



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20210908**

**Approval Date: September 17, 2021**

## **SUEZ WATER PENNSYLVANIA INC. – NEWBERRY OPERATION**

**Groundwater Withdrawal (30-Day Average) of 0.031 mgd from the Eden 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 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 January 17, 1991, the Commission approved the groundwater withdrawal of 0.043 million gallons per day (mgd) from the Eden Well under Commission Docket No. 19910102. The project sponsor submitted a groundwater withdrawal renewal application requesting to withdraw 0.043 mgd (30-day average) from the Eden Well. This approval authorizes the use of the Eden Well at a reduced withdrawal rate of 0.031 mgd and maintains the total system withdrawal limit of 0.650 mgd established under Commission Docket No. 20190611. The reported maximum 30-day average demand for the public water supply system is approximately 0.582 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	
<b>Project Sponsor:</b>	SUEZ Water Pennsylvania Inc.
<b>Approval Type:</b>	Groundwater Withdrawal
<b>Past Docket No.:</b>	19910102
<b>Authorized Water Use Purpose:</b>	Public Water Supply
<b>Municipality:</b>	Newberry Township
<b>County:</b>	York 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>	Eden Well
<b>Subbasin:</b>	Lower Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205030510 (Susquehanna River)
<b>Withdrawal Location (degrees)*:</b>	Lat: -- N                      Long: -- W
<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 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 Eden Well, the project sponsor provided the required groundwater availability analysis, historical withdrawal and water level data, and the results of operational monitoring. Pursuant to Commission Resolution Nos. 2013-11 and 2015-06, the Executive Director approved the waiver of the aquifer testing requirements of 18 CFR § 806.12 on August 10, 2021.

Historical operational data indicate that the major water-bearing zone at 413 to 415 feet below top of casing (BTOC) has been frequently exposed, which may have caused decreased yield of the well. To protect and avoid exposure of the major water-bearing zone in the Eden Well, the project sponsor recommended a drawdown restriction at 400 feet BTOC (22 feet above mean sea level [AMSL]). Commission staff finds the proposed water level restriction to be

acceptable and recommends that the Eden Well approval be conditioned with a water level restriction prohibiting pumping of the Eden Well in accordance with Special Condition 23.

During review of the project, staff identified that the requested withdrawal of 0.043 mgd (30-day average) is not sustainable and that the Eden Well has not been operated at the requested rate. To maintain operational flexibility and source redundancy in the event that other sources are not available, and because the project operates sufficient other sources to offset the reduced quantity from the Eden Well and DuPont Well when water level restrictions limit pumping, staff recommends approval of the Eden Well at 0.031 mgd, which is the maximum 30-day average rate for the well.

Commission staff determined that the withdrawal from the Eden Well at the 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.

<b>Approved Withdrawal Quantities and Limitations</b>	
<b>30-Day Average Withdrawal (mgd):</b>	0.031
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	30 (Not to Exceed)
<b>Peak Day Withdrawal (mgd):</b>	0.043
<b>Total System Withdrawal Limit – Conley 1 Well, Conley 2 Well, Coppersmith Well, DuPont Well, Eden Well, Susquehanna Village Well 1, Susquehanna Village Well 2, Reeser Well 1, Reeser Well 2, and Paddletown Well (30-Day Average) (mgd):</b>	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.

<b>Existing Approved Groundwater Withdrawals</b>			
<b>Source</b>	<b>30-Day Average Withdrawal (mgd)</b>	<b>Commission Docket No.</b>	<b>Docket Expiration Date</b>
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

<b>Existing Approved Groundwater Withdrawals (continued)</b>			
<b>Source</b>	<b>30-Day Average Withdrawal (mgd)</b>	<b>Commission Docket No.</b>	<b>Docket Expiration Date</b>
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
DuPont Well	0.072	20190611	June 30, 2034

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

The project did not utilize surface water withdrawals prior to November 11, 1995. 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 withdrawal 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 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 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. Commission Docket Nos. 20100614, 20100615, and 20160609 required the project sponsor to reduce system losses to less than twenty (20) percent to comply with 18 CFR § 806.25(a)(1). Although the project sponsor has not met this requirement, significant efforts have been made to reduce system losses and an extension to the deadline is appropriate. Therefore, the deadline to reduce system losses to less than twenty (20) percent is hereby extended through September 17, 2025. 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.

21. The date of the last meter certification was August 25, 2020; therefore, the next meter certification is due no later than August 25, 2025. 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.

22. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for minor modification under 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply

water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

23. To avoid the potential for dewatering significant water-bearing zones in the Eden Well, drawdown in the Eden Well shall be limited to 22 feet AMSL or 400 feet BTOC. 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 Eden Well at the prescribed elevation has been installed.

**Section 10. Term**

24. This approval shall be effective October 1, 2021, and shall remain effective until September 30, 2036. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2036, 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. 19910102 shall remain effective through September 30, 2021, 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 September 17, 2021.

Dated: September 20, 2021

  
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Jason E. Oyler, Esq.