

**DOCKET NO. D-1988-045 CP-4**

**DELAWARE RIVER BASIN COMMISSION**

**Special Protection Waters**

**Roamingwood Sewer and Water Association, agent of;  
The South Wayne County Water and Sewer Authority  
Ground Water Withdrawal  
Lake and Salem Townships, Wayne County, Pennsylvania**

**PROCEEDINGS**

This docket is issued in response to an Application submitted by Roamingwood Sewer and Water Association (RSWA), agent of; The South Wayne County Water and Sewer Authority (SWCWSA) to the Delaware River Basin Commission (DRBC or Commission) on May 16, 2014 for renewal of an allocation of groundwater and review of a groundwater water withdrawal project (Application). On March 24, 2010, the Pennsylvania Department of Environmental Protection (PADEP) issued PWS Operation Permit No. 2640025, which consolidated all previous PWS Permits issued to RSWA and transferred them to SWCWSA. On March 30, 2011, PADEP issued PWS Operation Permit No. 2640025, which included five separate operation permits (one for each source) for the 4-Log Treatment of Viruses.

The Application was reviewed for continued inclusion in the Comprehensive Plan and for approval under Section 3.8 of the *Delaware River Basin Compact*. The Wayne County Planning Commission has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on September 15, 2015.

**A. DESCRIPTION**

**1. Purpose.** The purpose of this docket is to approve a temporary increase in allocation from 20.67 million gallons per month (mgm) to 24.8 mgm of groundwater from five existing wells (Wells Nos. 1, 2, 3, 4 and 5) for use in the docket holder's public water system. The temporary increase in allocation is necessary during the docket holder's ongoing system water loss improvement project. The temporary allocation will expire on September 16, 2020, at which time the allocation will be reduced to 20.67 mgm.

**2. Location.** The project wells are completed in the Poplar Gap Member of the Catskill Formation and are located in the Ariel Creek Watershed in Lake and Salem Townships, Wayne County, Pennsylvania. The Ariel Creek near the project site is designated by the PADEP as a high quality-cold water fishery (HQ-CWF). Specific location information has been withheld for security reasons.

**3. Area Served.** The RSWA provides water to The Hideout development in Lake and Salem Townships, Wayne County, Pennsylvania. The water service area boundary is outlined on a map entitled “System Map, Roamingwood Sewer and Water Assn.” submitted with the Application. For the purpose of defining Area Served, the Application is incorporated herein by reference consistent with conditions contained in the DECISION section of this docket.

**4. Physical features.**

**a. Design criteria.** The public water system currently serves water to approximately 8,197 seasonal and year-round persons on 3,251 domestic service connections and 28 commercial service connections and records an existing average and maximum daily water demand of 0.578 million gallons per day (mgd) and 0.873 mgd, respectively. In 2014, monthly combined groundwater withdrawals averaged 19.9 mgm with a peak total withdraw of 23.9 mgm. Although a slight increase in population is expected, the docket holder projects that due to ongoing system improvements, the 10-year average and maximum daily water demand will decrease to 0.495 mgd and 0.737 mgd, respectively. The temporary allocation of 24.8 mgm should be sufficient to meet the current demands during the system water loss improvement project. Thereafter, the allocation of 20.67 mgm should be sufficient to meet the future demands of the water supply system.

**b. Facilities.** The existing project wells have the following characteristics:

<b>WELL NO.</b>	<b>DEPTH</b>	<b>CASED DEPTH/ CASING DIAMETER</b>	<b>PUMP CAPACITY</b>	<b>YEAR DRILLED</b>
1 (Elmwood Well)	496 ft	91' / 8"	100 gpm	1969
2 (South Well)	456 ft	95' / 8"	175 gpm	1969
3 (North Well)	495 ft	50' / 8"	160 gpm	1971
4 (Boulder Well)	600 ft	44' / 8"	250 gpm	1973
5 (Brookfield Well)	525 ft	52' / 8"	138 gpm	1973

All water service connections are metered.

All wells are metered.

Prior to entering the distribution system, the water is chlorinated.

The project wells are not located in a mapped 100-year floodplain.

The water system is not presently interconnected with any other distribution system.

**c. Other.** Wastewater is conveyed to the Roamingwood Water and Sewer Association, agent of; The South Wayne County Water and Sewer Authority sewage treatment

facility most recently approved by DRBC Docket No. D-1988-014 CP-2 on June 10, 2015. The PADEP issued its most recent NPDES Permit No. PA0033430 on August 29, 2013 for this treatment facility. The treatment facility has adequate capacity to continue to receive wastewater from the existing project.

**d. Cost.** There are no construction costs associated with this renewal project.

**e. Relationship to the Comprehensive Plan.** Wells Nos. 1 and 2 of the Pocono Water Company were included in the Comprehensive Plan by Docket No. D-70-199 CP approved on November 24, 1970. Well No. 3 also of the Pocono Water Company was added to the Comprehensive Plan on June 28, 1972 by Docket No. D-72-114 CP. Wells Nos. 4 and 5 were included in the Comprehensive Plan by Docket No. D-88-45 CP approved on August 3, 1998. This docket also transferred the facilities from Pocono Water Company to RSWA. The dam and recreation lake that are part of this development were approved by the Commission as Docket D-69-157 on October 28, 1969. Issuance of this docket will continue the groundwater supply system in the Comprehensive plan.

## **B. FINDINGS**

### **Special Protection Waters**

In 1992, the DRBC adopted Special Protection Waters requirements, as part of the DRBC *Water Quality Regulations* (WQR), designed to protect existing high water quality in applicable areas of the Delaware River Basin. One hundred twenty miles of the Delaware River from Hancock, New York downstream to the Delaware Water Gap were classified by the DRBC as SPW. This stretch includes the sections of the river federally designated as "Wild and Scenic" in 1978 -- the Upper Delaware Scenic and Recreational River and the Delaware Water Gap National Recreation Area -- as well as an eight-mile reach between Milrift and Milford, Pennsylvania which is not federally designated. The SPW regulations apply to this 120-mile stretch of the river and its drainage area.

On July 16, 2008, the DRBC approved amendments to its *Water Quality Regulations* that provide increased protection for waters that the Commission classifies as Special Protection Waters. The portion of the Delaware River and its tributaries within the boundary of the Lower Delaware River Management Plan Area was approved for Special Protection Waters designation and clarity on definitions and terms were updated for the entire program.

Article 3.10.3A.2.e.1). and 2). of the *Water Quality Regulations, Administrative Manual - Part III*, states that projects subject to review under Section 3.8 of the Compact that are located in the drainage area of Special Protection Waters must submit for approval a Non-Point Source Pollution Control Plan that controls the new or increased non-point source loads generated within the portion of the docket holder's service area which is also located within the drainage area of Special Protection Waters.

The docket holder's wells and service area are located within in the drainage area to the SPW. However, the project including the area served, is located upstream of Lake

Wallenpaupack. This reservoir is listed as one of the major surface water impoundments in Section 3.10.3A.2.g.5) and the docket holder's water supply project in this area is exempt from having to submit a NPSPCP, as outlined in Article 3.10.3A.2. of the Commission's WQR.

**Water Audits for Public Water Supply Systems Serving Greater than 100,000 gpd**

Section 2.1.8 of the Water Code states that it is the policy of the Commission to establish a standardized water audit methodology for owners of water supply systems serving the public to ensure accountability in the management of water resources. Voluntary Water Audits were encouraged for public water supply systems through December 31, 2011 (Section 2.1.8.B.). Effective January 1, 2012, the owners of each public water supply system are required to implement an annual calendar year water audit program conforming to IWA/AWWA Water Audit Methodology (AWWA Water Loss Control Committee (WLCC) Water Audit Software) and corresponding AWWA guidance (Section 2.1.8.C). Water audits shall be submitted annually to the Commission by March 31. The docket holder has submitted their most recent Water Audit on March 31, 2015.

The docket holder is actively conducting system-wide improvements, including the replacement of all water mains and service connections to reduce its current water losses. Stage 1 of the project was completed in 2014 and involved new piping in the highest priority areas of the community. A reduction in water use has yet to be realized as the remaining old distribution piping is weakened and more susceptible to leakage from increased pressure resulting from the tightening of the system in the stage 1 area. The second stage of the improvement project is underway and is expected to be completed by December 2016. The docket holder anticipates some reduction in unaccounted for water loss at this time. The docket holder is pursuing funding for the third and final stage of the improvement project and anticipates that it will be completed within 5 years. Before January 31, 2017 or within 30 days of the completion of Stage 2 of the improvement project, whichever occurs first, the docket holder shall submit information to the Commission summarizing the work completed, its effectiveness on reducing system losses and provide an update on the third stage of the improvement project. Thereafter, the docket holder shall submit an annual update to the commission (due January 31) until the improvement project has been completed.

This project consists of an existing withdrawal of groundwater from Wells Nos. 1, 2, 3, 4 and 5. This docket approves the requested allocation of 24.8 mgm, but only on a temporary basis. Upon the completion of the system water loss improvement project or September 16, 2020, whichever occurs first, the temporary allocation will expire and the previously approved system allocation of 20.67 mgm will be in effect. The individual instantaneous well rates and monthly well allocations requested by the docket holder are based on the well ratings listed in the PADEP Public Water Supply Permits and reported booster pump capacities, respectively. The total system and individual well allocations are provided in Condition C.II.d. in the Decision Section of this docket. As the existing water withdrawals have already been realized by the local hydrologic system, there should be no significant impacts from continued withdrawals from the existing system wells.

The DRBC estimates that the project withdrawals, used for the purpose of public water supply, result in a consumptive use of 10 percent of the total water use. The DRBC definition of consumptive use is defined in Article 5.5.1.D of the *Administrative Manual – Part III – Basin Regulations – Water Supply Charges*.

The project is designed to conform to the requirements of the *Water Code* and *Water Quality Regulations* of the DRBC.

The project does not conflict with the Comprehensive Plan and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

### **C. DECISION**

I. Effective on the approval date for Docket No. D-1988-045 CP-4 below:

a. The project described in Docket No. D-1988-045 CP-3 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-1988-045 CP-4; and

b. Docket No. D-1988-045 CP-3 is terminated and replaced by Docket No. D-1988-045 CP-4.

c. The project and the appurtenant facilities described in the Section A “Physical features” shall be added to the Comprehensive Plan.

II. The project and appurtenant facilities as described in the Section A “Physical features” are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the PADEP in its Public Water Supply Permits, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission’s. The docket holder shall continue to report to the PADEP all groundwater sources described in this docket in accordance with the Pennsylvania Regulations (Title 25 - Environmental Protection, [25 PA. CODE CH. 110], Water Resources Planning).

b. The wells and operational records shall be available at all times for inspection by the DRBC.

c. The wells shall be operated at all times to comply with the requirements of the *Water Code* and *Water Quality Regulations* of the DRBC.

d. Until September 16, 2020, the combined withdrawal from all well sources shall not exceed 24.8 million gallons per month. After which, during any month, the combined withdrawal from all well sources shall not exceed 20.67 million gallons. The duration of the

temporary increase in allocation relating to the status of the water system improvement project may be extended by the DRBC Executive Director for good cause upon written request by the docket holder. No well shall be pumped above the maximum instantaneous rate and monthly allocation as indicated below:

<b>WELL NO.</b>	<b>MAXIMUM INSTANTANEOUS RATE</b>	<b>MONTHLY ALLOCATION</b>
1	100 gpm	2.50 mgm
2	200 gpm	4.00 mgm
3	175 gpm	5.70 mgm
4	275 gpm	8.60 mgm
5	138 gpm	4.00 mgm

e. The wells shall be equipped, where possible, with readily accessible capped ports and minimum ½ inch inner diameter (ID) drop pipes as repairs or modifications are made at each existing well so that water levels may be measured under all conditions.

f. Before January 31, 2017 or within 30 days of the completion of Stage 2 of the improvement project, whichever occurs first, the docket holder shall submit information to the Commission summarizing the work completed, its effectiveness on reducing system losses and provide an update on the third stage of the improvement project. Thereafter, the docket holder shall submit an annual update to the commission (due January 31) until the improvement project has been completed.

g. The project withdrawals shall be metered with an automatic continuous recording device that measures to within 5 percent of actual flow. An exception to the 5 percent performance standard, but no greater than 10 percent, may be granted if maintenance of the 5 percent performance is not technically feasible or economically practicable. A record of daily withdrawals shall be maintained, and monthly totals shall be reported to the PADEP annually and shall be available at any time to the Commission if requested by the Executive Director.

h. Each new water service connection shall include a water meter in accordance with the DRBC’s Resolution No. 87-7 (Revised).

i. In accordance with DRBC Resolutions No. 87-6 (Revised) and No. 2009-1, the docket holder shall continue to implement to the satisfaction of the PADEP, the systematic program to monitor and control leakage within the water supply system. The program shall at a minimum include: periodic surveys to monitor leakage, enumerate non-revenue water and determine the current status of system infrastructure; recommendations to monitor and control leakage; and a schedule for the implementation of such recommendations. The docket holder shall proceed expeditiously to correct leakages and unnecessary usage identified by the program.

j. In accordance with DRBC Resolution No. 2009-1 and Section 2.1.8 of the Water Code, the docket holder shall implement an annual calendar year water audit program conforming to IWA/AWWA Water Audit Methodology (AWWA Water Loss Control Committee (WLCC) Water Audit Software) and corresponding guidance. Water audits shall be submitted annually to the Commission by March 31.

k. The docket holder shall implement to the satisfaction of the PADEP, the continuous program to encourage water conservation in all types of use within the facilities served by this docket approval. The docket holder will report to the PADEP on the actions taken pursuant to this program and the impact of those actions as requested by the PADEP.

l. No water service connections shall be made to newly constructed premises with plumbing fixtures and fittings that do not comply with water conservation performance standards contained in Resolution No. 88-2 (Revision 2).

m. The docket holder shall implement to the satisfaction of the PADEP, a drought or other water supply emergency plan.

n. Sound practices of excavation, backfill and reseedling shall be followed to minimize erosion and deposition of sediment in streams from any new facilities or repair related construction.

o. No new water service connections shall be made to premises connected to sewerage systems which are not in compliance with all applicable effluent limits contained in State permits and the *Water Quality Regulations* of the Commission.

p. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

q. The docket holder is permitted to provide the water approved in this docket to the areas included in Section A.3. Area Served of this docket. Any expansion beyond those included in Section A.3. Area Served is subject to DRBC review and approval in accordance with Section 3.8 of the *Compact*.

r. Unless an extension is requested and approved by the Commission in advance, in accordance with paragraph 11 of the Commission's Project Review Fee schedule (Resolution No. 2009-2), the docket holder is responsible for timely submittal of a docket renewal application on the appropriate DRBC application form at least 12 months in advance of the docket expiration date set forth below. The docket holder will be subject to late charges in the event of untimely submittal of its renewal application, whether or not DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date below (or the later date established by an extension that has been timely requested and approved), the terms and conditions of the current docket will remain fully effective and

enforceable against the docket holder pending the grant or denial of the application for docket approval.

s. The issuance of this docket approval shall not create any private or proprietary rights in the water of the Basin, and the Commission reserves the rights to amend, alter or rescind any actions taken hereunder in order to insure the proper control, use and management of the water resources of the Basin.

t. If the monitoring required herein, or any other data or information demonstrates that the operation of this project significantly affects or interferes with any domestic or other existing uses of ground or surface water, or if the docket holder receives a complaint by any existing ground or surface water users within the zone of influence of the withdrawal, the docket holder shall immediately notify the Executive Director of any complaints by any ground or surface users within the zone of influence of the withdrawal, and unless excused by the Executive Director, shall investigate such complaints. The docket holder should direct phone call notifications of potential well or surface water interference or complaints of interference to the DRBC Project Review Section at 609-883-9500, extension 216. Oral notification must always be followed up in writing directed to the Executive Director. In addition, the docket holder shall provide written notification to all potentially impacted users of wells or surface water supplies of the docket holder's responsibilities under this condition. Any ground or surface water user which is substantially adversely affected, rendered dry or otherwise diminished as a result of the docket holder's project withdrawal, shall be repaired, replaced or otherwise mitigated at the expense of the docket holder. A report of investigation and/or mitigation plan prepared by a hydrologist shall be submitted to the Executive Director as soon as practicable. The Executive Director shall make the final determination regarding the validity of such complaints, the scope or sufficiency of such investigations, and the extent of appropriate mitigation measures, if required.

u. The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.

v. For the duration of any drought emergency declared by either Pennsylvania or the Commission, water service or use by the docket holder pursuant to this approval shall be subject to the prohibition of those nonessential uses specified by the Governor of Pennsylvania, the Pennsylvania Emergency Management Council, PADEP, or the Commonwealth Drought Coordinator to the extent that they may be applicable, and to any other emergency resolutions or orders adopted hereafter by the Commission.

w. Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the *Rules of Practice and Procedure*. In accordance with Section 15.1(p) of the Delaware River Basin Compact, cases and controversies arising under the Compact are reviewable in the United States district courts.

**BY THE COMMISSION**

**APPROVAL DATE: September 16, 2015**

**EXPIRATION DATE: September 16, 2025**