



SUSQUEHANNA RIVER
BASIN COMMISSION

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NY ■ PA ■ MD ■ USA

June 8, 2022

Mr. David T. Lewis, P.E., President
Columbia Water Company
220 Locust Street
P.O. Box 350
Columbia, PA 17512-0350

Re: Notice of Transfer of Approval;
from East Donegal Township Municipal Authority
to Columbia Water Company;
East Donegal Township, Lancaster County, Pennsylvania;
Commission Docket Nos. 19990702 and 20190314

Dear Mr. Lewis:

The Susquehanna River Basin Commission (Commission) received a Request for Transfer of Approval (Commission Form #86) on April 1, 2022, for Commission Docket Nos. 19990702 and 20190314. This request indicated the change in ownership was effective March 31, 2022, from East Donegal Township Municipal Authority to Columbia Water Company (project sponsor). The purchased and transferred facility will be identified as the East Donegal Division. Upon review of the project and the submitted request for transfer, it was determined that the request is in compliance with the regulations and consistent with 18 CFR § 806.6(a). Therefore, the approvals listed above are hereby transferred effective June 8, 2022.

Copies of the above-referenced approvals are available on the Commission's Water Application and Approval Viewer (WAAV) at www.srbc.net/waav.

Please note that the project sponsor may operate under the terms and conditions of the transferred approvals not inconsistent with the conditions of this transfer, provided that:

1. Change in ownership forfeits the grandfathered status of unapproved activities. This transfer approval letter will act as the temporary approval for continued operation of the withdrawal from the unapproved source (Glatfelter Springs).
2. Operation of the withdrawals from the source listed below is subject to the following quantity limits:
 - a. Glatfelter Springs: Withdrawal of 0.351 million gallons per day (mgd), as a maximum consecutive 30-day average, for public water supply.

3. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.
4. If the project sponsor intends to operate the Glatfelter Springs beyond June 8, 2027, then the project sponsor shall, no later than June 8, 2027, either:
 - a. Submit a copy of a current Water Allocation Permit (WAP) from the Pennsylvania Department of Environmental Protection (PADEP), along with a request to consider the WAP under coordinated approval between the Commission and PADEP;
 - b. Copy the Commission on a WAP application request to PADEP; or
 - c. Submit an application online to the Commission requesting review and approval of the surface water withdrawal.
5. In accordance with the Commission's Regulatory Program Fee Schedule, the facility continues to be subject to the Annual Compliance and Monitoring fee (ACMF). The ACMF is contained in the Regulatory Program Fee Schedule, which may be modified over the term of the approvals. The ACMF will be invoiced separately.
6. Commission Certificate of Registration for Grandfathered Water Use No. GF-201903025 is hereby rescinded.

STANDARD CONDITIONS

7. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808.
8. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within 5 percent, so as to provide an accurate record of withdrawals and consumptive uses, and certify to the Commission once every 5 years, or as otherwise requested, the accuracy of all measuring devices and methods to within 5 percent of actual flow.
9. The project sponsor shall keep daily records of the project's withdrawals and consumptive use and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within 30 days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

10. In accordance with 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within 5 days of such violation or report loss of measuring or recording capabilities required under 18 CFR § 806.30(a)(1) within 5 days after any such loss.
11. In accordance with 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of all approvals to the Commission within 90 days of the change in ownership or project sponsor name change.
12. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

Outstanding post-approval items should be submitted electronically via the Monitoring Data Website (MDW). If you have any questions regarding the submittal of post-approval conditions, please feel free to contact Steve McFeaters at (717) 238-0423, extension 1225, or via e-mail at samcfeaters@srbc.net.

Please be advised that, under 18 CFR § 808.11, you have a duty to comply with all provisions of the Susquehanna River Basin Compact (Compact), as well as the Commission's rules, regulations, orders, approvals, conditions of approval, and any other requirements of the Commission. It is your obligation to fulfill all conditions of this approval within the specified time limits and provide written notification to the Commission, as appropriate, and comply with all conditions set forth therein. Failure to meet any term or condition within the specified time may subject you to enforcement action and imposition of civil penalties pursuant to 18 CFR Part 808, Subpart B, and Section 15.17 of the Compact. Penalties range from \$50 to \$1,000 per day, per condition (which includes exceeding approved quantities), with every day being a separate offense.

Pursuant to 18 CFR § 808.2 relating to administrative appeals, any appeal to this action must be made to the Commission within 30 days of receipt of this notice. All appeals must be made in writing on the Commission's Notice of Appeal form and conform to the requirements of 18 CFR § 808.2. Pursuant to 18 CFR § 808.2(i), an appeal made under this section stays the commencement of the 90-day appeal period to Federal Court contained in Section 3.10(6) of the Compact.

Should you have any questions, please contact Todd Eaby, Manager of Project Review, at (717) 238-0423, extension 1234, or via e-mail at teaby@srbc.net.

Sincerely,



Andrew D. Dehoff
Executive Director



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20190314

Approval Date: March 10, 2011

Modification Date: March 15, 2019

EAST DONEGAL TOWNSHIP MUNICIPAL AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.260 mgd from Well 1,
and Total System Withdrawal Limit (30-Day Average) of 0.835 mgd**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the application of the project sponsor requesting a withdrawal of water in support of the project identified in Section 2, from the source identified in Section 3, is hereby approved by the Commission in accordance with the conditions set forth below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) during review of this project.

On June 29, 2018, the project sponsor submitted a grandfathered water use registration form (Form) in accordance with 18 CFR Part 806, Subpart E. Based on the review of the Form and available data, and in accordance with 18 CFR §806.44, the Executive Director has determined a revised grandfathered quantity for withdrawal from Glatfelter Springs. This determination supersedes the grandfathered quantity listed in Commission Docket No. 20110305; therefore, the Commission initiated this corrective modification to update the previously considered grandfathered quantity.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	East Donegal Township Municipal Authority
Approval Type:	Groundwater Withdrawal
Past Docket No.:	20110305
Water Use Type:	Public Water Supply
Municipality:	East Donegal Township
County:	Lancaster County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Withdrawal Type:	Groundwater
Withdrawal Source:	Well 1
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030617

Section 4. Aquifer Testing

The project sponsor requested that the constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals be waived. In support of its request for the waiver of the constant-rate aquifer testing, the project sponsor stated that Well 1 has been operating with no known adverse impacts, and that the withdrawal rate from the well is not proposed to increase. Commission staff determined that the withdrawal from Well 1 at the requested withdrawal rate should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below. Therefore, the aquifer testing requirements for Well 1, according to Commission Regulation 18 CFR §806.12, are hereby waived.

Section 5. Approved Withdrawal Conditions

Conditions applicable to the withdrawal approved hereunder are set forth in the table below.

Approved Withdrawal Conditions		
Withdrawal Location (degrees)*:	Lat: --	Long: --
30-Day Average Withdrawal (mgd):	0.260	
Maximum Instantaneous Withdrawal Rate (gpm):	250 (Not to Exceed)	
Total System Withdrawal Limit (30-Day Average) (mgd):	0.835	
Combined Well 1 and Well 2 Withdrawal Limit (30-Day Average) (mgd) (see Section 6):	0.584	
Flow Protection Required:	No	
mgd – million gallons per day gpm – gallons per minute		
* Specific location information concerning discrete water-related project features has been withheld for security reasons.		

Section 6. Existing Approved Withdrawals

Conditions applicable to the existing approved withdrawals are listed in the table below.

Existing Approved Groundwater Withdrawals		
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.
Well 1	0.260	19810309
Well 2	0.324	19990702
Well 1 and Well 2 (partial system cap)	0.584	19990702

Section 7. Grandfathering Determination – Groundwater Withdrawals

On June 29, 2018, the project sponsor submitted a Form under 18 CFR §§806.40-45. The Executive Director has made the following determination pursuant to 18 CFR §806.44:

Grandfathered Groundwater Withdrawals	
Source	30-Day Average Withdrawal (mgd)
Glatfelter Springs	0.351

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30.
2. Within ninety (90) days from the date of this approval, the project sponsor shall certify and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter and certify the accuracy of the measuring device to within five (5) percent of actual flow.
3. The project sponsor or any other person shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.
4. The project sponsor shall keep daily records of all the project's withdrawals and shall report the data to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be reviewed and, if appropriate, approved by Commission staff.

5. Within ninety (90) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program. The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Sections 3 and 6. Following approval, the project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented. Thereafter, the groundwater elevations data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

6. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and groundwater elevations, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow or elevation.

7. To satisfy the Commission's registration requirement, the project sponsor shall register with the PADEP all surface water and groundwater sources described in this docket in accordance with 25 PA Code §110.201, Pennsylvania Water Resources Planning Act, Act 220 of 2002.

8. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

9. Commission approval shall not be construed to exempt the project sponsor 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

10. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment.

11. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

12. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

13. Should the project's anticipated withdrawal be expected to exceed the approved amounts listed herein, the project sponsor shall be required to make application for modification to this approval at that time.

14. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

Section 9. Special Conditions

15. This approval is effective until March 9, 2026. As specified in Commission Regulation 18 CFR §806.31(e), the project sponsor shall submit an application by September 9, 2025, and obtain Commission approval prior to continuing operation beyond March 9, 2026.

16. Docket No. 19810309 approving the groundwater withdrawal from Well 1 is hereby rescinded.


17. Should the project's grandfathered withdrawal be expected to exceed the amounts listed herein, the project sponsor shall be required to make application for approval at that time.

18. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor shall be required to make application for approval at that time.

19. Commission Docket No. 20110305 is hereby superseded.

CERTIFICATION: I, Jason E. Oyler, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on March 15, 2019.

Dated: March 18, 2019



Jason E. Oyler, Esq.