



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20220301

Approval Date: March 17, 2022

ARTESIAN WATER COMPANY, INC.

**Transfer (30-Day Average) of up to 3.000 mgd
from an Interconnection with Chester Water Authority**

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.

This approval is a renewal of the project that was originally approved by Commission Docket No. 19961105 on November 26, 1996, and authorized the transfer via interconnection for Artesian Water Company, Inc. (Artesian) to receive water supply from Chester Water Authority (CWA) of up to 6.000 million gallons per day (mgd), based on a 30-day average. Artesian has requested renewal at a decreased supply quantity of 3.000 mgd (30-day average). Commission staff recommended that the approval term coincide with the Pennsylvania Department of Environmental Protection's (PADEP's) water allocation permit under which CWA operates the withdrawals from their sources. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Pennsylvania Fish and Boat Commission (PFBC), and the Maryland Department of the Environment (MDE) 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:	Artesian Water Company, Inc.
Approval Type:	Interstate Project/Transfer via Interconnection
Past Docket No.:	19961105
Authorized Water Use Purpose:	Public Water Supply
County:	New Castle County
State:	Delaware

Section 3. Source Information

Information concerning the source of water from which the interconnection will be made is set forth in the table below.

Source Information		
Approved Source:	Chester Water Authority (Susquehanna River and Octoraro Creek Reservoir)	
Subbasin:	Lower Susquehanna	
Interconnection Location (degrees)*:	Lat: --	Long: --
* Specific location information concerning discrete water-related project features has been withheld for security reasons.		

Section 4. Approved Interconnection/Transfer of Water Supply Quantities and Limitations

The interconnection approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Interconnection Quantities and Limitations	
30-Day Average Interconnection/Transfer of Water Amount (mgd):	3.000

The transfer of water via interconnection is also subject to all other conditions set forth in this docket approval.

Section 5. 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 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.

3. 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.

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

5. This approval is conditioned on the project sponsor maintaining legal access to the interconnection pipeline and associated infrastructure location for the duration of the approval.

6. 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.

7. 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 diversion 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.

8. 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.

9. 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.

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

11. The project sponsor is required to apply for and obtain approval prior to any increase in the interconnection/transfer of water that would exceed the amounts listed herein.

Section 6. Special Conditions

12. Measurement and accounting of the transfer of water via interconnection from CWA is required to be completed in accordance with the metering plan reviewed and approved by Commission staff and as approved by Commission Docket No. 20220316 issued to CWA. Using the metering equipment approved under Commission Docket No. 20220316 and maintained by CWA, the project sponsor shall keep daily records of the project's transfer of water 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. Should the metering arrangement change, any alternative measuring, monitoring, or accounting procedure requested by the project sponsor 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.


Section 7. Term

13. This approval is effective April 1, 2022, and shall remain effective until March 31, 2038, to align with CWA's associated PADEP source approval. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 30, 2037, 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.

14. Commission Docket No. 19961105 shall remain effective through March 31, 2022, 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 March 17, 2022.

Dated: March 18, 2022



Jason E. Oyler, Esq.