

**DOCKET NO. D-85-26 CP-4**

**DELAWARE RIVER BASIN COMMISSION**

**Ground Water Protected Area**

**Borough of Ambler**

**Ground Water Withdrawal**

**Lower Gwynedd and Upper Dublin Townships, Montgomery County, Pennsylvania**

**PROCEEDINGS**

This docket is issued in response to an Application referred to the Delaware River Basin Commission (DRBC or Commission) pursuant to an Administrative Agreement under Section 2-3.4 (a) and 2-3.7 of the *Administrative Manual – Part II, Rules of Practice and Procedure* by the Pennsylvania Department of Environmental Protection (PADEP) on January 15, 2008, for an allocation of ground water and review of a ground water withdrawal project in the Ground Water Protected Area of Southeastern Pennsylvania (Application). This project was previously approved by the DRBC on January 9, 2001. The project wells were reviewed under the Pennsylvania Safe Drinking Water Act for a public water supply construction permit and approved by PADEP on June 2, 2008 (Permit No. 4608505), subject to approval by the DRBC.

The application was reviewed for continuation of the project in the Comprehensive Plan, approval under Section 3.8 and for a withdrawal permit under Section 10.3 of the Delaware River Basin *Compact*. The Montgomery County Planning Commission has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on September 24, 2008.

**A. DESCRIPTION**

1. **Purpose.** The purpose of this project is to approve the addition of Well No. 15 to the docket holder's distribution system and to reduce the docket holder's allocation from 116 mg/30 days to 90 mg/30 days. The docket holder has requested an increase in the total allocation from 116 mg/30 days to 120.75 mg/30 days.

2. **Location.** The project wells are located in the Wissahickon Creek Watershed, in the Lower Member of the Stockton Formation.

Specific location information has been withheld for security reasons.

3. **Area served.** The docket holder's distribution system supplies water to the Borough of Ambler and portions of Upper Dublin, Lower Gwynedd, Whitpain and Whitemarsh Townships, all in Montgomery County, Pennsylvania, as indicated on a map entitled "Plan of Distribution Area". For the purpose of defining Area Served, the Application is incorporated herein by reference consistent with conditions contained in the DECISION section of this docket.

4. **Physical features.**

a. **Design criteria.** The docket holder's distribution system serves a population of approximately 22,500 via 5,734 service connections, with an average and maximum demand of 1.699 mgd (50.99 mg/30 days) and 2.852 mgd (85.56 mg/30 days), respectively. An estimated ten year future average and maximum demand of 1.936 mgd (58.08 mg/30 days) and 2.988 mgd (89.64 mg/30 days), respectively.

b. **Facilities.** The applicant's wells have the following characteristics:

WELL NO.	DEPTH	CASED DEPTH/ CASING DIAMETER	PUMP CAPACITY	YEAR DRILLED
2	290'	50'/10''	750 gpm	1942
4	250'	72'/10''	105 gpm	1953
6	300'	65'/10''	270 gpm	1953
7	300'	62'/12''	125 gpm	1957
8	300'	55'/10''	200 gpm	1958
9	465'	70'/10''	100 gpm	1967
11	500'	54'/12''	340 gpm	1975
12	438'	44'/12''	150 gpm	1979
14	300'	63'/8''	300 gpm	1988
15	500'	63'/8''	110 gpm	1988

All wells and all water service connections are individually metered.

Well water is treated by chlorination prior to entering the distribution system. The Whitemarsh Pump Station Spring Well is equipped with an air stripper and a carbon filter to remove volatile organic compounds (VOCs). After treatment for the VOCs, the water is chlorinated before entering the distribution system.

System storage consists of a 1.0 million gallon standpipe at Lock Alsh, a 1.0 million gallon elevated tank on Houston Road, and a 2.0 million gallon storage tank at Broad Axe.

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

The water system presently has an emergency interconnection with the North Wales Water Authority for 0.576 mgd.

c. **Other.** Wastewater is conveyed to the docket holder's sewage treatment facility which received approval most recently under Section 3.8 of the *Compact* by DRBC Docket No. D-75-16 CP on January 12, 1977, and also to the Delaware Valley Industrial Sewage Company sewage treatment facility most recently approved by Docket No. D-85-63 on February 25, 1987. The treatment facilities have adequate capacity to receive wastewater from the proposed project.

d. **Cost.** The overall cost of this project is estimated to be \$350,000.

e. **Relationship to the Comprehensive Plan.** The docket holder's wells were previously included in the Comprehensive Plan by Dockets Nos. D-68-117 CP, D-73-116 CP, D-77-16 CP, D-77-92 CP, D-85-26 CP, and D-85-26 CP Renewal 2.

## **B. FINDINGS**

The docket holder has requested to add Well No. 15 to their distribution system and to increase their total allocation from 116 mg/30 days to 120.75 mg/30 days. The docket holder's Application indicates that their 10-year projected total maximum water use is 89.64 mg/30 days (2.988 mgd). The Commission determines water allocations on the 10-year projected total maximum water use, and therefore recommended a reduction in the docket holder's allocation from 116 mg/30 days to 90 mg/30 days.

The project is located within the Southeastern Pennsylvania Ground Water Protected Area delineated by the DRBC pursuant to *Compact* Section 10.2. Tests conducted by the applicant indicate the operation of this project will not create a local water shortage. The project is designed to conform to the requirements of the *Water Code*, *Water Quality Regulations and Ground Water Protected Area Regulations (GWPAR)* of the DRBC.

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 found infeasible.

3. The withdrawal, in conjunction with other withdrawals in the applicable ground water basin, should not exceed withdrawal limits of the ground water basin, aquifer or aquifer system.

4. The withdrawal should not significantly impair or reduce the flow of perennial streams in the area.

5. Existing ground and surface water withdrawals should not be adversely impacted, or will be otherwise assured of adequate supplies in accordance with the requirements of Section 10 of the *GWPAR*. There have been no reported complaints of well interference since the January 9, 2001 approval of this renewal project. 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. The new Well No. 15 was drilled in 1988 but was not utilized as a water source in the docket holder's well system. A 72-hour pump test at a continuous pumping rate of 110 gpm was conducted in December 2006 by Emrich Associates to evaluate the yield, adequacy of ground water supply and long term zone of influence. Nine wells and three surface stations were monitored before, during, and after the pump test. The pump test showed no interconnection between Well No. 15 and the nearby creek. None of the monitoring wells had any drawdown observed due to the pumping of Well No. 15.

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

The Borough of Ambler is located in the Upper Reach Wissahickon subbasin, where total net annual ground water withdrawal (1,192.5 mgd) is less than the withdrawal limit set in Section 6.I of the *GWPAR* (1,736 mgd). However, even if no water from this project were returned to ground water, the total net annual ground water withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from Well No. 15 and the docket holder's total water supply system, in conjunction with other withdrawals in the subbasin, are in accordance with the requirements of Section 6.I of the *GWPAR*.

The docket holder estimates that the project withdrawals, used for the purpose of public water supply, result in the consumptive use is estimated to be 10 percent of the total water use. The DRBC definition of consumptive use is defined in Article 5.5.1.D of the *Administrative Manual – Part III – Basin Regulations – Water Supply Charges*.

**C. DECISION**

I. Effective on the approval date of Docket No. D-85-26 CP-4 below:

a. The projects described in Docket Nos. D-85-26 CP RENEWAL 2 is removed from the Comprehensive Plan to the extent that they are not included in Docket No. D-85-26 CP-4.

b. Docket Nos. D-68-117 CP, D-73-116 CP, D-77-16 CP, D-77-92 CP, D-85-26 CP, and D-85-26 CP RENEWAL 2 are terminated and replaced by Docket No. D-85-26 CP-4.

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

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

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the PADEP, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission’s. The docket holder shall register with the PADEP all surface and ground water sources described in this docket in accordance with the Pennsylvania Water Resources Planning Act (Pennsylvania Act 220).

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

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

d. During any 30-day period, the total withdrawal from all wells shall not exceed 90 million gallons.

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

f. The project withdrawals shall be metered with an automatic continuous recording device that measures to within 5 percent of actual flow. An exception to the 5 percent performance standard, but no greater than 10 percent, may be granted if maintenance of the 5 percent performance is not technically feasible or economically practicable. A record of daily

withdrawals shall be maintained, and monthly totals shall be reported to the Bureau of Watershed Conservation, PADEP annually and shall be available at any time to the Commission, if requested by the Executive Director.

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

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

i. 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).

j. The docket holder shall implement to the satisfaction of the Bureau of Watershed Management, PADEP, a draught or other water supply emergency plan.

k. In accordance with DRBC Resolution No. 87-6 (Revised), the docket holder shall continue to implement to the satisfaction of the Bureau of Watershed Conservation, 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 unaccounted-for 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.

l. The docket holder shall implement to the satisfaction of the Bureau of Watershed Conservation, 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 Bureau of Watershed Management, PADEP, on the actions taken pursuant to this program and the impact of those actions as requested by the PADEP.

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

n. Sound practices of excavation, backfill, and reseeding shall be followed to minimize erosion and deposition of sediment in streams.

o. No new water service connections shall be made to premises connected to sewerage systems that are not in compliance with all applicable effluent limits contained in State permits and the *Water Quality Regulations* of the Commission.

p. 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.

q. Upon completion of construction of the approved project, the docket holder shall submit a statement to the DRBC, signed by the docket holder's engineer or other responsible agent, advising the Commission that the construction has been completed in compliance with the approved plans, giving the final construction cost of the approved project, and the date the project is placed in operation.

r. This docket approval shall expire three years from the date listed below unless prior thereto the docket holder has commenced operation of the subject project or has expanded substantial funds (in relation to the cost of the project) in reliance upon this docket approval.

s. 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* and the *GWPAR*.

t. A complete application for the renewal of this docket, or a notice of intent to cease the operations (withdrawal, discharge, etc.) approved by this docket by the expiration date, must be submitted to the DRBC at least 12 months prior to the expiration date below (unless permission has been granted by the DRBC for submission at a later date), using the appropriate DRBC application form. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date below, the terms and conditions of this docket will remain fully effective and enforceable against the docket holder pending the grant or denial of the application for docket approval.

u. The docket holder shall incorporate and implement reasonable conservation practices and measures consistent with efficient utilization of water resources.

v. 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 in order to insure the proper control, use and management of the water resources of the Basin.

w. If the operation of this project significantly affects or interferes with any domestic or other existing wells or surface water supplies, or if the docket holder receives a complaint by any user of wells or surface water supplies within the zone of influence of the withdrawal, the docket holder shall immediately notify the Executive Director of any complaints by

users of wells or surface water supplies within the zone of influence of the withdrawal, and unless excused by the Executive Director, shall investigate such complaints. The docket holder should direct phone call notifications of potential well or surface water interference or complaints of interference to the DRBC Project Review Section at 609-883-9500, extension 216. Oral notification must always be followed up in writing directed to the Executive Director. In addition, the docket holder shall provide written notification to all potentially impacted users of wells or surface water supplies of the docket holder's responsibilities under this condition. Any well or surface water supply which is substantially adversely affected, or rendered dry or otherwise unusable as a result of the docket holder's project withdrawal, shall be repaired, replaced or otherwise mitigated at the expense of the docket holder in accordance with Section 10B of the GWPAR. A report of investigation and/or mitigation plan prepared by a hydrologist shall be submitted to the Executive Director as soon as practicable. The Executive Director shall make the final determination regarding the validity of such complaints, the scope or sufficiency of such investigations, and the extent of appropriate mitigation measures, if required. The Executive Director may modify or suspend this 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.

x. 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.

y. The docket holder and any other person aggrieved by a reviewable action or decision taken by the Executive Director or Commission pursuant to this docket may seek an administrative hearing pursuant to Articles 5 and 6 of the Commission's *Rules of Practice and Procedure*, and after exhausting all administrative remedies may seek judicial review pursuant to Article 6, section 2.6.10 of the *Rules of Practice and Procedure* and section 15.1(p) of the Commission's *Compact*.

**BY THE COMMISSION**

**APPROVAL DATE:**

**EXPIRATION DATE:           September 24, 2018**