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DOCKET NO. D-1990-049 CP-5

DELAWARE RIVER BASIN COMMISSION

**Schuylkill County Municipal Authority
Surface Water and Groundwater Withdrawal and Water Exportation
Branch, Blythe, New Castle and Ryan Townships, Schuylkill County Pennsylvania**

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) on September 15, 2014, and resubmitted with updated information on December 9, 2025, for approval of an increase in allocation of surface water and renewal of a groundwater allocation and review of a surface water and groundwater water withdrawal project (Application). The surface water withdrawal project was approved by the Pennsylvania Department of Environmental Protection (PADEP) on March 25, 2025 (Water Allocation Permit No. WA 54-13C). The docket holder's water supply project operates under PADEP Public Water Supply Identification Number (ID) No. 3540038. The Gorden Well, located in the Susquehanna River Basin was approved by the Susquehanna River Basin Commission on December 12, 2024 (Docket No. 20241212).

The Application was reviewed for continuation of this project in the Comprehensive Plan and for approval under Section 3.8 of the *Delaware River Basin Compact*. The Schuylkill County Planning Commission has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on November 4, 2026.

A. DESCRIPTION

1. Purpose. The purpose of this docket is to modify the approval of an existing surface water and groundwater withdrawal project to approve an increase in surface water allocation from 180 million gallons per 30 days (6.0 million gallons per day [mgd]) to 229.4 million gallons per month (mgm) (7.4 mgd) with no change to the docket holder's approved exportation allocation. Water is used for public supply and the increase in surface water allocation was requested to meet future projected daily demands. The allocations approved by this docket are the same as those recently approved by PADEP in the Water Allocation Permit.

2. **Location.** The six (6) surface water sources and four (4) groundwater sources are located in New Castle, Blythe, Branch, Ryan, Butler and Mahanoy Townships, Schuylkill County. Additional information for the surface water sources is as follows:

INTAKE	WATER BODY	RIVER MILE	WATERSHED	MUNICIPALITY
Mount Laurel Reservoir	Mud Run	92.47 - 125.8 - 5.6 - 2.1 (Delaware River- Schuylkill River- Mill Creek – Mud Run)	Eisenhuth Reservoir – Mill Creek Upper Schuylkill River	New Castle Township, Schuylkill County
Kaufman Reservoir	UNT to Mud Run	92.47-125.8-5.6-0.9-0.2 (Delaware River – Schuylkill River – Mill Creek – Mud Run – UNT to Mud Run)	Eisenhuth Reservoir – Mill Creek Upper Schuylkill River	Ryan Township, Schuylkill County
Eisenhuth Reservoir	Mill Creek	92.47 – 125.8 -7.9 (Delaware River - Schuylkill River – Mill Creek)	Eisenhuth Reservoir – Mill Creek Upper Schuylkill River	Ryan Township, Schuylkill County
Pine (Tar) Run Intake	Tar Run	92.47 – 125.8 – 5.4 – 1.0 (Delaware River – Schuylkill River – Mill Creek – Tar Run)	Eisenhuth Reservoir – Mill Creek Upper Schuylkill River	Ryan Township, Schuylkill County
Wolf Creek Intake	Wolf Creek	92.47 – 125.8 – 4.1 – 2.0 (Delaware River Schuylkill River Mill Creek Wolf Creek)	Eisenhuth Reservoir – Mill Creek Upper Schuylkill River	Blythe Township, Schuylkill County
Indian Run Reservoir	Indian Run	92.47 – 120.4 – 4.6 – 0.5 (Delaware River – Schuylkill River – West Branch Schuylkill River – Indian Run)	East Branch Schuylkill River	Branch Township, Schuylkill County

Specific location information has been withheld for security reasons.

3. **Area Served.**

SCMA supplies water to the City of Pottsville; the Boroughs of Port Carbon, Saint Clair, Mechanicsville, Mount Carbon and Palo Alto; and the Townships of New Castle, Norwegian, East Norwegian, North Manheim, West Mahanoy, Mahanoy, Butler and Foster. West Mahanoy, Mahanoy and Butler Townships lie mostly within the SRB, while Foster Township lies

approximately 50 percent within the SRB. All the other municipalities lie within the DRB. In addition, the SCMA provides water to the Pennsylvania Bureau of Corrections Frackville Correctional Institute in Ryan Township, which is also in the DRB. The SCMA also serves a Federal correctional institute in Butler and Foster Townships, a corporate center in West Mahanoy and Mahanoy Townships, and another state correctional institute in Mahanoy Township; all in Schuylkill County, Pennsylvania. The SCMA also provides water to the Schuylkill Highridge Business Park and a Penn DOT facility both located on contiguous sites just to the east side of the northbound lanes of Interstate 81, spanning Butler, Cass and Foster Townships in Schuylkill County, Pennsylvania. These sites are located almost entirely within the DRB but convey wastewater for treatment and discharge to municipal treatment plants located in the SRB. The Gordon well serves water to the Highridge Industrial Park and the Federal Correction Institute at Minersville and will operate continuously when needed to meet distribution system demands.

The existing water system is divided into five major service areas and each is operated at a different service level. Emergency interconnections and valves enable the delivery of water from any higher service level to any lower service level. The SCMA service area is included on the map entitled “20. SCMA – Pottsville Water System Service Area Map” dated November 20, 2025, included in Attachment K of the DRBC Application. 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 currently serves water to a population of approximately 23,519 on 8,732 domestic service connections, 765 commercial connections, 34 industrial connections and 68 institutional connections. The present average and peak daily water demands are 4.5604 million gallons per day (mgd) and 7.6549 mgd, respectively. The docket holder anticipates a future ten-year average, and peak water demands to increase to 4.9511 mgd and 7.826 mgd, respectively. The allocation of 7.4 mgd or 229.4 mgm should be sufficient to meet the future demands of the system. While the docket holder’s projected maximum daily demand of 7.826 is greater than this allocation, the monthly allocation of 229.4 is greater than the docket holder’s future peak monthly estimate of 154.0 mgm.

5. Facilities. The existing SCMA facilities were previously described in Dockets Nos. D-90-49 CP, D-90-49 CP (Revision 1), and D-90-49 CP (Revision 2) and are summarized herein. Existing reservoir facilities supplying water to the SCMA distribution systems are all within the DRB as follows:

SURFACE WATER Source	DRAINAGE AREA (sq. mi.)	STORAGE CAPACITY (mg)	Net Yield (mgd)	PADEP Permitted Withdrawal (mgd)	PADEP CLASSIFICAT- ION
Mount Laurel System					
Mount Laurel Reservoir (on Mud Run)	0.73	202.0	0.640	1.6	HQ – CWF-MF

Kauffman Reservoir (on Kaufman Run)	0.85	104.6	0.510		HQ – CWF -MF
Broad Mountain System					
Eisenhuth Reservoir (on unnamed tributary of Mill Creek)	2.00	298.6	1.400	3.9	CWF - MF
Pine(Tar) Run Intake	0.80	190.0	0.730		CWF - MF
Wolf Creek Intake (on Wolf Creek)	1.85	392.8	1.280		CWF - MF
Indian Run System					
Indian Run Reservoir (on Indian Run)	2.35	488.0	1.920	1.9	CWF - MF

The existing project wells have the following characteristics:

WELL NO.	DEPTH (FEET)	CASED DEPTH/ CASING DIAMETER	PUMP CAPACITY (GPM)	MUNICIPALITY AND COUNTY	YEAR DRILLED
Indian Run Well No. 1	200	31'8"	400	Branch Twp, Schuylkill Co.	1971
Indian Run Well No. 2	200	50'8"	130	Branch Twp., Schuylkill Co.	1974
Wild Cat Well No. 4	620	21'8"	125	Ryan Twp., Schuylkill Co.	1973
Gordon Well (in SRB)	495	40'8"	300	Butler Twp., Schuylkill Co.	2004
Morea Well 2*	285	unknown / 6"	100	Mahanoy Twp., Schuylkill Co.	1921

* Morea Well 2 acquired by SCMA from Morea Citizens Water Company. Well registration form notes four (4) inch diameter galvanized, threaded, cone type well screen from 87 to 89 feet below land surface.

Mount Laurel System

The Mount Laurel system is supplied by the Mount Laurel and Kaufman Reservoirs and augmented by the Gordon Well. Raw water from the Mount Laurel Reservoir flows by gravity from the intake located at the right abutment of the dam to the Mount Laurel Pumping station; from which the water is pumped to the Mount Laurel Water Treatment Plant (WTP). Although only raw water from the Mount Laurel Reservoir is supplied directly to the WTP, a 1.0 mgd pump

located at the Kaufmann Reservoir and approximately 1.3 miles of interconnected pipelines is used to transfer water from the Kaufman Reservoir to the Mount Laurel Reservoir. Raw water from the Gorden Well is treated independently to augment supply in the service area.

The Mount Laurel WTP, constructed in 1991, has a treatment capacity of 1.6 mgd and is located adjacent to the Mount Laurel Reservoir. The existing water treatment plant consists of three modular water treatment systems incorporating flocculation, sedimentation, and filtration. The Laurel WTP and filter backwash discharge is described in DRBC Docket D-2013-013 CP-3 most recently approved by the Commission on September 2023.

Broad Mountain System

The Broad Mountain system consists of water from the Eisenhuth Reservoir, Pine Run Intake, Wolf Creek Intake and Wildcat Well No. 4. Raw water from the Eisenhuth Reservoir flows by gravity via a transmission main to the Broad Mountain WTP. Wildcat Well No. 4 pumps raw water directly into the transmission main downstream of the Eisenhuth Reservoir. Raw water is released from the pine run Reservoir, flows 0.5 miles to the Pine Run Impoundment Intake, where it is conveyed via a raw water transmission main that joins with the raw water transmission main from the Eisenhuth Reservoir for treatment at the Broad Mountain WTP. Similarly, Raw water is released from Wolf Creek Reservoir and pumped from the Wolf Creek impounding intake to the raw water transmission line for treatment at the Broad Mountain WTP.

The Broad Mountain WTP, began operation in 1994, has a treatment capacity of 4.42 mgd and is located southwest of the Wolf Creek Reservoir. The existing water treatment plant is a direct filtration WTP utilizing flocculation and mixed media filtration. The Broad Mountain WTP and filter backwash discharge is described in DRBC Docket D-1991-016 CP-4 most recently approved by the Commission on June 7, 2029.

Indian Run System

The Indian system is comprised of the Upper and Lower Indian Run Reservoir, separated by a small spillway and collectively referred to as Indian Run Reservoir, Indian Run Well No. 1 and Indian Run Well No. 5. Raw water from Indian Run Reservoir is gravity fed via approximately 0.5 miles of transmission main piping to the Indian Run WTP for treatment. Raw water from Indian Run Wells Nos. 1 and 5 is pumped to the raw water transmission main approximately 0.25 miles upstream of the Indian Run WTP where treatment is achieved. The Indian Run Wells are only used for emergency purposes.

The Indian Run WTP, began operation in 1995, has a treatment capacity of 1.86 mgd and is located northeast of the Indian Run Reservoir. The existing water treatment plant consists of four (4) filtration units with adsorption clarifiers and mixed media filters with associated chemical treatment facilities. The Indian Run WTP and filter backwash discharge is described in DRBC Docket D-2013-012 CP-3 approved by the Commission on June 7, 2023.

All water service connections are metered.

All wells and surface water intakes are metered.

The project wells are above the 100-year flood elevation.

The water system is presently interconnected with the Pennsylvania American Water Company- Laurel Ridge (Regular), Blythe Township Municipal Authority (Emergency) and SCMA Morea System. The docket holder is in the process of regionalizing the Mount Laurel System with the docket holder's Morea system among other improvements to the Morea System. This will result in the docket holder's Morea system, including existing Morea Well 2, becoming part of the Mount Laurel public water system.

6. Other. A small quantity (approximately 2 percent) of the wastewater generated in the docket holder's area served is treated via on-site septic systems. The reminder of the wastewater is treated at the following sewage treatment plants:

DISCHARGER/STP	RECEIVING STREAM	PADEP NPDES PERMIT NO.	DRBC DISCHARGE DOCKET
Greater Pottsville Sewer Authority	Schuylkill River	PA0043885	D-2002-041 CP-4
Saint Clair Sewer Authority	Mill Creek	PA0025224	D-70-241 CP
NP New Castle LLC - Schuylkill Mall WWTP (New Castle Twp)	Unnamed tributary to Mud Run	PA0047198	D-2019-004-1
Schuylkill County Municipal Authority – Seiders Hill WWTP	West Branch Schuylkill River	PA0063096	D-93-14
Frackville Area Municipal Authority Frackville State Prison (Ryan Twp)	Susquehanna River Basin	PA0062219	Not applicable
Schuylkill County Municipal Authority - Gordon WWTP Federal Corr Institute Schuylkill Highridge Business Park & PENNDOT Area	Susquehanna River Basin	PA0062201	Not applicable
Mahanoy City WWTP State Corr Institute (Mahanoy Twp)	Susquehanna River Basin	PA0070041	Not applicable

7. **Relationship to the Comprehensive Plan.** The docket holder's water supply system, except for Mount Laurel Reservoir, was first included in the Comprehensive Plan by Docket No. D-71-173 CP approved November 1, 1971; the Mount Laurel (Mud Run) Reservoir was first included by Docket No. D-79-33 CP approved April 23, 1980 when the SCMA acquired it from Mahanoy Township Authority; the increase in withdrawal from Mount Laurel Reservoir was first included by Docket No. D-90-49 CP approved August 8, 1990; and the increase in exportation with no increase in allocation from Mount Laurel Reservoir was first included by Docket No. D-90-49 CP (Revision 1) approved August 12, 1992. Docket No. D-90-49 CP (Revision 2) approved the inclusion of the Highridge Business Park and the Penn DOT facility in the SCMA service area and the associated out-of-basin transfer of wastewater to the SRB (August 6, 1997). The importation of water from the Gordon Well in the SRB was approved by Docket No. D-1990-049 CP-4 on May 6, 2009. Issuance of this docket will continue the water withdrawal and exportation project in the Comprehensive Plan.

B. FINDINGS

1. 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 submitted their most recent Water Audit on March 31, 2025.

2. Surface Water Charges / Entitlement

Certificates of Entitlement Nos. 319 and 359 were issued to the SCMA on August 6, 1976 and May 5, 1980, respectively. Entitlement No. 319 allows the docket holder to use, withdraw or divert up to 27.360 mgm of consumptive use water and 155.040 mgm of non-consumptive use water without charge from its Schuylkill River Basin Intakes (including intakes on the Eisenhuth, Pine Run, Wolf Creek, Indian Run, and Kauffman Reservoirs. Entitlement No. 359 allows the docket holder to use, withdraw or divert up to 2.28 mgm of consumptive use water and 12.92 mgm of non-consumptive water without charge from its Mud Run (Mount Laurel Reservoir).

The docket holder shall pay for surface water use in excess of the consumptive use and non-consumptive use listed in Entitlement Nos. 319 and 359 in accordance with the provisions of 18 C.F.R. Part 420 as described in Section C. DECISION condition C.3.

3. Conservation Release/Passby Flow

PADEP Water Allocation Permit No. WA 54-13C requires conservation release/passby flows are maintained at monitoring points below the surface water intake locations. When natural stream flows at the approved monitoring locations downstream of the intake locations are less than the required passby flow, withdrawals shall be reduced to maintain the required passby flow. When the natural streamflow conditions at the monitoring locations are equal to or less than the required passby flow, withdrawals must cease and the entire natural streamflow be allowed to passby the intakes. The permit also conditions greater conservation release/passby flow rates effective 20 years from the issued date of the permit unless a biological monitoring study conducted by the docket holder demonstrates to the PADEP that a lesser passby is equally as protective to the stream. A summary of the conservation release/passby values contained in the PADEP permit are as follows:

PADEP Conservation/Passby Requirements		
Source	Conservation Release/Passby (current)	Conservation Release/Passby (after September 22, 2044)*
Mount Laurel Reservoir	0.109 cfs	0.29 cfs
Kaufman Reservoir	0.15 cfs	0.32 cfs
Eisenhuth Reservoir	0.38 cfs	0.88 cfs
Pine Run Reservoir	0.20 cfs	0.43 cfs
Wolf Creek	1.02 cfs	1.02 cfs
Indian Run Reservoir	0.49 cfs	0.879 cfs

Note: * Dependent on results of optional biological study.

4. Water Importation/Exportation

In 2025, the SCMA exported approximately 217.5 million gallons of water (an average of 18 mgm or 0.6 mgd) from the DRB to SRB supplied primarily by the Mount Laurel Reservoir in conjunction with Kaufman Reservoir. The allowable out of basin transfer of water is 1.0 mgd.

SCMA currently diverts as much 0.152 mgd from the SRB to the DRB through use of the Gorden Well and returns most of this water (0.140-0.150 mgd) as wastewater back to the SRB. The only wastewater not returned to the SRB is from the privately owned/operated Schuylkill Mall complex located in the DRB.

The docket holder plans to develop a new interconnection project with Mahanoy Township Authority (MTA), located in the SRB. The project will deliver less than 0.1 mgd of water from MTA surface water sources north of Mahanoy City to the docket holder's Mount Laurel System.

5. Other Findings

The DRBC estimates that the project withdrawals, used for the purpose of public water supply, result in a consumptive use of 100 percent of the total water exported from the DRB to the SRB. Consumptive loss within the DRB for the remaining withdrawals is estimated to be 10%

consumptive use due to operational and evaporative losses. The DRBC definition of consumptive use is defined in Basin Regulations-Water Supply Charges 18 C.F.R. 420.1(d).

On March 1, 2022, the docket holder entered into an Asset and Obligation Agreement to acquire the former Morea Citizens Water Company. Plans are in process to construct a new treatment facility, new transmission to the system and a new well pump and high service pumps to supplement the Morea Well into the existing Mt. Laurel Water System to provide additional supply. Based on PADEP Water Use Reports, during the last five years Morea Well 2 was in operation, monthly withdrawals ranged from 0.385 million gallons to 1.043 million gallons and averaged 0.599 million gallons.

The project is designed to conform to the requirements of the *Water Code (WC)* and *Water Quality Regulations (WQR)* 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

Effective on the approval date for Docket No. D-1990-049 CP-5 below, the project described in Docket No. D-1990-049 CP-4 are removed from the Comprehensive Plan to the extent that they are not included in Docket No. D-1990-049 CP-5; Docket No. D-1990-049 CP-4 is terminated and replaced by Docket No. D-1990-049 CP-5; and the project and the appurtenant facilities described in in Section A.4. (Design Criteria) and A.5. (Facilities) shall be continued in the Comprehensive Plan. The project and appurtenant facilities as described in 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 continue to report to the 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).
2. 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. An exception to the 5 percent performance standard, but no greater than 10 percent, may be granted for surface water withdrawals by the designated agency (PADEP) if maintenance of the 5 percent performance is not technically feasible or economically practicable. 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 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.

3. The docket holder shall pay for surface water use in accordance with *Basin Regulations – Water Supply Charges 18 C.F.R. Part 420*.
4. 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.
5. In accordance with DRBC Resolution No. 2009-1 and Section 2.1.8 of the *Water Code (WC)*, 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.
6. 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.
7. The docket holder shall continue to implement its Water Conservation Plan as approved by PADEP, and shall report to the PADEP on actions taken pursuant to this program and the impact of those actions as requested by the PADEP.
8. A record of daily out-of-basin diversions shall be maintained and monthly totals shall be reported to DRBC annually.

Other Conditions

9. During any month, the combined withdrawal from all DRB sources shall not exceed 229.4 million gallons (7.4 mgd). No source shall be pumped above the maximum rate and monthly allocation as indicated below:

SOURCE ID	MAXIMUM RATE	MONTHLY ALLOCATION (MG)
Mount Laurel System (Mount Laurel Reservoir and Kauffman Reservoir)	1.6 MGD	49.6 MG
Broad Mountain System (Eisenhuth Reservoir, Pine (Tar) Run Intake, Wolf Creek Intake)	3.9 MGD	120.9 MG
Indian Run Reservoir	1.9 MGD	58.9 MG
Indian Run Well 1	400 GPM*	17.85 MG

SOURCE ID	MAXIMUM RATE	MONTHLY ALLOCATION (MG)
Indian Run Well 2	130 GPM*	5.81 MG
Wildcat Well 4	125 GPM*	5.58 MG
Morea Well 2	100 GPM*	3.0 MG

* Based on a 24-Hour Average

10. During any month, the exportation of water from the docket holder's water system in the DRB to the SRB shall not exceed 31 million gallons (1.0 mgd).

11. In accordance with 18 C.F.R. 401.8. of the Commission's *Rules of Practice and Procedure (RPP)*, if at any future time the Project is changed materially from the Project as described in this docket, it will be deemed to constitute a new and different project for the purposes of Article 11 of the Delaware River Basin Compact and will require Commission amendment of the Comprehensive Plan. In accordance with the same section of the RPP, whenever a change to the Project is made, the sponsor must advise the Executive Director, who will determine whether the change is deemed materially for purposes of this provision.

12. 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.

13. 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 the docket holder has not applied to renew the docket or the DRBC is unable 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 renewal of the docket.

14. The wells, surface water intakes and operational records shall be available at all times for inspection by the DRBC.

15. The wells and surface water intakes shall be operated at all times to comply with the requirements of the *WC* and *WQR* of the DRBC.

16. 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.

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

18. 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).
19. The docket holder shall implement to the satisfaction of the PADEP, a drought or other water supply emergency plan.
20. 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.
21. 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.
22. 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*.
23. 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).
24. 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 401.43).
25. 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 C.F.R. 401.43).
26. 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.
27. 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.

28. 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.

29. 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.

30. 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: December 3, 2036