



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20240618

Approval Date: June 13, 2024

TOWER CITY BOROUGH AUTHORITY

**Groundwater Withdrawals (30-Day Averages) of
0.086 mgd from Well 5 and 0.070 mgd from Well 6, and
Total System Withdrawal Limit (30-Day Average) of 0.250 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 five sources (Wells 1, 3, 5, 6, and 7), 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 combined withdrawal of 0.190 million gallons per day (mgd) from Wells 5 and 6 under Commission Docket No. 19920301. The project sponsor submitted groundwater withdrawal renewal applications requesting approval to withdraw up to 0.086 mgd from Well 5 and 0.070 mgd from Well 6. This approval authorizes continued withdrawals at the requested rates and maintains the total system withdrawal limit that was established under Commission Docket No. 20030607 of 0.250 mgd based on the 15-year projected demand.

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.

This project is located in an Environmental Justice area as identified by the Pennsylvania Department of Environmental Protection (PADEP), which staff considered during review of the project. In addition to notices completed by the Commission, the project sponsor has completed all required public notices of the project application and the application was subject of a public hearing on May 2, 2024.

Commission staff has coordinated with 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:	Tower City Borough Authority
Approval Type:	Groundwater Withdrawal
Previous Docket No.:	19920301
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Porter Township
County:	Schuylkill County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Withdrawal Type:	Groundwater
Approved Sources:	Wells 5 and 6
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030104 (Wiconisco 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

Through the Public Water Supply Assistance Program (PWSAP), staff prepared a Voluntary Action Plan (Plan) for Well 5. Staff evaluated the hydrogeologic setting and available historical testing and operations data, and determined that sufficient data were not available to support renewal of Well 5 at the requested rate. Commission staff provided guidance regarding the additional evaluation that would be needed to support the renewal and because the requirements of 18 CFR § 806.12 were not previously met for Well 5, the Authority collected additional monitoring data and submitted an Alternative Hydrogeologic Evaluation (AHE).

The Well 5 AHE relied on the Commission's Plan analysis supplemented with the results of a 24-hour operational test that was completed in June 2023. Following review, Commission staff determined that sufficient data was provided to satisfy the hydrogeologic evaluation requirement and approved an AHE for Well 5 on April 3, 2024.

The operational testing demonstrated that Well 5 is capable of providing the requested quantity during wetter hydrologic conditions. However, historical operations data indicate that the water level in Well 5 has been frequently below the water-bearing zone at 728 feet above mean sea level (AMSL) (i.e., 132 feet below top of casing [BTOC]), which may have caused decreased well yields. To maintain water levels above the water-bearing zone in Well 5, Commission staff recommends that the approval be conditioned with a water level restriction prohibiting pumping of Well 5 when the water level reaches 729 feet AMSL (131 feet BTOC), 1 foot above the water-bearing zone, in accordance with Special Condition 23.

Commission staff determined that the withdrawal from Well 5 at the requested rate is not always available during dry or drought periods. Regardless, staff recommends approval at the requested rate to provide operational flexibility for the public water supply system and because the project has sufficient alternative sources to meet demand when operation of Well 5 is limited. The requested quantity 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.

The project sponsor requested that the requirements of 18 CFR § 806.12 be considered satisfied for Well 6 using an evaluation completed by Commission staff under PWSAP. Staff evaluated hydrogeologic setting information, results of a historical 50-hour aquifer test of Well 6, historical withdrawal and groundwater elevation data for Well 6 provided by the project sponsor, and prepared a Plan that provided a summary of an availability analysis, available data, a hydrogeologic evaluation, and renewal steps for Well 6. Commission staff evaluated the available hydrogeologic and operational data, and found that the existing data meets the essential purpose of testing and provides the necessary data to evaluate potential impacts to other users, impacts to the environment, and the sustainability of the withdrawal at a withdrawal rate of up to 0.070 mgd from Well 6 without requiring new testing or additional hydrogeologic evaluation.

The project sponsor requested to utilize staff's evaluation to meet the hydrogeologic evaluation requirements, which determined that a withdrawal from Well 6 at a rate of 0.070 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. The Plan analysis at the rate of 0.070 mgd satisfies the hydrogeologic evaluation requirement of 18 CFR § 806.12 for Well 6 and the AHE was approved on April 17, 2024.

Section 5. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations		
	Well 5	Well 6
30-Day Average Withdrawal (mgd):	0.086	0.070
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	88	65
Peak Day Withdrawal (mgd):	0.127	0.094
Total System Withdrawal Limit – Wells 1, 3, 5, 6, and 7 (30-Day Average) (mgd):	0.250	
gpm – gallons per minute		

The withdrawals are 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 7	0.100	20030607	June 12, 2028

Section 7. Grandfathering Determination – Withdrawals

On November 6, 2019, the project sponsor submitted a grandfathered water use registration under 18 CFR §§ 806.40-45 for Wells 1 and 3. The Executive Director issued Certificate of Registration No. GF-202212238 on December 15, 2022, 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 shall keep daily records of the project's withdrawals and groundwater elevations for the sources 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.

6. 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.

7. 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.

8. 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.

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

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

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

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

17. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawals that would exceed the amounts listed herein.

18. 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.

19. If the Commission determines that the operation of the project's groundwater withdrawals 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

20. The project sponsor shall comply with the water conservation requirements and reduce system water losses to less than twenty (20) percent to comply with 18 CFR § 806.25(a)(1). The project sponsor shall reduce system losses and achieve compliance with the water conservation requirements within five (5) years of the effective date of this docket approval unless the Commission grants an extension of time due to extenuating circumstances described, in writing, by the project sponsor. The project sponsor shall report to the Commission annually on the progress made pursuant to this requirement. Annual reports are due within sixty (60) days after the close of the preceding calendar year. If the project sponsor can show that system water losses are below twenty (20) percent for two (2) consecutive calendar years, annual reports for the remainder of the five (5)-year period may no longer be required following written notification from Commission staff.

21. The dates of the last meter certifications were October 5, 2021, for Well 5 and November 8, 2021, for Well 6. Therefore, the next meter certifications are due no later than November 8, 2026. 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.

22. 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.

23. To maintain water levels above a significant water-bearing zone in Well 5, drawdown shall be limited to 729 feet AMSL or 131 feet BTOC. Within ninety (90) days from the date of this approval, the project sponsor shall provide documentation to the Commission that an automatic shutoff switch or supervisory control and data acquisition (SCADA) programming that ceases withdrawals from Well 5 at the prescribed elevation has been installed or completed.

Section 10. Term

24. This approval shall be effective July 1, 2024, and shall remain effective until June 30, 2039. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 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.

25. Commission Docket No. 19920301 shall remain effective through June 30, 2024, whereupon it shall expire.

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 June 13, 2024.

Dated: June 14, 2024



Jason E. Oyler, Esq.