

DOCKET NO. D-72-67 CP-2

DELAWARE RIVER BASIN COMMISSION

**Borough of Paulsboro Water Department
Ground Water Withdrawal
Paulsboro Borough, Gloucester County, New Jersey**

PROCEEDINGS

This docket is issued in response to an Application submitted by the Borough of Paulsboro to the Delaware River Basin Commission (DRBC or Commission) on February 14, 2008 (Application) for renewal of an allocation of ground water and review of a groundwater withdrawal project. The project was approved by the New Jersey Department of Environmental Protection (NJDEP) on October 1, 2007 (Permit No. 5130), subject to approval by the DRBC.

The Application was reviewed for continuation of the project in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact*. The Gloucester County Planning Board has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on July 16, 2008.

A. DESCRIPTION

1. **Purpose.** The purpose of this project is to continue to supply water up to 62 million gallons per 30 days (mg/30 day) of water to the Borough of Paulsboro public supply distribution system from existing Wells Nos. 4, 5 and 7.
2. **Location.** The project wells are located in the Mantua Creek Watershed, in the Potomac-Raritan-Magothy Formation. Specific location information has been withheld for security reasons.
3. **Area Served.** The docket holder provides water to the Borough of Paulsboro as indicated on a map entitled "Paulsboro Well location Map" submitted as part of the renewal application. 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 Borough of Paulsboro supplies water to an estimated population of 6,120 via 2,238 service connections with an average and maximum water demand of 21.60 mg/30 days and 60 mg/30 days, respectively. The docket holder projects a ten year average and max water demand of 26.4 mg/30 days and 62.1 mg/30 days, respectively.

b. **Facilities.** The existing project wells have the following characteristics:

WELL NO.	DEPTH	CASED DEPTH/ CASING DIAMETER	PUMP CAPACITY	YEAR DRILLED
4	220'	220'/12"	600 gpm	1951
5	178'	178'/12"	900 gpm	1957
7	272'	272'/14"	1000 gpm	1996

All water service connections are metered.

All wells are metered.

Prior to entering the distribution system, the water will be treated by hypochlorination.

The project is above the 100-year flood elevation.

The water system is presently interconnected with Greenwich Township and East Greenwich Township.

c. **Other.** Wastewater is conveyed to the Gloucester County Utilities Authority sewage treatment facility most recently approved by DRBC Docket No. D-71-192 CP on March 22, 1978. The NJDEP issued its most recent NJPDES Permit No. NJ0024686 on July 9, 2004 for this treatment facility. The treatment facility has adequate capacity to receive wastewater from the proposed project.

d. **Relationship to the Comprehensive Plan.** The project wells were previously included within the Comprehensive Plan by Docket No. D-72-67 CP on June 17, 1975.

B. FINDINGS

The project is designed to conform to the requirements of the *Water Code* and *Water Quality Regulations* of the DRBC.

The NJDEP water allocation is for a limited period and is not subject to automatic renewal. The permittee is in a Critical Area designated by the State of New Jersey and is subject to such requirements as may be necessary pursuant to N.J.A.C. 7:19-8.

Well Nos. 4, 5, and 7 screened in the Potomac-Raritan-Magothy Aquifer and are located within the threatened portion of the NJDEP's Water Supply Critical Area No. 2. Accordingly,

the docket holder has been mandated by the NJDEP to limit the total withdrawal from these wells to 359.468 mg/year.

The DRBC estimates that the project withdrawals, used for the purpose of public water supply, result in a consumptive use of 90 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*.

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.

There have been no reports of interference since the original approval of this project. No adverse impact is anticipated with the continued operation of this project.

C. DECISION

- I. Effective on the approval date for Docket No. D-72-67 CP-2 below:
 - a. The projects described in Docket No. D-72-67 CP are removed from the Comprehensive Plan to the extent that they are not included in Docket No. D-72-67 CP-2.
 - b. Docket No. D-72-67 CP is terminated and replaced by Docket No. D-72-67 CP-2.
 - c. The project and the appurtenant facilities described in the Section A “Physical features” shall be added to the Comprehensive Plan.
- II. The project and appurtenant facilities as described in the Section A “Physical features” are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:
 - a. Docket approval is subject to all conditions, requirements, and limitations imposed by the NJDEP Water Allocation Permit and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission’s.
 - b. The wells and operational records shall be available at all times for inspection by the 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 withdrawal from Well Nos. 4, 5, and 7 shall not exceed 62 million gallons, and the withdrawal from all wells shall not exceed 62 million gallons. In addition, the total cumulative annual withdrawal from all three wells is limited to 359.468 mg/year.

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

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 NJDEP quarterly 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. In accordance with DRBC Resolution No. 87-6 (Revised), the docket holder shall continue to implement to the satisfaction of the NJDEP, 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.

i. The docket holder shall implement to the satisfaction of the NJDEP, the 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 NJDEP on the actions taken pursuant to this program and the impact of those actions as requested by the NJDEP.

j. 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).

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

l. The docket holder shall implement to the satisfaction of the NJDEP, a drought or other water supply emergency plan.

m. 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.

n. 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.

o. 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*.

p. 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.

q. 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.

r. 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. 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.

s. Commission, water service or use by the project docket holder pursuant to this docket approval shall be subject to any order or restriction governing those non-essential uses specified by the NJDEP to the extent that they may be applicable, and to any other emergency resolutions or orders adopted by the Commission.

t. 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: July 16, 2008

EXPIRATION DATE: July 16, 2018