

DOCKET NO. D-1992-044 CP-4

DELAWARE RIVER BASIN COMMISSION

**Southeastern Pennsylvania
Ground Water Protected Area**

Located Within the Drainage Area of Special Protected Waters

**North Penn Water Authority
Groundwater and Surface Water Withdrawal**

Franconia Township, Lower Salford Township, Towamencin Township, Skippack Township, Upper Gwynedd Township, East Rockhill Township, West Rockhill Township, Hatfield Township, New Britain Township, New Britain Borough, Lansdale Borough and Sellersville Borough Bucks and Montgomery Counties, Pennsylvania

PROCEEDINGS

This docket is issued in response to an Application submitted by Patriot Environmental Management, LLC on behalf of North Penn Water Authority (NPWA) to the Delaware River Basin Commission (DRBC or Commission) on January 30, 2015 (Application), for a renewal and approval of an allocation of groundwater and surface water via an interconnection with the Forest Park Water Treatment Plant and review of a groundwater and surface water withdrawal project in the Ground Water Protected Area of Southeastern Pennsylvania. The prior docket was approved by the Commission on December 7, 2005. The project wells were reviewed under the Pennsylvania Safe Drinking Water Act for public water supply permits and approved by the Pennsylvania Department of Environmental Protection (PADEP) as follows:

WELL NO.	PADEP PERMIT NO.	PADEP APPROVAL DATE
Well H-10	4681509-T1	November 30, 1981
Well H-8	4678507-T1	February 21, 1990
Wells L-17, L-19 and L-22	765W12	June 6, 1955
Well NB-1	763W4-T2	April 10, 1978
Well NB-2	0977503-T2	April 10, 1978
Well NP-14	4678503	November 22, 1978
Well NP-17	4668504	January 23, 1969
Well NP-26	4673501	July 26, 1973
Well NP-31	4677502	September 8, 1977
Well NP-39	4678502	February 6, 1979
Well NP-48	4680505	February 19, 1981
Well NP-5	766W019	February 7, 1967
Well NP-73	0985503-T1	March 21, 1988
Well NP-74	0985503-T1-A1	September 23, 1993
Well S-6	0992509	March 23, 1993
Forest Park Interconnection	WA-798	November 22, 2010

The Application was reviewed for continuation of the project in the Comprehensive Plan and approval under Section 3.8 and for a withdrawal permit under Section 10.3 of the *Delaware River Basin Compact*. The Bucks and Montgomery County Planning Commissions have 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 renew the approval of an existing groundwater withdrawal project for public water supply from existing Wells H-8, H-10, L-17, L-19, L-22, NB-1, NB-2, NP-5, NP-14, NP-17, NP-26, NP-31, NP-39, NP-48, NP-73, NP-74 and S-6 and the interconnection with the Forest Park Water Treatment Plant. This project includes a decrease in the groundwater withdrawal allocation from 280 million gallons per 30 days to 143.0 million gallons per month (mgm). The total transfer of potable water from the Forest Park Water Treatment Plant will remain up to 12.35 million gallons per day (mgd) or 382.85 mgm. The total withdrawal from all sources will remain at 465 mgm.

2. **Location.** The project wells are located as follows:

WELL NO.	TOWNSHIP	WATERSHED	GEOLOGIC FORMATION
Well H-8	Hatfield	West Br. Neshaminy	Brunswick
Well H-10	Hatfield	West Br. Neshaminy	Brunswick
Well L-17	Upper Gwynedd	Wissahickon	Brunswick
Well L-19	Lansdale Borough	Wissahickon	Brunswick
Well L-22	Lansdale Borough	Wissahickon	Brunswick
Well NB-1	New Britain Borough	Pine Run	Stockton
Well NB-2	New Britain Borough	Pine Run	Stockton
Well NP-5	Towamencin	Skippack	Brunswick
Well NP-14	Lower Salford	Indian	Brunswick
Well NP-17	Towamencin	Towamencin	Brunswick
Well NP-26	Franconia	East Br. Perkiomen	Brunswick
Well NP-31	Lower Salford	Indian	Brunswick
Well NP-39	Towamencin	Skippack	Brunswick
Well NP-48	Franconia	Indian	Brunswick
Well NP-73	East Rockhill	Three Mile Run	Brunswick
Well NP-74	East Rockhill	Three Mile Run	Brunswick
Well S-6	West Rockhill	East Br. Perkiomen	Brunswick

The Three Mile Run Watershed is located within the drainage area to the Lower Delaware Special Protection Waters.

The creeks near the project site are designated by the PADEP as supporting the following:

CREEK	PADEP DESIGNATION
West Branch Perkiomen	Cold Water Fishes, Migratory Fishes (CWF, MF)
Wissahickon	Warm Water Fishes, Migratory Fishes (WWF, MF)
Pine Run	Warm Water Fishes, Migratory Fishes (WWF, MF)
Skippack	Trout Stocking Fishes, Migratory Fishes (TSF, MF)
Indian	Trout Stocking Fishes, Migratory Fishes (TSF, MF)
Towamencin	Trout Stocking Fishes, Migratory Fishes (TSF, MF)
East Branch Perkiomen	Trout Stocking Fishes, Migratory Fishes (TSF, MF)
Three Mile Run	Cold Water Fishes, Migratory Fishes (CWF, MF)

Specific location information has been withheld for security reasons.

3. **Area Served.** The docket holder’s water distribution system serves Skippack, Worcester, Lower Salford, Towamencin, Franconia, Hatfield and New Britain Township; Souderton, Hatfield, New Britain and Sellersville Boroughs and portions of West Rockhill, East Rockhill, Hilltown, Salford, Upper Gwynedd and Montgomery Townships as shown on a map entitled “NPWA Facilities”, submitted with the Application.

4. **Physical features.**

a. **Design criteria.** The NPWA system currently serves an estimated population of 83,378 through 30,881 service connections, 1,768 commercial, 375 industrial, 261 institutional and other service connections with an average and maximum water demand of 9.62 million gallons per day (mgd) and 12.31 mgd, respectively. The docket holder projects an average and maximum water demand of 11.15 mgd and 14.27 mgd, respectively, by the year 2025. The allocation of 465 mgm should be sufficient to meet the future demands of the NPWA system. The primary source of water supply for the NPWA public water supply system is treated water from the Forest Park Water Treatment Plant located in Chalfont Borough, which is used to meet approximately 85 percent of NPWA’s total demand. The Forest Park interconnection is referenced in DRBC Dockets Nos. D-1965-076 CP-8 and D-1965-076 CP-9 approved on February 18, 1981 and March 16, 2005, respectively.

NPWA reduced the number of active wells in their system from 40 to 16, and included Sellersville Well No. 6 (S-6) in their system. The 23 inactive wells will be abandoned or used as monitoring wells in the NPWA monitoring network.

b. **Facilities.** The docket holder's existing wells have the following characteristics:

WELL NO.	DEPTH (FEET)	CASED DEPTH (FEET)	PUMP CAPACITY (GPM)	YEAR DRILLED
Well H-8	500	120	105	1970
Well H-10	305	58	220	1979
Well L-17	387	47	150	1949
Well L-19	430	41	150	1951
Well L-22	645	38	125	1955
Well NB-1	300	41	250	1963
Well NB-2	230	60	225	1977
Well NP-5	630	74	250	1966
Well NP-14	585	40	300	1968
Well NP-17	565	80	550	1968
Well NP-26	475	44	450	1971
Well NP-31	500	43	150	1975
Well NP-39	512	61	250	1974
Well NP-48	492	66	300	1979
Well NP-73	500	50	75	1980
Well NP-74	350	60	75	1986
Well S-6	409	41	250	1987

The wells and all water service connections are metered.

Prior to entering the distribution system, the groundwater is treated by chlorination.

The project facilities are above the 100-year flood elevation.
The NPWA water distribution system is presently interconnected with the following:

WATER COMPANY	INTERCONNECTION CAPACITY (MGD)	STATUS
PAWC (Valley Forge Road)	2.0	Emergency
PAWC (Collegeville Road)	2.0	Emergency
Superior Water Company (Route 73)	0.05	Emergency
Forest Park Water	20.0	Regular
Doylestown Twp. Municipal Authority	1.0	Regular
North Wales Water Authority	1.0	Auxiliary
Telford Borough Authority (School Lane)	0.75	Emergency
Hilltown Twp. (Cherry Lane)	1.0	Regular
Hilltown Twp. (Diamond Street)	1.0	Regular
Hilltown Twp. (Keystone Drive)	1.0	Regular
Perkasie Regional Authority (East Rockhill)	0.12	Emergency
Perkasie Regional Authority (Church Street)	0.5	Emergency
Perkasie Regional Authority (9 th Street)	0.5	Emergency
Telford Borough Authority (Clymer Avenue)	1.0	Regular
Telford Borough Authority (Ridge Road)	1.0	Regular
Schwenksville Borough Authority	0.75	Regular

c. **Other.** Wastewater in the service area is conveyed to the following sewage treatment facilities:

WASTEWATER TREATMENT PLANT	DRBC DOCKET	DRBC APPROVAL DATE	PADEP NPDES PERMIT	PADEP NPDES APPROVAL DATE
Telford Borough Authority	D-1995-040 CP	September 28, 2000	PA0036978	Pending
Souderton Borough	D-1966-119 CP	July 20, 1966	PA0021857	May 1, 2013
Hatfield Twp. Municipal Authority	D-1985-036 CP-2	July 11, 2012	PA0026247	September 26, 2012
Lansdale Borough	D-1996-045 CP-3	June 11, 2014	PA0026182 A-2	February 20, 2014
Lower Salford Municipal Authority	D-1995-063 CP	May 22, 1996	PA0056413	January 1, 2010
Upper Gywnedd- Towamencin JSA	D-2002-029 CP-3	June 11, 2014	PA0039004	August 7, 2014
Worcester Twp. Valley Green	D-1987-009 CP	June 24, 1987	PA0050393	September 14, 2011
Pennridge	D-2001-001 CP	May 31, 2002	PA0020460	August 1, 2013
Chalfont- New Britain JSA	D-1999-063 CP-2	July 11, 2012	PA0025917	February 1, 2012

d. **Relationship to the Comprehensive Plan.** The docket holder's sources were previously included in the Comprehensive Plan by Dockets Nos. D-1965-076 CP-8, D-1965-076 CP-9, D-1966-229 CP, D-1967-198 CP, D-1968-027 CP, D-1968-123 CP, D-1968-171 CP, D-1968-177 CP, D-1970-008 CP, D-1970-113 CP, D-1973-079 CP, D-1973-216 CP, D-1974-037 CP, D-1977-009 CP, D-1977-053 CP, D-1977-057 CP, D-1978-042 CP, D-1978-084 CP, D-1980-071 CP, D-1980-076 CP, D-1980-094 CP, D-1987-081 CP, D-1991-004 CP, D-1992-044 CP, D-1992-044 CP-2, D-1992-044 CP-3 and D-1992-084 CP-2 which were approved on February 18, 1981, March 16, 2005, January 25, 1967, December 13, 1967, March 27, 1968, September 25, 1968, January 15, 1969, January 15, 1969, January 28, 1970, July 22, 1970, April 25, 1973, February 24, 1976, June 26, 1974, March 30, 1977, July 26, 1978, August 24, 1977, January 24, 1979, February 28, 1979, January 27, 1982, March 30, 1982, August 3, 1981, August 28, 1988, February 26, 1992, March 23, 1994, September 26, 2005, December 7, 2005, January 19, 2005. Issuance of this docket will continue the public water supply distribution system in the Comprehensive Plan.

B. FINDINGS

The project is located within the Southeastern Pennsylvania Ground Water Protected Area delineated by the DRBC pursuant to *Compact* Section 10.2. The project is designed to conform to the requirements of the *Water Code*, *Water Quality Regulations* and *Ground Water Protected Area Regulations (GWPARG)* of the DRBC.

Review and analysis of the application pursuant to Section 6.D. of the *GWPARG* result in the following:

1. The withdrawal is consistent with the Commission's Comprehensive Plan and the policies and purposes of these regulations.
2. Opportunities to satisfy water requirements on a timely basis from existing available supplies and facilities have been explored and found infeasible.
3. The withdrawal, in conjunction with other withdrawals in the applicable ground water basin, should not exceed withdrawal limits of the ground water basin, aquifer or aquifer system.
4. The withdrawal should not significantly impair or reduce the flow of perennial streams in the area.
5. Existing ground and surface water withdrawals should not be adversely impacted, or will be otherwise assured of adequate supplies in accordance with the requirements of Section 10 of the *GWPARG*.
6. The withdrawal should not cause substantial, permanent adverse impact to the overlying environment.

7. The docket holder adopted and will implement conservation and management programs as required by Section 7 of the *GWPAR*.

Southeastern Pennsylvania Groundwater Protected Area Subbasins

NPWA Wells NB-1 and NB-2 are located in the Pine Run subbasin, where the total net annual groundwater withdrawal of 581.18 million gallons per year (mgy) is less than the withdrawal limit set in Section 6.I of the *GWPAR* of 791 mgy. The docket holder is requesting a monthly allocation of 15.265 mgm from these wells, which equates to 183.18 mgy, a fraction of which will be returned to groundwater. However, even if no water from this project was returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from the NPWA wells in conjunction with other withdrawals in the subbasins are in accordance with the requirements of Section 6.I of the *GWPAR*.

NPWA Wells NP-73 and NP-74 are located in the Tohickon-Three Mile Run subbasin, located within the drainage area to the Lower Delaware Special Protection Waters, where the total net annual groundwater withdrawal of 145.16 million gallons per year (mgy) is less than the withdrawal limit set in Section 6.I of the *GWPAR* of 968 mgy. The docket holder is requesting a monthly allocation of 3.18 mgm from these wells, which equates to 38.16 mgy, a fraction of which will be returned to groundwater. However, even if no water from this project was returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from the NPWA wells in conjunction with other withdrawals in the subbasins are in accordance with the requirements of Section 6.I of the *GWPAR*.

NPWA Wells NP-26 and S-6 are located in the East Branch Perkiomen- Mill Creeks subbasin, where the total net annual groundwater withdrawal of 234.49 million gallons per year (mgy) is less than the withdrawal limit set in Section 6.I of the *GWPAR* of 961 mgy. The docket holder is requesting a monthly allocation of 23.312 mgm from these wells, which equates to 279.744 mgy, a fraction of which will be returned to groundwater. However, even if no water from this project was returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from the NPWA wells in conjunction with other withdrawals in the subbasins are in accordance with the requirements of Section 6.I of the *GWPAR*.

NPWA Wells H-8 and H-10 are located in the West Branch Neshaminy Creek subbasin, where the total net annual groundwater withdrawal of 53.65 million gallons per year (mgy) is less than the withdrawal limit set in Section 6.I of the *GWPAR* of 1,405 mgy. The docket holder is requesting a monthly allocation of 13.95 mgm from these wells, which equates to 167.4 mgy, a fraction of which will be returned to groundwater. However, even if no water from this project was returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from the NPWA wells in conjunction with other withdrawals in the subbasins are in accordance with the requirements of Section 6.I of the *GWPAR*.

NPWA Wells NP-14, NP-31 and NP-48 are located in the East Branch Perkiomen – Indian Creeks subbasin, where the total net annual groundwater withdrawal of 146.63 million gallons per year (mgy) is less than the withdrawal limit set in Section 6.I of the *GWPAR* of 844 mgy. The docket holder is requesting a monthly allocation of 29.016 mgm from these wells, which equates to 348.192 mgy, a fraction of which will be returned to groundwater. However, even if no water from this project was returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from the NPWA wells in conjunction with other withdrawals in the subbasins are in accordance with the requirements of Section 6.I of the *GWPAR*.

NPWA Well NP-5 is located in the Upper Reach Skippack Creek subbasin, where the total net annual groundwater withdrawal of 235.7 million gallons per year (mgy) is less than the withdrawal limit set in Section 6.I of the *GWPAR* of 1,084mgy. The docket holder is requesting a monthly allocation of 11.16 mgm from this well, which equates to 133.92 mgy, a fraction of which will be returned to groundwater. However, even if no water from this project was returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from the NPWA well in conjunction with other withdrawals in the subbasins are in accordance with the requirements of Section 6.I of the *GWPAR*.

NPWA Well NP-17 is located in the Towamencin Creek subbasin, where the total net annual groundwater withdrawal of 296.47 million gallons per year (mgy) is less than the withdrawal limit set in Section 6.I of the *GWPAR* of 622 mgy. The docket holder is requesting a monthly allocation of 24.025 mgm from this well, which equates to 288.3 mgy, a fraction of which will be returned to groundwater. However, even if no water from this project was returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from the NPWA well in conjunction with other withdrawals in the subbasins are in accordance with the requirements of Section 6.I of the *GWPAR*.

NPWA Wells L-17, L-19 and L-22 are located in the Upper Reach Wissahickon Creek subbasin, where the total net annual groundwater withdrawal of 720.2 million gallons per year (mgy) is less than the withdrawal limit set in Section 6.I of the *GWPAR* of 1,736 mgy. The docket holder is requesting a monthly allocation of 11.83 mgm from these wells, which equates to 141.96 mgy, a fraction of which will be returned to groundwater. However, even if no water from this project was returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from the NPWA wells in conjunction with other withdrawals in the subbasins are in accordance with the requirements of Section 6.I of the *GWPAR*.

NPWA Well NP-39 is located in the Lower Reach Skippack Creek subbasin, where the total net annual groundwater withdrawal of 102.3 million gallons per year (mgy) is less than the withdrawal limit set in Section 6.I of the *GWPAR* of 1,426 mgy. The docket holder is requesting a monthly allocation of 11.16 mgm from this well, which equates to 133.92 mgy, a fraction of which will be returned to groundwater. However, even if no water from this project was

returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from the NPWA well in conjunction with other withdrawals in the subbasins are in accordance with the requirements of Section 6.I of the *GWPAR*.

NPWA relies primarily on the Forest Park intake to supply water to their public water supply system. The groundwater withdrawals will be less than the requested allocations stated above.

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. Wells Nos. NP-73 and NP-74 and the Three Mile Run service area providing water supply to the NPWA are located within in the drainage area to Special Protection Waters. Since this project does not entail additional construction and expansion of facilities or service areas and there are not any new or increased non-point source loads associated with this approval, the non-point source pollution control plan requirement is not applicable at this time. Accordingly, Special Condition II.v. has been included in the Decision section of this docket.

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. 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. NPWA submitted their most recent Water Audit on March 27, 2015.

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

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*.

C. DECISION

I. Effective on the approval date for Docket No. D-1992-044 CP-4 below:

a. The project described in Dockets Nos. D-1992-044 CP-3 and D-1992-084 CP-2 are removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-1992-044 CP-4; and

b. Dockets Nos. D-1992-044 CP-3 and D-1992-084 CP-2 are rescinded and replaced by Docket No. D-1992-044 CP-4; and

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

II. The project as described in the Section A “Physical features” is approved pursuant to Section 3.8 of the *Compact* and is granted this withdrawal permit pursuant to Section 10.3 of the *Compact* and *GWPAR*, subject to the following conditions:

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the PADEP, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission’s. The wells and operational records shall be available at all times for inspection by the DRBC.

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

c. During any month, the combined withdrawal from all well sources shall not exceed 143.0 mgm and the total transfer of potable water from the Forest Park Intake will be up to 12.35 mgd or 382.85 mgm. The total withdrawal from all sources will remain at 465 mgm. No source shall be pumped above the maximum instantaneous rate and monthly allocation as indicated below:

WELL NO.	INSTANTANEOUS RATE (GPM)	MONTHLY ALLOCATION (MILLION GALLONS)
Well H-8	105	4.65
Well H-10	220	9.3
Well L-17	150	4.464
Well L-19	150	2.232
Well L-22	125	5.134
Well NB-1	250	10.714
Well NB-2	225	4.551
Well NP-5	250	11.16
Well NP-14	300	13.392
Well NP-17	550	24.025
Well NP-26	450	15.5
Well NP-31	150	6.696
Well NP-39	250	11.16
Well NP-48	300	8.928
Well NP-73	75	1.054
Well NP-74	75	2.232
Well S-6	250	7.812

d. The wells shall be equipped with readily accessible capped ports and drop pipes so that water levels may be measured under all conditions. Existing wells are to be similarly equipped, where possible, with readily accessible ports and drop pipes as repairs or modifications are made at each existing well.

e. 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 annually by March 31, to the PADEP. Withdrawal records shall be available at any time to the Commission if requested by the Executive Director.

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

g. The docket holder shall continue to implement its Water Conservation Plan as approved by PADEP, and shall report to the PADEP on the actions taken pursuant to this program and the impact of those actions as requested by the PADEP.

h. 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).

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

j. 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.

k. 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.

l. A long-term monitoring program is required to obtain data on ground water and surface water hydrologic conditions in the project area. The docket holder shall implement the revised long-term monitoring program as submitted by the docket holder with the Application. This program will include the following:

1. **Ground Water Level Monitoring** – NPWA shall monitor twenty-six (26) wells identified in the above referenced report to estimate annual ground water fluctuations caused by seasonal changes and/or production well pumping, and detect water level declines that may affect the performance of public and private wells in the area of the NPWA production wells.
2. **Reports** - All monitoring data, including records required in Conditions “e.” and “l.” herein shall be submitted to the Commission annually, due by April 1. The docket holder is encouraged to submit the annual report electronically. The report shall be prepared by a hydrogeologist and shall assess the effects of well withdrawals on hydrologic conditions in the area. This report shall include an evaluation of the monitoring data required by this docket approval and such information as deemed

appropriate by the hydrogeologist or required by the Executive Director.

3. The Executive Director may modify the monitoring program or temporarily suspend or modify this docket at any time if review of the hydrologic data and/or any other information indicates such action is necessary or appropriate.

m. 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.

n. The docket holder shall implement to the satisfaction of the PADEP, a 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.

o. 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.

p. The area served by this project is limited to the service area as described above. Any expansion beyond this area is subject to review in accordance with Section 3.8 of the *Compact* and the *GWPAR*.

q. 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.

r. 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 right 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.

s. 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 wells or surface water supplies, or if the docket holder receives a

complaint by any user of wells or surface water supplies within the zone of influence of the withdrawal, the docket holder shall immediately notify the Executive Director of any complaints by users of wells or surface water supplies within the zone of influence of the withdrawal, and unless excused by the Executive Director, shall investigate such complaints. Any well or surface water supply which is substantially adversely affected, or rendered dry or otherwise unusable as a result of the docket holder's project withdrawal, shall be repaired, replaced or otherwise mitigated at the expense of the docket holder in accordance with Section 10B of the *GWPAR*. 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. The Executive Director may modify or suspend this docket approval, or require mitigating measures, pending additional review.

t. 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.

u. 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.

v. Prior to allowing connections from any new service areas or any new developments, the docket holder shall either submit and have approved by the Executive Director of the DRBC a Non-Point Source Pollution Control Plan (NPSPCP) in accordance with Section 3.10.3.A.2.e, or receive written confirmation from the Executive Director of the DRBC that the new service area is in compliance with a DRBC approved NPSPCP.

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