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DOCKET NO. D-1986-069-3

DELAWARE RIVER BASIN COMMISSION

**Southeastern Pennsylvania
Groundwater Protected Area**

ABB, Inc.

**Groundwater Treatment Plant Discharge and Groundwater Withdrawal
Warminster Township, Bucks County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) on September 26, 2025 (Application) for renewal of a groundwater treatment plant (GWTP) and its related discharge and the renewal of an allocation of groundwater and review of a groundwater withdrawal project. The project discharge was most recently approved by the Pennsylvania Department of Environmental Protection (PADEP) National Pollutant Discharge Elimination System (NPDES) Permit No. PA0012238 on August 1, 2021.

The Application was reviewed for continuation under Section 3.8 and for a withdrawal permit under Section 10.3 of the *Delaware River Basin Compact*. The Bucks County Planning Department has been notified of the application for this permit. A public hearing on this project was held by the DRBC on May 6, 2026.

A. DESCRIPTION

1. **Purpose.** The purpose of this docket is to renew the approval of a groundwater remediation system that includes a withdrawal to remediate up to 3.348 million gallons per month (mgm) of groundwater contaminated with trichloroethylene (TCE) and tetrachloroethylene (PCE) from existing Wells W-1, W-2, and W-7 and the discharge of up to 0.108 million gallons per day (mgd) of the remediated groundwater after treatment. The existing project is being conducted under USEPA Consent Decree No. 80-3900.

2. **Location.** The project wells are completed in the Stockton Formation in the Pennypack Creek Watershed in Warminster Township, Bucks County, Pennsylvania. The Pennypack Creek

near the project site is designated by the PADEP as supporting Trout Stocking Fishes (TSF) and Migratory Fishes (MF).

Treated groundwater will continue to be discharged to an unnamed tributary (UNT) of the Pennypack Creek at River Mile 109.75 – 19.7 – 1.8 (Delaware River – Pennypack Creek – UNT Pennypack Creek) via Outfall No. 001:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
001	40° 11' 16.07"	75° 05' 30.41"

3. **Area Served.** The existing project wells will be used only for the purpose of groundwater remediation at the docket holder’s manufacturing facility. For the purpose of defining Area Served, the Application is incorporated herein by reference consistent with conditions contained in Section C. DECISION of this docket.

4. **Design Criteria.** The docket holder’s groundwater treatment facility processes up to 0.108 mgd of groundwater containing TCE and PCE by air stripping facilities prior to discharging to an UNT of the Pennypack Creek through the industrial site’s existing stormwater system.

Wells W-1, W-2, and W-7 will be pumped constantly at a combined rate of approximately 0.108 mgd to induce a capture zone for the groundwater purge system. Withdrawn groundwater is immediately directed to an air stripper unit for TCE and PCE removal. Treated groundwater will continue to be discharged to an UNT of the Pennypack Creek through existing Outfall No. 001.

The average and maximum demand is 0.108 million gallons per day (mgd) and 0.108 mgd, respectively. The docket holder does not expect an increase in the average or maximum daily demand over the next 10 years. The allocation of 3.348 mgm should be sufficient to meet the future demands of the ABB, Inc. system.

5. **Facilities.** Groundwater is continuously pumped from Wells W-1, W-2, and W-7 at a combined rate of 75 gpm. The remediation system treats groundwater using an air stripper capable of removing TCE and PCE. The treated groundwater is discharged directly to UNT of the Pennypack Creek through existing Outfall No. 001.

The existing project recovery wells have the following characteristics:

WELL NO.	DEPTH	CASED DEPTH/ CASING DIAMETER	PUMP CAPACITY	YEAR DRILLED
W-1	190	Unknown/ 6"	50	1940
W-2	474	Unknown/ 6"	10	1948

WELL NO.	DEPTH	CASED DEPTH/ CASING DIAMETER	PUMP CAPACITY	YEAR DRILLED
W-7	300	21' / 6"	20	Unknown

All wells will be metered.

The groundwater treatment system and project recovery wells are above the 100-year flood elevation.

Groundwater is treated by a packed bed air stripping column for TCE and PCE removal, prior to being discharged.

The docket holder's is presently not interconnected with any other distribution system.

6. NPDES Permit / DRBC Docket. NPDES Permit No. PA0012238 issued by the PADEP includes final effluent limitations for the project discharge to surface waters classified by the PADEP as supporting Trout Stocking Fishes (TSF) and Migratory Fishes (MF). EFFLUENT TABLE C-1 included in this docket contains effluent requirements for DRBC parameters that must be met as a condition of this approval (See C. DECISION Condition C.1.).

B. FINDINGS

The industrial wastewater discharge for cooling water approval was issued by the Commission to Fischer and Porter Company via Docket No. D-1971-215 on November 8, 1972. The application for the project related to the groundwater withdrawal was terminated, due to the withdrawals at the facility were below the Commission thresholds before the inception of the Southeastern Pennsylvania Groundwater Protected Area (SEPA GWPA) (Application No. D-1986-069). This docket approves the withdrawal for the remediation system and its related discharge.

The former owner Fischer and Porter entered into a Consent Decree (No. 80-3900) with the USEPA on August 16, 1984 to remediate chlorinated VOCs in the groundwater. Per the Consent Order, it is required for the owner to establish hydraulic control of hazardous constituents in the groundwater through continuous pumping of recovery wells at a minimum combined rate of 0.108 mgd. A groundwater recovery system was activated on January 31, 1986 and must continue to operate until either:

1. the concentrations of TCE and PCE in the untreated influent to the treatment system fall below the treatment levels for twelve (12) consecutive months; or
2. the value of each of the twelve (12) consecutive plotted concentrations are within 10% of the mean average of the twelve (12) consecutive points.

Groundwater from the hydraulic containment system is treated on-site using an air-stripping tower and discharged to the existing on-site stormwater system approved under NPDES Permit No. PA0012238.

1. Ground Water Protected Area

The project is located within the Southeastern Pennsylvania Ground Water Protected Area delineated by the DRBC pursuant to *Compact* Section 10.2. Aquifer testing conducted by the docket holder indicates the operation of this project will not create a local water shortage.

Review and analysis of the application pursuant to Section 6.D. of the *GWPAR* 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 are being utilized.
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 *GWPAR*. No adverse impact is anticipated due to continued operation of this project.
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*.

The docket holder's wells are located in the Upper Reach Pennypack Creek subbasin (No. 25), where total net annual groundwater withdrawals (688.28 mgd) are less than the withdrawal limits set in Section 6.I of the *GWPAR* (1,811 mgd). The docket holder is requesting an annual allocation of 40.18 mgd, a fraction of which will be returned to groundwater. However, even if no water from this project were 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 docket holder's wells, in

conjunction with other withdrawals in the subbasin, are in accordance with the requirements of Section 6.I of the *GWPAR*.

2. Other Findings

At the project site, the UNT of the Pennypack Creek has an estimated seven-day low flow with a recurrence interval of ten years of 0.016 mgd (0.029 cfs). The flow was calculated using U.S. Geological Survey, 2012, The StreamStats Program for Pennsylvania, online at <http://water.usgs.gov/osw/streamstats/pennsylvania.html>. The ratio of this low flow to the average design wastewater discharge (0.016 mgd / 0.108 mgd) from the 0.108 mgd plant is 0.15 to 1.

There are no surface water intakes of record for public water supply is located downstream of the docket holder's intake.

The limits in the NPDES Permit meet Commission effluent quality requirements, where applicable.

The DRBC estimates that the project withdrawals, used for the purpose of groundwater remediation, result in negligible consumptive 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 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

Effective on the approval date for Docket No. D-1986-069-3 below, Docket No. D-1986-069-2 is terminated and replaced by Docket No. D-1986-069-3. The project and appurtenant facilities as described in Section A.4. (Design Criteria) and A.5. (Facilities) are approved subject to the following conditions, pursuant to Section 3.8 of the *Compact*:

Monitoring and Reporting

1. The docket holder shall comply with the requirements contained in the EFFLUENT TABLES below. The docket holder shall submit the required monitoring results electronically to the DRBC Project Review Section via email aemr@drbc.gov on the **Annual Effluent Monitoring Report Form** located at this web address: <https://www.nj.gov/drbc/programs/project/docket-app-info.html#3>. The monitoring results shall be submitted annually, absent any observed limit violations, by January 31. If a DRBC effluent limit is violated, the docket holder shall submit the result(s) to the DRBC within 30 days of the violation(s) and provide a written explanation that states the action(s) the docket holder has taken

to correct the violation(s) and protect against any future violations. The following average monthly effluent limits are among those listed in the NPDES Permit and meet or are more stringent than the effluent requirements of the DRBC.

EFFLUENT TABLE C-1: DRBC Parameters Included in NPDES Permit

Outfall 001 (Unnamed Tributary of Pennypack Creek)		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9 at all times	As required by NPDES Permit
Tetrachloroethylene (PCE)	0.01 mg/l	As required by NPDES permit
Trichloroethylene (TCE)	0.035 mg/l	As required by NPDES permit

2. The docket holder shall provide written confirmation to the Commission that it has registered and reported with PADEP all surface and groundwater sources described in this docket in accordance with the Pennsylvania Regulations (Title 25 - Environmental Protection, [25 PA. CODE CH. 110], Water Resources Planning) once the groundwater treatment system is in operation.

3. The project withdrawals shall be metered by means of an automatic continuous recording device, flow meter, or other method, and shall be measured to within 5 percent of actual flow. Meters or other methods of measurement shall be subject to approval and inspection by the PADEP as to the type, method, installation, maintenance, calibration, reading and accuracy. A record of biweekly 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.

Other Conditions

4. During any month, the withdrawal from all well sources shall not exceed 3.348 million gallons. No well shall be pumped above the maximum rate and monthly allocation as indicated below:

WELL NO.	MAXIMUM RATE (GPM)*	MONTHLY ALLOCATION (MG)
W-1	38	1.696
W-2	22	0.982
W-7	15	0.670

*Based on a 24-Hour Average

5. This approval shall expire on the expiration date set forth below unless prior thereto the docket holder has applied to the Commission to renew or extend this approval.

6. The docket holder is responsible for timely submittal to the DRBC of a docket renewal application on the appropriate application form including the appropriate docket application filing fee (see 18 C.F.R. 401.43) at least 6 months in advance of the docket expiration date set

forth below. The docket holder will be subject to late filed renewal surcharges in the event of untimely submittal of its renewal application whether DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. If 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, the terms and conditions of the current docket will remain fully effective and enforceable pending the grant or denial of the application for docket approval.

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

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

9. The wells shall be equipped with readily accessible capped ports and minimum ½ inch inner diameter (ID) 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 ½ inch ID drop pipes as repairs or modifications are made at each existing well.

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

11. The docket holder is permitted to treat and discharge wastewaters as set forth in the Area Served section of this docket, which incorporates by reference the Type of Discharge and Service Area sections of the docket holder's Application to the extent consistent with all other conditions of this DECISION section.

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

13. 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.

14. 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*.

15. The docket holder shall be subject to applicable DRBC regulatory program fees, in accordance with duly adopted DRBC resolutions and/or regulations. (see 18 CFR 401.43).

16. This approval is transferable by request to the DRBC Executive Director provided that the project purpose and area served approved by the Commission in this docket will not be materially altered because of the change in project ownership. The request shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 CFR 401.35).

17. The docket holder shall request a name change of the entity to which this approval is issued if the name of the entity to which this approval is issued changes its name. The request for name change shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 CFR 401.35).

18. 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 to ensure the proper control, use and management of the water resources of the Basin.

19. If the monitoring required herein or any other relevant data or information demonstrates that the operation of this project is interfering with or otherwise impairing existing uses of ground or surface water, or if the docket holder receives a complaint from an existing ground or surface water user within the zone of influence of the withdrawal alleging such interference or impairment, the permit holder shall immediately notify the Executive Director, and unless excused by the Executive Director, shall investigate the demonstrated or alleged impacts. For purposes of this condition, notification shall mean either (a) electronic transmittal of written notice to the Executive Director via email (using addresses posted on the DRBC website); or (b) written notice to the Executive Director and a telephone call to the Project Review Section at 609-883-9500, ext. 216. (Oral notification must always be accompanied by immediate written notification directed to the Executive Director.) In addition, the docket holder shall provide written notice to all potentially affected water users of the docket holder's responsibilities under this condition. **Any well or surface water supply that is impaired as a result of the docket holder's project withdrawal shall be repaired, replaced or mitigated at the docket holder's expense.** The scope of the options to consider for repair, replacement and/or mitigation shall not be limited solely to those that are owned, operated, or controlled by the project sponsor. An investigation report and/or mitigation plan prepared and certified by a licensed professional engineer and/or a licensed professional geologist shall be submitted to the Executive Director as soon as practicable following notice of the demonstrated or alleged impairment consistent with this paragraph. The Executive Director shall make the final determination regarding the scope and sufficiency of the investigation and the extent of any mitigation measures that may be required. Where ground and surface waters are rendered unavailable, unusable, or unsuitable for the pre-existing use, the Executive Director may direct the docket holder to take interim actions to mitigate such impacts, pending completion of the investigative report and any long-term repair, replacement or mitigation.

20. 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.

21. 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:

EXPIRATION DATE: June 10, 2036

DRAFT