

[Editor's note: Proposed amendments to Section 2.50 of the Delaware River Basin Water Code and the Water Quality Regulations are shown in red (insertions) and red plus strikethrough (deletions).]

2.50 WATER METERING

2.50.1 Definitions. For purposes of this Section 2.50:

- A. "Large Customer" means a customer of a "water supply system serving the public" (a "purveyor") as defined herein, that takes 50,000 gallons per day ("gpd") or more as a 30-day average from such purveyor through one or more "proximate connections" as defined herein; provided, however, that for purveyors invoicing only quarterly, for calendar year 2026 and any portion of calendar year 2027 that precedes the effective date of Section 2.50.4 A.1.c. hereof, "large customer" shall mean a customer that purchases 50,000 gpd or more as a 90-day average.
- B. "Large Customer Service Data" means the information to be reported annually, as set forth in Section 2.50.4 A.1.c., provided, however, that for any water supply system serving the public (purveyor), as defined herein, that invoices customers on a quarterly basis, the "amount supplied monthly for each of 12 months (MG)" for calendar year 2026 and any portion of calendar year 2027 that precedes the effective date of Section 2.50.4 A.1.c., shall be calculated by dividing the customer's quarterly use by three. After the effective date of Section 2.50.4 A.1.c, the "amount supplied monthly for each of 12 months (MG)" shall mean the actual quantity supplied by month, in millions of gallons.
- C. "Proximate connections" means service connections of a water supply system serving the public (purveyor) that may be metered separately but that serve a single customer at a single location, facility, or campus.
- D. "Water supply system serving the public" or "purveyor" means any water utility—public or private—that delivers water to customers. The terms "water supply system serving the public" and "purveyor" are used interchangeably throughout Section 2.50.

2.50.24 Service Metering (*Resolution No. 87-7 Revised, amended by Resolution No. 2001-8*).

- A. Owners of water supply systems serving the public (purveyors) in the Basin that distribute water supplies in excess of an average of 100,000 gallons per day during any 30-day period shall install, or require to be installed, water meters incident to the provision or maintenance of service at the retail level.
- B. (1) Meters shall be installed so as to record water use at all service connections; (2) water furnished for fire suppression purposes shall be exempt from metering provided that fire suppression (sprinkler) systems are equipped with detector check or flow detection devices; and (3) water removed from fire hydrants shall be exempt from metering unless otherwise required by a purveyor, or state or local government.
- C. Water use shall be recorded or measured by means of a metering device that conforms to the performance specifications of the American Water Works Association. Purveyors shall adopt and implement a program for periodic maintenance, calibration, and replacement of meters to ensure meter accuracy.
- D. Water charges collected by purveyors shall be based in part on metered usage.

- E. It is recommended that, at least once a year, each purveyor: (1) provide each metered residential customer with information on savings available through water conservation; and (2) explain different methods of residential water conservation and their cost-effectiveness, and the availability of water conservation devices.
- F. Installation of meters at existing unmetered connections shall be completed within ten years of the effective date of this regulation.
- G. To avoid duplication of effort and to insure proper enforcement of this regulation, the Executive Director is hereby authorized to enter into administrative agreements with the Delaware Department of Natural Resources and Environmental Control, New Jersey Department of Environmental Protection, New York Department of Health, Pennsylvania Department of Environmental Protection, and other state agencies where appropriate, authorizing such agencies to administer and enforce the provisions of this regulation to the extent practicable and to adopt such rules and regulations of procedure as may be necessary to insure the proper administration and enforcement of this regulation. In the absence of an administrative agreement, the Commission shall serve as the administration and enforcement agency for this regulation.

2.50.32 Source metering, recording and reporting (*Resolution No. 86-12, amended by Resolution No. 2001-8*).

- A. Each person, firm, corporation, or other entity whose cumulative daily average withdrawal(s) from the surface and/or ground waters of the Basin from any surface water intake, spring, or well, or any combination of surface water intakes, springs, or wells operated as a system, exceeds 100,000 gallons per day during any 30-day period shall meter or measure and record their withdrawals and report such withdrawals to the designated agency. Withdrawals shall be measured by means of an automatic continuous recording device, flow meter, or other method, and shall be measured to within five percent of actual flow. Exception to the five percent performance standard, but no greater than ten percent, may be granted for surface water withdrawals by the designated agency if maintenance of the five percent performance standard is not technically feasible or economically practicable. Meters or other methods of measurement shall be subject to approval and inspection by the designated agency as to type, method, installation, maintenance, calibration, reading, and accuracy. Withdrawals shall at a minimum be recorded on a daily basis for public water supply use and on a biweekly basis for all other water uses and reported as monthly totals annually. More frequent recording or reporting may be required by the designated agency or the Commission.
- B. The following water uses and operations are exempt from the metering or measurement requirements of subsection (A): agricultural irrigation; snowmaking; dewatering incidental to mining and quarrying; and dewatering incidental to construction. Persons engaged in such withdrawals in excess of 100,000 gallons per day during any 30-day period shall record the pumping rates and the dates and elapsed hours of operation of any well or pump used to withdraw water and report such information as required in subsection (A).
- C. The following are the designated agencies for the purposes of this regulation: Delaware Department of Natural Resources and Environmental Control; New Jersey Department of Environmental Protection; and Pennsylvania Department of Environmental Protection.

The Delaware River Basin Commission shall serve as the designated agency for administering and enforcing this regulation in the New York portion of the Basin.

- D. Pursuant to Section 11.5 of the Compact, the designated agencies shall administer and enforce programs for metering, recording and reporting of water withdrawals, in accordance with this regulation and any applicable state regulations.
- E. This regulation shall be effective January 1, 1987.

2.50.43 **Reporting Requirements** (*Resolutions Nos. 2001-8, ~~and~~ 2009-1, and 2027-__*).

A. Annual Reporting Requirements.

- 1. Water Supply Systems Serving the Public. **Subject to Section 2.50.4 B.,** ~~t~~The owner(s) of each water supply system serving the public and ~~subject to~~**required to comply with** subsection 2.50.24, subsection 2.50.32, ~~and-or~~ the Ground Water Protected Area Regulations for Southeastern Pennsylvania shall report the following data on an annual basis to the designated agency.
 - a. Source Data
 - i. Withdrawal Data. The following data shall be reported for each withdrawal source separately (i.e., each well or surface water intake):
 - Year
 - Facility Identification Code (State Code)
 - State Permit Number
 - Facility Name
 - Monthly Withdrawal Amount (MG)
 - ii. Bulk Purchases from Other Suppliers. The following data shall be reported for each bulk purchase separately:
 - Bulk Supplier Name
 - Bulk Supplier's Source Name(s)
 - Monthly Bulk Purchase Amount (MG)
 - b. Service Area Data. The following data shall be reported separately for each county served:
 - i. Service Area Name(s)
 - ii. Total Annual Water Use by Category (MG). All usage shall be reported according to the following categories:
 - Residential metered (including apartment complexes)
 - Commercial metered
 - Institutional metered
 - Industrial metered
 - Bulk Sales
 - Other metered (Specify)
 - Non-revenue water, including unbilled authorized consumption, apparent losses, and real losses computed in accordance with Section 2.1.8 D. of this *Water Code*

- Unaccounted for water (defined as the amount of water entering the distribution system minus the amount of water delivered through service meters)¹
 - Total
 - c. Large Customer Service Data. Commencing with data for calendar year 2026, the following shall be reported separately for each “large customer” as defined in Section 2.50.1, on a form prescribed by the Executive Director:
 - Year
 - DRBC Docket Number
 - State Permit Number or Facility ID
 - Customer Facility ID
 - Customer Facility Name
 - Amount supplied monthly for each of 12 months (MG)
 - Customer type/sector
 - NAICS code
2. Other Withdrawals. ~~If a Each~~ person, firm, corporation, or ~~other~~ entity, ~~other than except~~ a water supply systems serving the public ~~is~~ subject to the requirements of ~~under~~ subsection 2.50.32 hereof ~~and or~~ to the Ground Water Protected Area Regulations for Southeastern Pennsylvania, ~~the entity~~ shall report the ~~below following~~ data on an annual basis to the designated agency. The data shall be reported for each withdrawal source ~~separately~~ (i.e., each well or surface water intake) ~~separately~~. Changes to any other information required ~~by under~~ Section 2.50.4 A. ~~hereof above~~, shall also be reported. All information required ~~by under~~ Section 2.50.4 A. ~~above~~ shall be ~~completed reported~~ for new withdrawals ~~beginning with for~~ the first year of operation.
- a. Year
 - b. Facility Identification Code (State Code)
 - c. State Permit Number
 - d. Facility Name
 - e. Monthly Withdrawal Amount (MG)
 - f. Evaporative Loss Amount (MG) (if known)
 - g. Product Use Amount (MG) (if known)
 - h. Estimated Monthly Wastewater Discharge Amount (MG)
- B. ~~To avoid duplication of effort and to insure proper enforcement of this regulation, the Executive Director is hereby authorized to enter into administrative agreements with the following designated agencies: — Delaware Department of Natural Resources and Environmental Control, New Jersey Department of Environmental Protection, New York Department of Health, Pennsylvania Department of Environmental Protection, and other state agencies where appropriate, authorizing such agencies to administer and enforce the provisions of this regulation and to adopt such rules and regulations of procedure as may be necessary to insure proper administration and enforcement of this regulation. In the absence of an administrative agreement, the Commission shall serve as the designated agency. Designated agencies are encouraged to implement and maintain automated data collection and reporting systems to facilitate the efficient transfer of data to the Delaware~~

¹ Further breakdown of unaccounted for water can be provided. For example, estimated fire hydrant use, other unmetered public uses, and leakage losses.

~~River Basin Commission. The administrative agreements shall specify the format for data submission.~~ To avoid duplication of effort, data to be reported under Section 2.50.4 of the Water Code shall be submitted to the state agency, if any, tasked with implementing and maintaining automated data collection and reporting systems, and which possesses the capability and authority to efficiently transfer these data to the Delaware River Basin Commission. In any instance in which no member state agency performs the necessary data collection and transfer functions, data subject to the Annual Reporting Requirements set forth in Section 2.50.4 A. hereof shall be reported directly to the Delaware River Basin Commission in such manner as the Executive Director may prescribe. Because state agencies and functions may periodically change, the Executive Director shall maintain and make available to all entities subject to the Annual Reporting Requirements of Section 2.50.4 A. an up-to-date list identifying the agency to which required data are to be reported within each member state.