



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20221212

Approval Date: December 15, 2022

THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS FACILITY: INDIANTOWN GAP NATIONAL CEMETERY

**Consumptive Use (30-Day Average) of up to 0.099 mgd
from Wells 1 and 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.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), 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:	The United States Department of Veterans Affairs
Facility:	Indiantown Gap National Cemetery
Approval Type:	Consumptive Use
Authorized Water Use Purpose:	Cemetery Grounds Irrigation and Related Incidental Uses
Municipalities:	East Hanover and Union Townships
County:	Lebanon County
State:	Pennsylvania

Section 3. Approved Consumptive Use Quantities and Limitations

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

Approved Consumptive Use Quantities and Limitations	
Sources for Project Consumptive Use:	1. Well 1 2. Well 4
30-Day Average Consumptive Use Amount (mgd):	0.099 (Not to Exceed)
Authorized Project Consumptive Uses:	1. Cemetery Grounds Irrigation 2. Related Incidental Uses
Consumptive Use Mitigation Type:	Utilize Storage and Discontinuance (see Special Condition 19)
mgd – million gallons per day	

The consumptive use is also subject to all other conditions set forth in this docket approval.

Section 4. Under Threshold Withdrawals

The groundwater withdrawals supplying the two separate irrigation ponds will be operated below the Commission's regulatory threshold individually and in combination; therefore, the withdrawals do not require Commission review and approval if the combined and individual withdrawals remain below 0.100 mgd (consecutive 30-day average). The project may continue withdrawal from the groundwater wells below 0.100 mgd, maximum consecutive 30-day average, in support of uses identified in Section 3, without Commission review and approval. Operation of withdrawals above 0.100 mgd (consecutive 30-day average), individually or in combination, will require prior review and approval in accordance with Special Condition 18.

The project has drilled and tested Well 3, which has not been proposed for any use and is not covered in review or authorization of the project.

Future cemetery expansion, addition of new water sources, or associated increased irrigation water use may require prior review and approval in accordance with Standard Condition 17 or Special Condition 18.

The facility utilizes public water supply from Fort Indiantown Gap for potable/sanitary water uses. Water from the public water supply will not be consumptively used in facility operations and is not subject to Commission review and approval.

Because the project has groundwater wells, the Commission also strongly encourages the collection of daily individual withdrawal quantities and groundwater elevation data to ensure sustainable operating conditions. These data will prove invaluable in the course of future regulatory reviews, should they arise.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808.

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 consumptive use from the sources listed in Section 3, the project sponsor shall install and maintain metering in accordance with 18 CFR § 806.30 and the approved metering plan. The project sponsor shall notify the Commission, in writing, and submit photographs of the meters when installed, provide the serial number of the meters, and certify the accuracy of the measuring devices to within five (5) percent of actual flow. Consumptive use 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 meters and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of consumptive uses, 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. Effective January 1, 2023, the project sponsor shall keep daily records of the project's consumptive use 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 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 water 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 consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Section 3.

Section 6. Special Conditions

18. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawals that would be equal to or exceed 0.100 mgd (consecutive 30-day average) individually or in combination.

19. The project's consumptive use is subject to mitigation requirements, as per 18 CFR § 806.22(b). Consistent with Section 3, mitigation requirements for consumptive use at the project are outlined below:

- a. To satisfy the Commission's mitigation requirements for consumptive use by using storage and discontinuance during a Commission-designated low flow period of consumptive use in accordance with 18 CFR § 806.22(b)(1)(i) and (iii), the project sponsor shall adhere to the consumptive use mitigation plan reviewed and approved by Commission staff. Any modifications proposed for the consumptive use mitigation plan shall be submitted for review and, if appropriate, approval by Commission staff. Modifications shall not be made until the project sponsor receives written approval of the amended plan.
- b. In any case of the project sponsor's failure to adhere to the mitigation plan for the consumptive use mitigation requirements described in Section 3 and Special Condition 19(a), in addition to any compliance action under 18 CFR Part 808, the project shall provide mitigation in the form of payment of the mitigation fee for the calendar year in which such failure occurs, and the Commission will reevaluate the continued acceptability of the method of mitigation. The payment of consumptive use mitigation fees shall be calculated by applying the rate from the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission, for every day in the calendar year in which water was consumed if the foregoing were to occur. The rate of payment using this method of compliance is subject to change at the Commission's discretion.

20. Prior to supplying water for any use not authorized pursuant to Section 3 of this approval, the project sponsor shall first submit a minor modification application 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.

Section 7. Term

21. This approval is effective until December 14, 2037. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 14, 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.

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 December 15, 2022.

Dated: December 16, 2022



Jason E. Oyler, Esq.