



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20220311

Approval Date: March 17, 2022

**FARMERS PRIDE, INC.
dba BELL & EVANS
FACILITY: PLANT 3**

**Groundwater Withdrawals (30-Day Averages) of 0.108 mgd from Well PW-1,
0.139 mgd from Well PW-2, and 0.179 mgd from Well PW-4**

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 is proposing to maintain and operate a water supply system for use in a new chicken processing plant (Plant 3) that includes three groundwater sources (Well PW-1, Well PW-2, and Well PW-4; herein referenced as PW-1, PW-2, and PW-4), public water supply, and reconditioned water. Based on information provided by the project sponsor, no other sources are operated by the project. This approval authorizes the withdrawals at the requested rates.

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:	Farmers Pride, Inc. dba Bell & Evans
Facility:	Plant 3
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Industrial Food Processing, Incidental Uses Related to Food Processing, and Potable Supply

Project Information (continued)	
Municipality:	Bethel Township
County:	Lebanon County
State:	Pennsylvania

Section 3. Source Information

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

Source Information		
Withdrawal Type:	Groundwater	
Approved Sources:	PW-1, PW-2, and PW4	
Subbasin:	Lower Susquehanna	
Watershed Boundary Dataset (WBD):	0205030507 (Little Swatara Creek)	
Withdrawal Location (degrees)*:		
PW-1	Lat: --	Long: --
PW-2	Lat: --	Long: --
PW-4	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. A 73-hour, constant-rate aquifer test of PW-1 was conducted on October 6 through 9, 2020, pumping at an average rate of 79.7 gallons per minute (gpm); a 76-hour, constant-rate aquifer test of PW-2 was conducted on November 21 through 24, 2020, at a pumping rate of 96.7 gpm; and a 72-hour, constant-rate aquifer test of PW-4 was conducted on December 9 through 12, 2020, at a pumping rate of 123.5 gpm.

Aquifer testing of PW-1 demonstrated the potential for significant adverse impacts to a residential well, which the project sponsor mitigated by replacement with a deeper well. Significant adverse impacts to other wells was not expected as a result of operating PW-1, PW-2, or PW-4.

Drawdown projections using the results of the PW-1 aquifer test indicate that the primary water-bearing zone located at 298.5 feet above mean sea level (AMSL) will be exposed after approximately 90 days of pumping with no recharge at the requested rate. To maintain the water level above the water-bearing zone, the project sponsor should cease withdrawals from PW-1 if the water level in the well drops to within 2 feet of the water-bearing zone. Consistent with

Special Condition 21, staff recommends that a pump shutoff switch be established to prohibit pumping if water levels in PW-1 are equal to or less than 300.5 feet AMSL.

Aquifer testing of PW-2 and PW-4 demonstrated no adverse impacts to nearby residential wells, and the withdrawals are not expected to cause significant adverse impacts to the environment.

Commission staff determined that the withdrawals from PW-1, PW-2, and PW-4 at the requested withdrawal rates 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 withdrawals approved hereunder are subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations			
	PW-1	PW-2	PW-4
30-Day Average Withdrawal (mgd):	0.108	0.139	0.179
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	75	97	124
Peak Day Withdrawal (mgd):	0.108	0.139	0.179
mgd – million gallons per day			

The withdrawals are 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. Grandfathering Determination – Withdrawals and Consumptive 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 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. Prior to any withdrawal from the sources listed in Section 3, the project sponsor shall install and maintain metering in accordance with 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit photographs of the meters when they have been installed, provide the serial numbers of the meters, and certify the accuracy of the measuring devices to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. 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.

5. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the sources listed in Section 3. Prior to initiating withdrawals and within ninety (90) days from the date of this approval, the project sponsor shall install and maintain water level monitoring equipment in accordance with 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit make, model, serial numbers, and photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall maintain and monitor the accuracy of the measuring devices in accordance with the manufacturer's specifications.

6. The project sponsor shall keep daily records of the project's withdrawals and groundwater elevations for the sources 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.

7. 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.

8. 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.

9. 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.

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

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

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

13. 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.

14. 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.

15. 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.

16. 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.

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

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

21. To avoid the potential for exposing the primary water-bearing zone in PW-1, drawdown in PW-1 shall be limited to 300.5 feet AMSL. Prior to initiating withdrawals from PW-1, the project sponsor shall provide documentation to the Commission that a pump shutoff switch has been installed in PW-1 to cease withdrawals from PW-1 at the prescribed elevation.

Section 10. Term

22. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawals or this approval will automatically expire, unless an extension is requested, in writing, by the project sponsor no later than one hundred twenty (120) days prior to such expiration and approved by the Commission as provided in 18 CFR § 806.31(b).

23. This approval is effective until March 16, 2037. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 16, 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.

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.