supplies would not be sufficient to meet all needs. Based on this finding, staff recommends that the applicant initiate studies to look for other sources of water to address this deficiency.

The applicant meters all water used by the cooling towers, as well as the cooling tower blowdown that is discharged to the wastewater treatment plant. The difference between the total cooling tower use and the cooling tower blowdown is the quantity of consumptive water use.

The consumptive use of water by the project is subject to water compensation requirements as per Commission Regulation §803.42. To satisfy these requirements, the

applicant has agreed to make monetary payments to the Commission quarterly in-lieu-of providing actual compensation water.

The project is subject to water conservation requirements as per Commission Regulation §804.20 (b).

The applicant has paid the appropriate application fee, pursuant to Commission Regulation §803.28 and in accordance with Commission Resolution 98-19, as amended by Commission Resolution 2000-06. The applicant has provided all proofs of notification, as called for in Commission Regulation §803.25.

The project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin.

Decision

The surface-water withdrawal of up to 0.530 mgd, when available, and the consumptive water use of up to 0.53 mgd is approved pursuant to Article 3, Section 3.10 of the Compact subject to the following conditions:

a. This docket supersedes all approvals and conditions contained in Commission Docket No. 19870102 and all subsequent modifications thereto, which are hereby rescinded.

b. The applicant shall comply with all Commission regulations, including consumptive water use reporting requirements as per Commission Regulation §803.42 and surface-water withdrawal and reporting requirements as per Commission Regulation §803.44.

c. The applicant shall keep daily records of the project's withdrawal from each reservoir source, and shall provide the results to the Commission quarterly, and as otherwise required. The applicant shall either install or continue to operate and maintain existing measuring and recording devices to determine the amount of water withdrawn individually from White Oak Run Reservoir and Laurel Run Reservoir. The measuring devices shall be accurate within 5 percent. Commission staff review and approval of measuring devices shall occur before any increase in the historic withdrawal is initiated.

d. The applicant shall adhere to a passby flow requirement of 0.16 cfs (0.1034 mgd) from the Laurel Run Reservoir. The applicant shall install devices to measure and record the amount of flow in the Laurel Run channel below the reservoir. The measuring devices shall be accurate within 5 percent. The design and layout of said measuring devices shall be submitted to and be approved by the Commission before installation, and shall be installed within 60 days of the date of this approval. The applicant shall provide the records of daily flow readings to the Commission quarterly, and as otherwise requested. When the flow in the stream below the reservoir is less than this amount, no water may be withdrawn from Laurel Run Reservoir and the entire natural flow of Laurel Run shall be allowed to pass through the reservoir.

e. The applicant shall adhere to a passby flow requirement of 0.21 cfs (0.1357 mgd) from the White Oak Run Reservoir. The applicant shall install devices to measure and record the amount of flow in the White Oak Run channel below the reservoir. The measuring devices shall be accurate within 5 percent. The design and layout of said measuring devices shall be submitted to and be approved by the Commission before installation, and shall be installed within 60 days of the date of this approval. The applicant shall provide the records of daily flow readings to the Commission quarterly, and as otherwise requested. When the flow in the stream below the reservoir is less than this amount, no water may be withdrawn from White Oak Run Reservoir and the entire natural flow of White Oak Run shall be allowed to pass through the reservoir.

f. The applicant shall immediately initiate studies to investigate the adequacy of the White Oak Run and Laurel Run sources and develop a plan to address any supply deficiencies. The results of this study and the plan shall be submitted to the Commission within six months of the date of this approval. The plan shall be accompanied by the appropriate application(s) needed for the approval of any supplemental sources identified in the plan.

g. The applicant shall commence keeping daily records of the project's consumptive water use upon the Commission's approval of this docket, and shall provide the results to the Commission quarterly, and as otherwise requested. The applicant shall subtract the quantity of cooling tower blowdown water discharged to the wastewater treatment facility from the quantity of water provided to the cooling towers as a method to determine the quantity of water consumptively used.

h. The applicant shall comply with water conservation requirements as per Commission Regulation §804.20 (b).

i. The applicant shall make quarterly payments to the Commission in the amount of \$0.14 per 1,000 gallons of water used consumptively by the project. Payment amounts shall be calculated by applying this rate to the amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within 30 days after the close of the preceding quarter. The rate of payment, after appropriate notice to all consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

j. This action shall not be construed to exempt the applicant from obtaining all necessary permits and/or approvals required for the project from other federal, state or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend or revoke this action if the applicant fails to obtain or maintain such approvals.

k. If the project applicant fails to comply with any term or condition of this docket, the Commission may suspend, modify or revoke its approval of same. Upon written notice by the Commission, the project applicant shall have thirty (30) days to correct such non-compliance, unless an alternate period is specified in the notice. Failure to comply within thirty (30) days, or within the alternate period identified in the notice, shall result in a ninety (90) day suspension of

approval of this docket. If the project applicant fails to address the non-compliance to the satisfaction of the Commission within the suspension period, this approval may be revoked. Nothing herein shall preclude the Commission from exercising its authority to immediately modify, suspend or revoke this approval where it determines exigent circumstances warrant such action.

l. The Commission reserves the right, based upon new findings, to reopen any project docket and make additional orders that may be necessary to mitigate or avoid adverse impacts or otherwise to protect the public health, safety, welfare or the environment. Commission approval confers no property rights upon project sponsors.

m. This approval is effective until April 12, 2026. The applicant shall submit a renewal application by November 12, 2025 and obtain Commission approval prior to continuing operation beyond April 12, 2026.

n. If the project is discontinued for such a period of time and under such circumstances that an abandonment of the project may reasonably be inferred, the Commission may rescind the approval of the project unless a renewal is requested by the applicant and approved by the Commission.

By the Commission:

Dated: April 12, 2001


Chairman

padam/word/dockets/PEI401

RESOLUTION NO. 2001-02

A RESOLUTION of the Susquehanna River Basin Commission granting authority to the Executive Director and Deputy Director to execute contracts on behalf of the Commission with agencies of any signatory party for the performance of water quality or other water resources management related services.

WHEREAS, the Commission from time-to-time performs certain water quality and other water resources management related services under contract with signatory agencies.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Executive Director and Deputy Director are hereby authorized to execute and deliver to any signatory agency all such future contracts, provided that the proposal to perform such services has been approved or ratified by the Commission.
2. The Chief Administrative Officer or the Secretary to the Commission are hereby authorized to attest all such future contracts.
3. Resolution No. 94-07 is hereby rescinded and this Resolution substituted in its place.
4. This Resolution shall be effective immediately.

Date: April 12, 2001


Chairman