



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20240313**

**Approval Date: March 14, 2024**

## **HEGINS-HUBLEY AUTHORITY**

**Groundwater Withdrawal (30-Day Average) of 0.110 mgd from Well 5;  
Combined Withdrawal Limit (30-Day Average) of 0.570 mgd  
from Wells 1, 3, 5, and 6 and Spring 1; and  
Total System Withdrawal Limit (30-Day Average) of 0.450 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 significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

The project sponsor maintains and operates a public water supply system that includes seven sources (Wells 1, 2, 3, 5, 6, and 7 and Spring 1), all of which are incorporated into the total system withdrawal limit. Based on information provided by the project sponsor, no other sources are operated by the project.

The Commission previously approved the withdrawal of 0.180 million gallons per day (mgd) from Well 5 under Commission Docket No. 19981204. The Well 5 approval was modified under Commission Docket No. 19981204-1 to authorize withdrawals from Well 6 at 0.216 mgd, establish a combined withdrawal limit of 0.285 mgd from four sources (Wells 1, 3, 5, and 6), and establish a passby condition for Wells 5 and 6.

The project sponsor submitted a groundwater withdrawal renewal application requesting approval to withdraw up to 0.110 mgd (30-day average) from Well 5. This approval authorizes continued withdrawals from Well 5 at the requested reduced rate, eliminates the combined withdrawal limit of 0.285 mgd established under Commission Docket No. 19981204-1, maintains the previously approved passby condition, establishes a new combined withdrawal limit of 0.570 mgd from five sources (Wells 1, 3, 5, and 6 and Spring 1), and establishes a total system withdrawal limit of 0.450 mgd for all sources based on the 15-year projected demand.

The project sponsor submitted a groundwater renewal application for Well 6, which is not administratively or technically complete. Because the Well 6 application remains administratively incomplete, the project sponsor may continue operation of Well 6 pursuant to the terms and

conditions of Commission Docket No. 19981204-1 until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Should demand exceed the total system withdrawal limit established herein, the project sponsor may submit a minor modification application in accordance with 18 CFR § 806.18(c)(7) to request an increase to the total system withdrawal limit, as the total system withdrawal limit established herein is based on the 15-year projected demand.

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	
<b>Project Sponsor:</b>	Hegins-Hubley Authority
<b>Approval Type:</b>	Groundwater Withdrawal
<b>Previous Docket Nos.:</b>	19981204 and 19981204-1
<b>Authorized Water Use Purpose:</b>	Public Water Supply
<b>Municipality:</b>	Hegins Township
<b>County:</b>	Schuylkill County
<b>State:</b>	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	
<b>Withdrawal Type:</b>	Groundwater
<b>Approved Source:</b>	Well 5
<b>Subbasin:</b>	Lower Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205030107 (Deep Creek)
<b>Withdrawal Location (degrees)*:</b>	Lat: -- Long: --
<b>Site Flow Statistics (cfs)†:</b>	Q7-10 = 0.54; Average Daily Flow = 18.3
<b>Wild Trout Classification†:</b>	Class B-D
<b>Surface Water Impairment†:</b>	Not Attaining Recreational Uses from Pathogens (source unknown)

Source Information (continued)	
<b>Drainage Area (square miles)†:</b>	12.6
<b>Aquatic Resource Class**†:</b>	2
<b>Special Flow Protection Required:</b>	Yes
cfs – cubic feet per second * Specific location information concerning discrete water-related project features has been withheld for security reasons. ** Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals). † Based on the anticipated point of impact to surface water.	

## Section 4. Aquifer Testing

Staff determined that the requirements of 18 CFR § 806.12 were met for testing completed in November 2002 with prior approval of a combined aquifer testing plan for Wells 1, 3, 5, and 6. The project sponsor requested that the required interpretive report under 18 CFR § 806.23 be considered satisfied by the evaluation completed by Commission staff under the Public Water Supply Assistance Program (PWSAP). Staff evaluated hydrogeologic setting information, completed an analysis and comparison of the results of multiple aquifer tests (June 1997, June 2000, and November 2002) to historical withdrawal and groundwater elevation data provided by the project sponsor, and prepared a Voluntary Action Plan (Plan) that provided a summary of an availability analysis, available data, a hydrogeologic evaluation, and renewal options for Well 5. Commission staff evaluated the available hydrogeologic and operational data and found that the existing data provides the necessary support to evaluate potential impacts to other users, impacts to the environment, and the sustainability of the withdrawals at the recommended rate of 0.110 mgd (30-day average) without requiring new testing or additional hydrogeologic evaluation.

Staff finds that a rate of 0.110 mgd is considered to present low risk for adverse impacts if the renewal maintains two special conditions from the original approval: 1) a requirement to cease withdrawals from Well 5 when flow in Pine Creek drops below 1.4 cfs (Special Condition 20); and 2) a pump shutoff switch above the water-bearing zone at 169 feet below top of casing (Special Condition 24). Accordingly, the Plan provided the project sponsor with an option to accept staff's evaluation and apply for quantities consistent with or less than the recommended rates identified in the Plan and utilize Commission staff's hydrogeologic evaluation to support renewal.

The November 2002 test results demonstrated that the contributing groundwater basin is larger than previously estimated and that sufficient resources are available to support withdrawals in the contributing groundwater basin of up to 0.570 mgd. Therefore, staff recommends that the previously established combined withdrawal limit of 0.285 mgd be rescinded in accordance with Special Condition 25 and that a combined withdrawal limit of up to 0.570 mgd from Wells 1, 3, 5, and 6 and Spring 1 be established.

The project sponsor utilized staff's evaluation, which determined that the withdrawals from Well 5 at a rate of 0.110 mgd, should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below.

## 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	
<b>30-Day Average Withdrawal (mgd):</b>	0.110
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	125 (Not to Exceed)
<b>Peak Day Withdrawal (mgd):</b>	0.180 (Not to Exceed, When Available)
<b>Combined Withdrawal Limit – Wells 1, 3, 5, and 6 and Spring 1 (30-Day Average) (mgd):</b>	0.570
<b>Total System Withdrawal Limit – Wells 1, 2, 3, 5, 6, and 7 and Spring 1 (30-Day Average) (mgd):</b>	0.450
<b>Flow Protection Type:</b>	Annual Passby
<b>Method for Monitoring Flow Protection:</b>	Off-site Monitoring of Weir at the Broad Street Bridge*
<b>Passby Flow Protection Rate (cfs):</b>	1.4
1 cfs = 448.8 gallons per minute (gpm)	
* Special Condition 2 of the PADEP operations permit for Well 5 identifies a passby of 1.4 cfs as measured at the weir in Pine Creek.	

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 6*	0.216	19981204-1	December 3, 2023
Well 7	0.100	20041205	December 15, 2029
* The project sponsor has submitted a renewal application for Well 6, which was under review at the time of the renewal of Well 5.			

## Section 7. Grandfathering Determination – Withdrawals and Consumptive Use

On February 27, 2018, the project sponsor submitted a grandfathered water use registration under 18 CFR §§ 806.40-45 for Wells 1, 2, and 3 and Spring 1. The Executive Director issued Certificate of Registration No. GF-201910050 on October 17, 2019, pursuant to 18 CFR § 806.44.

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

3. 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.

4. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the sources listed in Sections 3, 6, and 7. The project sponsor shall maintain and monitor the accuracy of the measuring devices in accordance with the manufacturer's specifications.

5. 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 18 CFR § 808.12.

6. In accordance with 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

7. In accordance with 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of all approvals to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

8. The project sponsor shall comply with the water conservation requirements specified in 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 water sources described herein, and adhere to reporting requirements 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 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 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 withdrawals that would exceed the amounts listed herein.

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 keep daily records of the project's withdrawals and groundwater elevations for the sources (excluding Spring 1) listed in Sections 3, 6, and 7, 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, and any modifications proposed for the groundwater elevation monitoring plan, shall be submitted for review and approval by Commission staff in accordance with 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. 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.

20. The project sponsor shall cease all withdrawals from Well 5 when streamflow, as measured at the monitoring location specified in Section 5, is less than the passby flow protection rate specified in Section 5, and shall not reinstate withdrawals until the streamflow is equal to or exceeds such passby flow protection rate.

21. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the monitoring location specified in Section 5, 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. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

22. The date of the last meter certification was February 18, 2020; therefore, the next meter certification for all sources is due no later than February 18, 2025. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

23. The project sponsor 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, including daily quantities supplied.

24. To maintain water levels above a significant water-bearing zone in Well 5, the project sponsor shall maintain an automatic shutoff switch that limits drawdown to 595 feet above mean sea level (i.e., 165 feet below grade).

25. The combined withdrawal limit of 0.285 mgd established under Commission Docket No. 19981204-1 is hereby rescinded.

## **Section 10. Term**

26. This approval shall be effective April 1, 2024, and shall remain effective until March 31, 2039. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 30, 2038, 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.

27. Approval of withdrawal from Well 5 under Commission Docket Nos. 19981204 and 19981204-1 shall remain effective through March 31, 2024, whereupon they shall expire. Approval of withdrawal from Well 6 by Commission Docket No. 19981204-1 remains effective while staff's review of the Well 6 renewal application progresses.

**CERTIFICATION:** I, Jason E. Oyler, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on March 14, 2024.

Dated: March 15, 2024

  
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Jason E. Oyler, Esq.