



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

(717) 238-0423 Phone • (717) 238-2436 Fax

www.srbc.net

Docket No. 20191204

Approval Date: December 5, 2019

HAZLETON CITY AUTHORITY – HAZLETON DIVISION

**Groundwater Withdrawal (30-Day Average) of 0.354 mgd
from Barnes Run Well 3**

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 project described herein in accordance with the conditions set forth below.

The project sponsor maintains and operates its Hazleton Division public water supply system using water sources located within both the Susquehanna River Basin and the Delaware River Basin. This approval authorizes the use of Barnes Run Well 3 at the requested withdrawal rate.

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:	Hazleton City Authority
Approval Type:	Groundwater Withdrawal
Past Docket No.:	19790304
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Hazle Township
County:	Luzerne 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:	Barnes Run Well 3
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010704 (Nescopeck Creek)
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 constant-rate aquifer testing required by 18 CFR § 806.12 for groundwater withdrawals was completed with prior Commission approval for Barnes Run Well 3. A 72-hour, constant-rate aquifer test was conducted from October 16 through 19, 2018, pumping at an average rate of 294.2 gallons per minute (gpm).

The results of aquifer testing were used to project that the groundwater level will drop below a primary water-bearing zone at 265 feet below ground surface (bgs) after approximately 59 days at the tested rate. In order to prevent the water level decline to below this zone, the project sponsor requested a reduced 30-day average to maintain water levels above the identified upper water-bearing zone at 265 feet bgs. Commission staff determined that the withdrawal from Barnes Run Well 3 at the requested reduced 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):	0.354
Maximum Instantaneous Withdrawal Rate (gpm):	300 (Not to Exceed)
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

In accordance with 18 CFR § 806.4, all of the project sponsor's sources in the Hazleton Division require Commission approval. The project sponsor may continue to operate its unapproved sources in accordance with the terms and conditions outlined in a Consent Order and Agreement entered into by the Commission and the project sponsor on December 3, 2018, which includes a schedule for submittal of applications, review and approval of the currently unapproved sources.

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project continues to be 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 withdrawal 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, 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 all approvals 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 surface water and 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. 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. 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 system losses and achieve compliance with the water conservation requirements within five (5) years of the effective date of this docket approval unless the Commission grants an extension of time due to extenuating circumstances described, in writing, by the project sponsor. The project sponsor shall report to the Commission annually on the progress made pursuant to this requirement. Annual reports are due within sixty (60) days after the close of the preceding calendar year. If the project sponsor can show that system water losses are below twenty (20) percent for two (2) consecutive calendar years, annual reports for the remainder of the five (5)-year period may no longer be required following written notification from Commission staff.

20. The date of the last meter certification was March 26, 2019; therefore, the next meter certification is due no later than March 26, 2024. 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.

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 daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also 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,

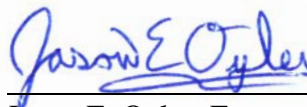
of all persons supplied water from the project that do not maintain a permanent connection to the public water supply system for uses other than hydrocarbon development, including daily quantities supplied.

Section 10. Term

23. This approval is effective until December 4, 2034. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 4, 2034, 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.

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 December 5, 2019.

Dated: December 6, 2019



Jason E. Oyler, Esq.