



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20190611

Approval Date: June 14, 2019

SUEZ WATER PENNSYLVANIA INC. – NEWBERRY SYSTEM

**Groundwater Withdrawal (30-Day Average) of 0.072 mgd from the DuPont Well,
and Total System Withdrawal Limit (30-Day Average) of 0.650 mgd**

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 that includes ten (10) groundwater wells (Reeser Well 1, Reeser Well 2, Paddletown Well, Susquehanna Village Well 1, Susquehanna Village Well 2, Conley 1 Well, Conley 2 Well, Coppersmith Well, DuPont Well, and Eden Road Well), all of which are incorporated into the total system limit. Based on information provided by the project sponsor, no other sources are operated by the project.

On April 14, 1988, the Commission approved the groundwater withdrawal of 0.100 million gallons per day (mgd) from the DuPont Well under Commission Docket No. 19880401. On August 10, 2017, the project sponsor submitted a groundwater withdrawal renewal application requesting approval to withdraw 0.072 mgd (30-day average) from the DuPont Well. This approval authorizes the use of the DuPont Well at the requested reduced withdrawal rate and increases the total system limit established under Commission Docket No. 20160609 from 0.648 mgd to 0.650 mgd. The reported maximum 30-day average demand for the public water supply system is approximately 0.550 mgd.

Should demand exceed the total system limit established herein, the project sponsor may request a minor modification in accordance with 18 CFR § 806.18(c)(7) to increase the total system limit, as the total system limit established herein is based on the 15-year projected demand.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) 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:	SUEZ Water Pennsylvania Inc.
Approval Type:	Groundwater Withdrawal
Past Docket No.:	19880401
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Newberry Township
County:	York 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
Approved Source:	DuPont Well
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030510 (Susquehanna 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 the DuPont Well, the project sponsor provided the required groundwater availability analysis, historical withdrawal and water level data, and the results of a historical aquifer test. 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 the DuPont Well 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.

Historic operational data indicate that shallow water-bearing zones have been frequently exposed, which may have caused decreased yield of the well. To protect deeper water-bearing zones in the DuPont Well, Commission staff finds that water levels in the DuPont Well should not be drawn down below 210 feet above mean sea level (AMSL) (250 feet below ground surface [bgs]), and recommends that the DuPont Well approval be conditioned with a water level restriction prohibiting pumping of the DuPont Well if water level in the DuPont Well is equal to or lower than 210 feet AMSL (250 feet bgs).

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):	0.072
Maximum Instantaneous Withdrawal Rate (gpm):	50 (Not to Exceed)
Peak Day Withdrawal (mgd):	0.072
Total System Withdrawal Limit – Conley 1 Well, Conley 2 Well, Coppersmith Well, DuPont Well, Eden Road Well, Susquehanna Village Well 1, Susquehanna Village Well 2, Reeser Well 1, Reeser Well 2, and Paddletown Well (30-Day Average) (mgd):	0.650
gpm – gallons per minute	

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

Section 6. Existing Approved Withdrawals

Quantities 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.	Docket Expiration Date
Eden Road Well	0.043	19910102	January 17, 2021
Conley 2 Well	0.140	19940708	July 14, 2024
Paddletown Well	0.121	20090917	September 10, 2024
Reeser 1 Well	0.071	20100614	June 10, 2025
Reeser 2 Well	0.071	20100614	June 10, 2025
Susquehanna Village Well 1	0.066	20100615	June 10, 2025
Susquehanna Village Well 2	0.066	20100615	June 10, 2025
Conley 1 Well	0.200	20160609	June 15, 2031
Coppersmith Well	0.108	20160609	June 15, 2031

Section 7. Grandfathering Determination – Withdrawals and Consumptive Use

The project did not utilize surface water withdrawals prior to November 11, 1995. With this approval, all sources operated by the system are approved by the Commission.

The project did not consumptively use water prior to January 23, 1971.

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 sources listed in Sections 3 and 6. 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 sources listed in Sections 3 and 6, 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, and any modifications proposed for the groundwater elevation monitoring plan, 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.

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. 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.

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. The project sponsor is required to apply for and obtain approval prior to any increase in the total system withdrawal that would exceed the approved total system withdrawal limits listed herein.

19. 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

20. To avoid the potential for dewatering significant water-bearing zones in the DuPont Well, drawdown in the DuPont Well shall be limited to 210 feet AMSL. Within ninety (90) days from the date of this approval, the project sponsor shall provide documentation to the Commission that an automatic shutoff switch that ceases withdrawals from the DuPont Well at the prescribed elevation has been installed.

21. The project sponsor shall comply with the water conservation requirements and reduce system water losses to less than twenty (20) percent to comply with 18 CFR § 806.25(a)(1). The project sponsor shall reduce distribution system losses and achieve compliance with the water conservation requirements as prescribed in Special Condition 20 of Commission Docket No. 20160609, and the related plan approval letter dated February 14, 2018.

22. The date of the last DuPont Well meter certification was August 8, 2018; therefore, the next meter certification is due no later than August 8, 2023. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

23. 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.

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. 19880401 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.