



SUSQUEHANNA RIVER
BASIN COMMISSION

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July 8, 2020

Ms. Donna J. Miller, Water Coordinator
Montgomery Water Authority
35 South Main Street
Montgomery, PA 17752-1120

Re: Reissuance Due to Name Change;
from Montgomery Water and Sewer Authority
to Montgomery Water Authority;
Clinton Township, Lycoming County, Pennsylvania;
3 Docket Approvals (see Table 1)

Dear Ms. Miller:

The Susquehanna River Basin Commission (Commission) received a Request for Reissuance of Approval (Commission Form #86) on June 2, 2020, for 3 Docket approvals (see Table 1). This request indicated that effective February 26, 2020, Montgomery Water and Sewer Authority had changed its name to Montgomery Water Authority. Upon review of the project and the submitted request for reissuance, it was determined that the request is substantially in compliance with the regulations and consistent with 18 CFR § 806.6(c). Therefore, the approvals listed on Table 1 are hereby reissued effective July 8, 2020.

Copies of the approvals listed on Table 1 are available on the Commission's Water Application and Approval Viewer (WAAV) at www.srbc.net/waav.

In accordance with the Commission's Regulatory Program Fee Schedule, the facility continues to be subject to the Annual Compliance and Monitoring fee (ACMF). The ACMF is contained in the Regulatory Program Fee Schedule, which may be modified over the term of the approvals. The ACMF will be invoiced separately.

Please be advised that, under 18 CFR § 808.11, you have a duty to comply with all provisions of the Susquehanna River Basin Compact (Compact), as well as the Commission's rules, regulations, orders, approvals, conditions of approval, and any other requirements of the Commission. It is your obligation to fulfill all conditions of this approval within the specified time limits and provide written notification to the Commission, as appropriate, and comply with all conditions set forth therein. Failure to meet any term or condition within the specified time may subject you to enforcement action and imposition of civil penalties pursuant to 18 CFR Part 808, Subpart B, and Section 15.17 of the Compact. Penalties range from \$50 to \$1,000 per

day, per condition (which includes exceeding approved quantities), with every day being a separate offense.

Pursuant to 18 CFR § 808.2 relating to administrative appeals, any appeal to this action must be made to the Commission within 30 days of receipt of this notice. All appeals must be made in writing on the Commission's Notice of Appeal form and conform to the requirements of 18 CFR § 808.2. Pursuant to 18 CFR § 808.2(i), an appeal made under this section stays the commencement of the 90-day appeal period to Federal Court contained in Section 3.10(6) of the Compact.

Should you have any questions, please contact Todd Eaby, Manager of Project Review, at (717) 238-0423, extension 1234, or via e-mail at teaby@srbc.net.

Sincerely,



Andrew D. Dehoff
Executive Director

Enclosure: Table 1

Table 1

List of SRBC Docket Numbers
Approved for Reissuance from Montgomery Water and Sewer Authority
to Montgomery Water Authority

Docket No.	Source Name	Municipality	County/State	Type of Approval
19881102	Well 1	Clinton Township	Lycoming/PA	Groundwater
19910705	Well 3	Clinton Township	Lycoming/PA	Groundwater
20151202	Well 4	Clinton Township	Lycoming/PA	Groundwater



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Docket No. 20151202

Approval Date: December 4, 2015

MONTGOMERY WATER AND SEWER AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.360 mgd from Well 4,
and Total System Withdrawal Limit (30-Day Average) of 0.398 mgd**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

The Montgomery Water and Sewer Authority's (Authority's) public water supply system has two existing groundwater sources (Wells 1 and 3). With this approval, the Authority's water system will include three sources (Wells 1, 3, and 4), herein referred to as the "Total System." Based on the information provided by the Authority, no other sources are used by the project. The approval authorizing withdrawal from one of the Authority's previously approved sources, Well 2R, expired due to a lack of initiation [Commission Regulation 18 CFR § 806.31(b)].

In consideration of the 15-year projected demand and the reasonably foreseeable need of the project, Commission staff recommends an increase of the previously established Total System limit on all sources to 0.398 million gallons per day (mgd) (30-day average).

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Montgomery Water and Sewer Authority
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Public Water Supply

Project Information (continued)	
Municipality:	Clinton Township
County:	Lycoming County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Withdrawal Type:	Groundwater
Approved Source:	Well 4
Subbasin:	West Branch Susquehanna River
Watershed Boundary Dataset (WBD):	0205020612 (Black Hole Creek)
Withdrawal Location (degrees)*:	Lat: -- Long: --
Special Flow Protection Required:	No
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

Section 4. Aquifer Testing

The constant-rate aquifer testing required by Commission Regulation 18 CFR § 806.12 for groundwater withdrawals was completed with prior Commission approval. A 73-hour, constant-rate aquifer test of Well 4 was conducted between December 15 through 18, 2014, pumping at an average rate of 253 gallons per minute (gpm).

The results of the Well 4 aquifer test indicate the potential for significant adverse pumping-induced impacts to occur to the Montgomery Area School District Athletic Complex well as a result of operating Well 4 at the requested rate. Commission staff recommends that the impact to the Montgomery Area School District Athletic Complex well be mitigated in accordance with Special Condition 21.

Several other monitored private wells exhibited drawdown during the constant-rate aquifer test; however, Commission staff's review of the aquifer testing data indicates that the potential long-term drawdown is not expected to be significant to existing private wells as a result of operating Well 4. However, because water-bearing zone and well construction information for some of the private wells with observed or projected drawdown are limited, staff recommends that to confirm the findings of no significant impact during long-term operation that a monitoring plan for Commission review and approval be required along with periodic reporting, as provided in Special Condition 22.

Commission staff determined that the withdrawal from Well 4 at the requested withdrawal rate should not cause permanent loss of aquifer storage, render unmitigated

competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth herein.

Section 5. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations	
30-Day Average Withdrawal (mgd):	0.360
Maximum Instantaneous Withdrawal Rate (gpm):	250 (Not to Exceed)
Total System Withdrawal Limit – Wells 1, 3, and 4 (30-Day Average) (mgd):	0.398

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

Section 6. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 1	0.330	19881102	November 10, 2018
Well 3	0.220	19910705	July 11, 2021
<u>Note:</u> Well 2 (approved in Commission Docket No. 19881102) was abandoned in 2003 due to water quality issues.			

Section 7. Grandfathering Determination – Withdrawals

The project utilized groundwater withdrawals prior to July 13, 1978. As documented in Commission Docket No. 19881102, increased groundwater withdrawals forfeited grandfathering in 1988.

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission

Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering in accordance with Commission Regulation 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the sources listed in Sections 3 and 6. The project sponsor shall notify the Commission, in writing, and submit photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any modifications proposed for the groundwater elevation monitoring plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30(a)(4). Modifications shall not be made until the project sponsor receives written approval of the amended plan.

6. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

8. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

9. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

10. The project sponsor shall register with the appropriate agency all groundwater sources described herein, as may be required by regulations of the member jurisdiction.

11. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

12. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

13. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

14. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

15. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

16. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Section 3.

17. The project sponsor is required to apply for and obtain approval prior to any increase in the Total System withdrawal that would exceed the approved Total System withdrawal limits listed herein.

18. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

Section 9. Special Conditions

19. The project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

20. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep records, and shall report the same to the Commission upon request, of all persons supplied water from the project that maintain a permanent connection to the public water supply system. The project sponsor shall also keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project that do not maintain a permanent connection to the public water supply system for uses other than hydrocarbon development, including daily quantities supplied.

21. Due to the potential for significant adverse impact to the Montgomery Area School District Athletic Complex well, the project sponsor shall mitigate impacts by connecting the facility to the public water supply system, in accordance with the lease agreement provided to the Commission with the Well 4 application. The project sponsor shall submit to the Commission documentation confirming that all activities were completed in accordance with the lease agreement. Withdrawal from Well 4 shall not commence until Commission staff responds, in writing, with a determination that mitigation to the Montgomery Area School District Athletic Complex has been completed to the satisfaction of the Commission.

22. Within ninety (90) days from the date of this approval, the project sponsor shall submit a monitoring plan to the Commission for staff review and, if appropriate, approval to confirm that no unmitigated significant adverse impacts will occur as a result of long-term operation of Well 4 at the approved rate. The monitoring plan shall include the following components:

- a. An updated well inventory within the designated area(s);
- b. Using the data collected with the well inventory and projected drawdown from the aquifer test, determine and present proposed monitoring locations that will be used to collect water level data to confirm test results and evaluate drawdown in the designated area(s) as a result of long-term operation of Well 4;
- c. Proposed monitoring methods and the frequency of water level data collection and evaluation; and
- d. Procedures that the Authority will take to investigate and address claim of impact by a well owner or should post-approval monitoring indicate occurrence of significant adverse impacts not predicted using the aquifer testing results.

Interpretive annual reports including the raw monitoring data documenting the results of the residential well monitoring during the previous calendar year must be provided to the Commission within sixty (60) days of the close of the preceding calendar year. Should the groundwater elevation data indicate that unacceptable impacts will occur as a result of operating Well 4 at the approved rate, the Commission may revise existing or impose new conditions on the use of Well 4, or require that additional mitigation be completed. Collection of groundwater elevation data under this monitoring plan will be required for the entire term of the approval unless Commission staff finds that sufficient data has been collected that confirms long-term operation of Well 4 at or near its approved consecutive 30-day average rate will not cause an adverse impact to the nearby residential wells not previously mitigated. Commission staff will notify the project sponsor, in writing, if the residential well monitoring required herein has confirmed that no significant adverse impacts will occur and that the required monitoring may cease. Additionally, with written consent from the Commission, monitoring may cease if all properties within the designated area of concern are demonstrated to have been connected to the public water supply system.

23. Effective immediately, Commission Docket No. 20091206 is hereby rescinded.


Section 10. Term

24. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawal or this approval will automatically expire, unless an extension is requested, in writing, by the project sponsor no later than one hundred twenty (120) days prior to such expiration and approved by the Commission as provided in Commission Regulation 18 CFR § 806.31(b). In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

25. This approval is effective until December 3, 2030. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 3, 2030, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 4, 2015.

Dated: December 7, 2015


Stephanie L. Richardson