



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20190605

Approval Date: June 14, 2019

TOWN OF CHENANGO

Groundwater Withdrawal (30-Day Average) of 0.600 mgd from Well 12A

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the renewal of the project described herein in accordance with the conditions set forth below.

The project sponsor maintains and operates a public water supply system comprised of several independent service areas consisting of one or more water districts. The Well 12A service area maintains an emergency interconnection with the Northgate Well service area and the Cherry Lane emergency well. Based on information provided by the project sponsor, no other sources are operated by the project for the Well 12A service area.

On November 20, 1987, the Commission approved the groundwater withdrawal (consecutive 30-day average) of 0.864 million gallons per day (mgd) from Well 12A under Commission Docket No. 19871103. On May 19, 2017, the project sponsor submitted an application to the Commission requesting renewal of the withdrawal from Well 12A at a reduced rate of 0.600 mgd (30-day average). This approval authorizes the withdrawal from Well 12A at the requested reduced rate.

Commission staff has coordinated with the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH), and the Broome County Department of Health (BCDOH) during review of this project.

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:	Town of Chenango
Approval Type:	Groundwater Withdrawal
Past Docket No.:	19871103
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Town of Chenango
County:	Broome County
State:	New York

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
Approved Source:	Well 12A
Subbasin:	Upper Susquehanna
Watershed Boundary Dataset (WBD):	0205010208 (Lower Chenango River)
Withdrawal Location (degrees)*:	Lat: -- Long: --
Special Flow Protection Required:	No
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

Section 4. Aquifer Testing

The project sponsor requested that the constant-rate aquifer testing required by 18 CFR § 806.12 for groundwater withdrawals be waived. In support of the aquifer testing waiver request for Well 12A, the project sponsor provided the required groundwater availability analysis, historical withdrawal and water level data, and the results of historical aquifer testing on Well 12A. Pursuant to Commission Resolution No. 2015-06, the Executive Director approved the waiver of the aquifer testing requirements of 18 CFR § 806.12 on May 28, 2019.

Commission staff determined that the withdrawal from Well 12A 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.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations	
30-Day Average Withdrawal (mgd):	0.600
Maximum Instantaneous Withdrawal Rate (gpm):	800 (Not to Exceed)
Peak Day Withdrawal (mgd):	0.720
gpm – gallons per minute	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 6. Existing Approved Withdrawals

The project does not have existing approved withdrawals.

Section 7. Unapproved Sources

On January 1, 2018, Subpart E to 18 CFR Part 806 became effective. The project sponsor must register its unapproved sources prior to December 31, 2019.

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. 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.

3. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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.

4. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the source listed in Section 3. The project sponsor shall maintain and monitor the accuracy of the measuring devices in accordance with the manufacturer's specifications.

5. The project sponsor shall keep daily records of the project's withdrawals and groundwater elevations for the source listed in Section 3, 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 thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring,

or accounting procedure 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.

6. The project sponsor or any other person representing the project sponsor 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 18 CFR § 808.12.

7. 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 five (5) days of such violation or report loss of measuring or recording capabilities required under 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

8. 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 this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

9. The project sponsor shall comply with the water conservation requirements specified in 18 CFR § 806.25.

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all groundwater sources described herein, as may be required by regulations of the member jurisdiction. The project sponsor shall also satisfy annual usage, capacity, and conservation reporting requirements in the form and manner prescribed by NYSDEC's Division of Water.

12. 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 sponsor is subject to enforcement actions pursuant to 18 CFR Part 808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The foregoing shall include, but not be limited to, any applicable permitting requirements of NYSDEC. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals. Furthermore, no water withdrawn by this project may be used in natural gas well development using High Volume Hydraulic Fracturing in New York State.

14. The Commission may at any time reopen any project approval 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, pursuant to 18 CFR § 806.32.

15. 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.

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

17. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

18. 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

19. All grandfathered sources must be registered consistent with Section 7.

20. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal from grandfathered sources.

21. The project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered or received approval pursuant to 18 CFR § 806.22(f), as applicable.

22. The project sponsor shall keep records, and shall report the same to the Commission upon request, of all persons supplied water from the project that maintain a permanent connection to the public water supply system. The project sponsor shall also keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project that do not maintain a permanent connection to the public water supply system, including daily quantities supplied.

23. The project sponsor shall notify the Commission, in writing, of any operation of the emergency interconnect or Cherry Lane Well within three (3) business days. The notification shall include a description of the conditions requiring the emergency operations and expected schedule for resuming normal source operations within the Well 12A service area.

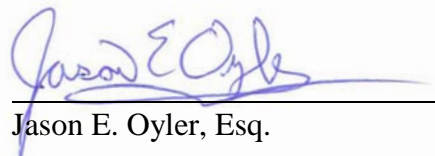
Section 10. Term

24. This approval shall be effective July 1, 2019, and shall remain effective until June 30, 2034. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2033, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

25. Commission Docket No. 19871103 shall remain effective through June 30, 2019, whereupon it shall expire.

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 June 14, 2019.

Dated: June 17, 2019



Jason E. Oyler, Esq.