



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20200304**

**Approval Date: December 5, 2014**

**Modification Date: March 13, 2020**

## **NEW MORGAN BOROUGH UTILITIES AUTHORITY**

### **Groundwater Withdrawal (30-Day Average) of 0.275 mgd from Well PW-1**

#### **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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves modification of the project described herein in accordance with the conditions set forth below.

The Commission approved the project sponsor to withdraw 0.275 million gallons per day (mgd) from Well PW-1 and 0.108 mgd from Well PW-3 on December 5, 2014, under Commission Docket No. 20141207 (Docket). In accordance with Term Condition 25 of the Docket, the approval for Well PW-3 automatically expired on December 8, 2019, due to the lack of commencement of withdrawal. The Commission initiated this modification to remove the expired Well PW-3, recognize the interconnection with the Caernarvon Township Authority that is not subject to a total system limit, and eliminate the no longer applicable total system limit. This approval supersedes the Docket.

The New Morgan Borough Utilities Authority operates an existing public water supply system serving portions of New Morgan Borough and Caernarvon Township using one groundwater source (Well PW-1) and maintains an interconnection with the Caernarvon Township Authority. According to information provided by the project sponsor, no other sources are utilized by the project.

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	
<b>Project Sponsor:</b>	New Morgan Borough Utilities Authority
<b>Approval Type:</b>	Groundwater Withdrawal
<b>Authorized Water Use Purpose:</b>	Public Water Supply
<b>Municipality:</b>	New Morgan Borough
<b>County:</b>	Berks County
<b>State:</b>	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	
<b>Withdrawal Type:</b>	Groundwater
<b>Approved Source:</b>	Well PW-1
<b>Subbasin:</b>	Lower Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205030611 (Conestoga River)
<b>Withdrawal Location (degrees)*:</b>	Lat: -- Long: --
<b>Special Flow Protection Required:</b>	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. A 72-hour, constant-rate aquifer test of Well PW-1 was conducted from April 9 through 12, 2012, pumping at an average rate of 675 gallons per minute (gpm).

Commission staff determined that the withdrawal from Well PW-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.

### 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	
<b>30-Day Average Withdrawal (mgd):</b>	0.275
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	675 (Not to Exceed)

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 any other existing approved withdrawals.

## **Section 7. Grandfathering Determination – Withdrawals and Consumptive Water Use**

The project did not utilize surface water withdrawals or groundwater withdrawals prior to November 11, 1995 or July 13, 1978, respectively.

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 plans 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 plans.

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. The groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. 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(a)(4). Modifications shall not be made until the project sponsor receives written approval of the amended plans.

5. The project sponsor shall keep daily records of the project's withdrawals 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 requested by the project sponsor shall be

submitted for review and, if appropriate, approval by Commission staff prior to implementing or modifying existing equipment or procedures. 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. The project sponsor shall comply with the water conservation requirements specified in 18 CFR § 806.25.

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

9. The project sponsor shall register with the appropriate agency all groundwater sources described herein, as may be required by regulations of the member jurisdiction.

10. 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.

11. 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.

12. 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.

13. 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.

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

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

16. 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

17. If the project sponsor intends to resume surface water withdrawals from Mill Pond, submittal of an application for review and approval by the Commission will be required.

18. 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.

19. The project sponsor shall not proceed with any interconnections, extensions of service lines, expansion of service areas, execution of bulk water sale agreements, or any other project that may result in a diversion of the waters of the Susquehanna River Basin into or out of the basin without prior approval of the Commission.

## Section 10. Term

20. This modified approval is effective until December 4, 2029. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 4, 2029, 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.

21. Commission Docket No. 20141207 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 13, 2020.

Dated: March 16, 2020



Jason E. Oyler, Esq.