



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. 20200307

Approval Date: March 13, 2020

TOWANDA MUNICIPAL AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.551 mgd
from Eilenberger Spring, and
Total System Withdrawal Limit (30-Day Average) of 1.200 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 project described herein in accordance with the conditions set forth below.

The project sponsor maintains and operates a public water supply system that is currently sourced by Eilenberger Spring and two groundwater wells (TMA Well 1 and TMA Well 2) that will be abandoned after Roberts Production Well 1 (RPW-1), Roberts Production Well 2 (RPW-2), and Church Production Well 1 (CPW-1) are brought online, and also maintains interconnections to supply New Albany Borough and Wysox Township Municipal Authority. According to information provided by the project sponsor, no other sources are utilized by the project. This approval authorizes the use of the Eilenberger Spring at the requested rate, and increases the total system limit from 1.174 million gallons per day (mgd) to 1.200 mgd, based on the project's 15-year projected demand.

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:	Towanda Municipal Authority
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Albany Township
County:	Bradford 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:	Eilenberger Spring
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010603 (Towanda 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 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, the project sponsor provided a sufficiently equivalent groundwater availability analysis and historical withdrawal data.

Commission staff determined that the withdrawal from Eilenberger Spring 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. Pursuant to Commission Resolution No. 2015-06, the Executive Director waived the aquifer testing requirements of 18 CFR § 806.12 on February 24, 2020.

Flow from the Eilenberger Spring is variable and dependent on precipitation and baseflow conditions. As a result of the variability of the source, the full quantity approved herein may not be available at all times. However, the project sponsor maintains sufficient other sources to offset the decreased flow from the Eilenberger Spring during dry periods. Based on the historical flow data, Eilenberger Spring flows are sufficient at all times to supply the New Albany Borough and Wysox Township Municipal Authority public water supply systems.

Staff recommended approval of the requested quantity because the withdrawal from the spring occurs passively. The spring water collection system gravity feeds all of the water collected at the spring directly into the public water supply system and no controls or infrastructure are in place to discharge excess water. Therefore, staff recommended approval of the highest reported 30-day average withdrawal from the spring.

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):	0.551
Maximum Instantaneous Withdrawal Rate (gpm):	Not Applicable
Total System Withdrawal Limit – CPW-1, RPW-1, RPW-2, and Eilenberger Spring (30-Day Average) (mgd):	1.200
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
CPW-1	0.432	20180912	September 6, 2033
RPW-1	1.000	20180912	September 6, 2033
RPW-2	1.000	20180912	September 6, 2033
Wellfield Withdrawal Limit – RPW-1 and RPW-2	1.000	20180912	September 6, 2033

Section 7. Grandfathering Determination – Withdrawals and Consumptive Use

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

Sources that have operated without Commission approval will be abandoned in accordance with Condition 22 of Commission Docket No. 20180912. After the unapproved sources are abandoned, all sources operated by the project will have Commission approval.

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 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 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.

5. 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.

6. 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.

7. 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.

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

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

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

11. 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.

12. 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.

13. 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.

14. 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.

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

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

17. 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.

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. In accordance with Condition 24 of Commission Docket No. 20180912, the project sponsor shall reduce system water losses to less than twenty (20) percent to comply with 18 CFR § 806.25(a)(1) by September 7, 2023, 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 September 25, 2018; therefore, the next meter certification is due no later than September 25, 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.

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 March 12, 2035. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 12, 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 March 13, 2020.

Dated: March 16, 2020



Jason E. Oyler, Esq.