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DOCKET NO. D-1988-045 CP-5

DELAWARE RIVER BASIN COMMISSION

Located in Drainage Area to Special Protection Waters

**Roamingwood Sewer and Water Association, agent of;
The South Wayne County Water and Sewer Authority
Groundwater Withdrawal**

Lake and Salem Townships, Wayne County, Pennsylvania

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) on August 15, 2025 for renewal of an allocation of groundwater and review of a groundwater withdrawal project (Application). On March 24, 2010, the Pennsylvania Department of Environmental Protection (PADEP) issued PWS Operation Permit No. 2640025, which consolidated all previous PWS Permits issued to RSWA and transferred them to SWCWSA. On March 30, 2011, PADEP issued PWS Operation Permit No. 2640025, which included five separate operation permits (one for each source) for the 4-Log Treatment of Viruses

The Application was reviewed for continuation of this project in the Comprehensive Plan and for approval under Section 3.8 of the *Delaware River Basin Compact*. The Wayne County Planning Commission has been notified of pending action on this docket. A public hearing on this project was held by the DRBC August 5, 2026.

A. DESCRIPTION

1. **Purpose.** The purpose of this docket is to renew the approval of an existing groundwater withdrawal of up to 20.67 million gallons per month from Wells 1, 2, 3, 4 and 5 for public water supply.
2. **Location.** The project wells are completed in the Poplar Gap Member of the Catskill Formation and are located in the Ariel Creek Watershed in Lake and Salem Townships, Wayne County, Pennsylvania. The project is located in the drainage area to the Upper Delaware River which the Commission has classified as Special Protection Waters.

Specific location information has been withheld for security reasons.

3. **Area Served.** The project wells supply water to The Hideout development in Lake and Salem Townships, Wayne County, Pennsylvania. The water service area boundary is outlined on a map entitled “Distribution Map (Stage 1, 2 & 3) as of 2019-10-17” submitted with the Application. For the purpose of defining Area Served, the Application is incorporated herein by reference consistent with conditions contained in Section C. DECISION of this docket. For the purpose of defining Area Served, the Application is incorporated herein by reference consistent with conditions contained in Section C. DECISION of this docket.

4. **Design Criteria.** The public water system currently serves water to approximately 8,293 seasonal and year-round persons on 3,317 domestic service connections and 31 commercial service connections and records an existing average and maximum daily water demand of 0.529 million gallons per day (mgd) and 0.663 mgd, respectively. The docket holder estimates the 10-year average and maximum daily water demand to increase to 0.559 mgd and 0.702 mgd, respectively as a result of additional domestic service connections. The allocation of 20.67 mgm should be sufficient to meet the docket holder’s projected demands when water losses are reduced.

The docket holder recently completed a substantial water system grade including the replacement of all water lines sewer lines, production well meters and service meters. Despite the major upgrades, water audits submitted to the Commission annually continue to show that over 50 percent of the water supplied by the production wells is not recorded at the customer service connections.

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

WELL ID	DEPTH	CASED DEPTH/ CASING DIAMETER	PUMP CAPACITY	YEAR DRILLED
1 Elmwood Well (EP* 105)	496 ft	91' / 8"	100 gpm	1969
2 South Well (EP 101)	456 ft	95' / 8"	175 gpm	1969
3 North Well (EP 102)	495 ft	50' / 8"	160 gpm	1971
4 Boulder Well (EP 103)	600 ft	44' / 8"	250 gpm	1973
5 Brookfield Well (EP 104)	525 ft	52' / 8"	138 gpm	1973

* Entry Point ID listed on PADEP 4-log Operations Permit

All water service connections are metered.

All wells are metered.

Prior to entering the distribution system, the water is chlorinated

The project wells are not located in a mapped 100-year floodplain.

6. **Other.** Wastewater is conveyed to the Roamingwood Water and Sewer Association, agent of; The South Wayne County Water and Sewer Authority sewage treatment facility most recently approved by DRBC Docket No. D-1988-014 CP-4 on March 10, 2021. The PADEP issued NPDES Permit No. PA0033430 for this treatment facility. The treatment facility has adequate capacity to continue to receive wastewater from the existing project.

7. **Relationship to the Comprehensive Plan.** Wells 1 and 2 of the Pocono Water Company were included in the Comprehensive Plan by Docket No. D-70-199 CP approved on November 24, 1970. Well 3 also of the Pocono Water Company was added to the Comprehensive Plan on June 28, 1972 by Docket No. D-72-114 CP. Wells 4 and 5 were included in the Comprehensive Plan by Docket No. D-88-45 CP approved on August 3, 1998. This docket (D-88-45 CP) also transferred the facilities from Pocono Water Company to docket holder. The dam and recreation lake that are part of this development were approved by the Commission as Docket D-69-157 on October 28, 1969. Issuance of this docket will continue the withdrawal project in the Comprehensive plan.

B. FINDINGS

1. Special Protection Waters

In 1992, the DRBC amended its Water Quality Regulations (WQR) by the addition of regulations for the protection of Special Protection Waters (SPW), designed to maintain the quality of interstate waters where existing quality is better than the established stream quality objectives. As the result of its initial classifications and subsequent amendments, the Commission has designated the entire non-tidal main stem Delaware River from Hancock, New York to Trenton, New Jersey as SPW. DRBC's SPW regulations apply within the designated reaches and their drainage area.

The wells providing water supply to the docket holder are located within the drainage area to SPW. However, the project including the area served, is located upstream of Lake Wallenpaupack. This reservoir is listed as one of the major surface water impoundments in Section 3.10.3A.2.g.5) and the docket holder's water supply project in this area is exempt from having to submit a NPSPCP, as outlined in Article 3.10.3A.2. of the Commission's WQR.

2. Water Audits for Public Water Supply Systems Serving Greater than 100,000 gpd

Section 2.1.8 of the Water Code states that it is the policy of the Commission to establish a standardized water audit methodology for owners of water supply systems serving the public to ensure accountability in the management of water resources. Voluntary Water Audits were encouraged for public water supply systems through December 31, 2011 (Section 2.1.8.B.). Effective January 1, 2012, the owners of each public water supply system are required to

implement an annual calendar year water audit program conforming to IWA/AWWA Water Audit Methodology (AWWA Water Loss Control Committee (WLCC) Water Audit Software) and corresponding AWWA guidance (Section 2.1.8.C). Water audits shall be submitted annually to the Commission by March 31. The docket holder submitted their most recent Water Audit on March 31, 2026.

The docket holder completed a system-wide improvement project including the replacement of all water and sewer mains. The final completion date of the infrastructure project was the first quarter of 2020. Additionally, new production well meters were installed at each of the five (5) wells and new service meters were installed at all service connections. Despite significant system upgrades, annual water audits submitted to the Commission continue to show significant water losses. The docket holder is aggressively surveying for leaks in the system and has contacted the PADEP outreach program for assistance. The docket holder is required to provide the Commission with an annual water loss status report due in conjunction with the annual water audit.

3. Other Findings

The individual instantaneous well rates and monthly well allocations approved by DRBC Docket D-1988-045 CP-4 are retained by this docket. These rates and allocations were based on the well ratings listed in the PADEP Public Water Supply Permits and reported booster pump capacities, respectively.

This project consists of an existing withdrawal of groundwater from Wells 1, 2, 3, 4 and 5. The individual instantaneous well rates and monthly well allocations approved by DRBC Docket D-1988-045 CP-4 are retained by this docket. These rates and allocations were based on the well ratings listed in the PADEP Public Water Supply Permits and reported booster pump capacities, respectively.

The DRBC estimates that the project withdrawals, used for the purpose of public water supply, result in a consumptive use of 10 percent of the total water use. The DRBC definition of consumptive use is defined in Basin Regulations-Water Supply Charges 18 C.F.R. 420.1(d).

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

The project as approved herein does not impair or conflict with the Comprehensive Plan.

C. DECISION

Effective on the approval date for Docket No. D-1988-045 CP-5 below, the project described in Docket No. D-1985-045 CP-4 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-1985-045 CP-5; Docket No. D-1985-045 CP-4 is terminated and replaced by Docket No. D-1985-045 CP-5; and the project and the appurtenant facilities described in Section A.4. (Design Criteria) and A.5. (Facilities) shall be continued in the

Comprehensive Plan. The project and appurtenant facilities as described in Section A.4. (Design Criteria) and A.5. (Facilities) are approved subject to the following conditions, pursuant to Section 3.8 of the *Compact*:

Monitoring and Reporting

1. The docket holder shall continue to report to the PADEP all surface and groundwater sources described in this docket in accordance with the Pennsylvania Regulations (Title 25 - Environmental Protection, [25 PA. CODE CH. 110], Water Resources Planning).
2. The project withdrawals shall be metered by means of an automatic continuous recording device, flow meter, or other method, and shall be measured to within 5 percent of actual flow. Meters or other methods of measurement shall be subject to approval and inspection by the PADEP as to the type, method, installation, maintenance, calibration, reading and accuracy. A record of daily withdrawals shall be maintained, and monthly totals shall be reported to the PADEP annually and shall be available at any time to the Commission if requested by the Executive Director.
3. In accordance with DRBC Resolutions No. 87-6 (Revised) and No. 2009-1, the docket holder shall continue to implement to the satisfaction of the 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 non-revenue 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.
4. In accordance with DRBC Resolution No. 2009-1 and Section 2.1.8 of the *Water Code (WC)*, the docket holder shall implement an annual calendar year water audit program conforming to IWA/AWWA Water Audit Methodology (AWWA Water Loss Control Committee (WLCC) Water Audit Software) and corresponding guidance. Water audits shall be submitted annually to the Commission by March 31.
5. The docket holder shall implement to the satisfaction of the 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 PADEP, on the actions taken pursuant to this program and the impact of those actions as requested by the PADEP.
6. The docket holder shall submit an annual water loss status report describing the docket holder's efforts and results related to reducing apparent and/or real water losses. The report shall be submitted annually to the Commission by March 31.

Other Conditions

7. During any month, the combined withdrawal from all well sources shall not exceed 20.67 million gallons. No well shall be pumped above the maximum rate and monthly allocation as indicated below:

WELL NO.	MAXIMUM RATE (GPM)*	MONTHLY ALLOCATION (MGM)
1 Elmwood Well (EP 105)	100 gpm	2.50 mgm
2 South Well (EP 101)	200 gpm	4.00 mgm
3 North Well (EP 102)	175 gpm	5.70 mgm
4 Boulder Well (EP 103)	275 gpm	8.60 mgm
5 Brookfield Well (EP 104)	138 gpm	4.00 mgm

* Based on a 24-Hour Average

8. In accordance with 18 C.F.R. 401.8. of the Commission's *Rules of Practice and Procedure (RPP)*, if at any future time the Project is changed materially from the Project as described in this docket, it will be deemed to constitute a new and different project for the purposes of Article 11 of the Delaware River Basin Compact and will require Commission amendment of the Comprehensive Plan. In accordance with the same section of the RPP, whenever a change to the Project is made, the sponsor must advise the Executive Director, who will determine whether the change is deemed material for purposes of this provision.

9. This approval shall expire on the expiration date set forth below unless prior thereto the docket holder has applied to the Commission to renew or extend this approval.

10. The docket holder is responsible for timely submittal to the DRBC of a docket renewal application on the appropriate application form including the appropriate docket application filing fee (see 18 C.F.R. 401.43) at least 6 months in advance of the docket expiration date set forth below. The docket holder will be subject to late filed renewal surcharges in the event of untimely submittal of its renewal application whether DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. If the docket holder has not applied to renew the docket or the DRBC is unable to reissue the docket before the expiration date below, the terms and conditions of the current docket will remain fully effective and enforceable pending the renewal of the docket.

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

12. The wells shall be operated at all times to comply with the requirements of the *WC* and *WQR* of the DRBC.

13. The wells shall be equipped, where possible, with readily accessible capped ports and minimum ½ inch inner diameter (ID) drop pipes as repairs or modifications are made at each existing well so that water levels may be measured under all conditions.

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

15. 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).

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

17. 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.

18. 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.

19. 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*.

20. The docket holder shall be subject to applicable DRBC regulatory program fees, in accordance with duly adopted DRBC resolutions and/or regulations. (see 18 CFR 401.43).

21. This approval is transferable by request to the DRBC Executive Director provided that the project purpose and area served approved by the Commission in this docket will not be materially altered because of the change in project ownership. The request shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 CFR 401.43).

22. The docket holder shall request a name change if the name of the entity to which this approval is issued changes its name. The request for name change shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 C.F.R. 401.43).

23. 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 to ensure the proper control, use and management of the water resources of the Basin.

24. If the monitoring required herein or any other relevant data or information demonstrates that the operation of this project is interfering with or otherwise impairing existing uses of ground or surface water, or if the docket holder receives a complaint from an existing ground or surface water user within the zone of influence of the withdrawal alleging such interference or impairment, the permit holder shall immediately notify the Executive Director, and unless excused by the Executive Director, shall investigate the demonstrated or alleged impacts. For purposes of this condition, notification shall mean either (a) electronic transmittal of written notice to the Executive

Director via email (using addresses posted on the DRBC website); or (b) written notice to the Executive Director and a telephone call to the Project Review Section at 609-883-9500, ext. 216. (Oral notification must always be accompanied by immediate written notification directed to the Executive Director.) In addition, the docket holder shall provide written notice to all potentially affected water users of the docket holder's responsibilities under this condition. **Any well or surface water supply that is impaired as a result of the docket holder's project withdrawal shall be repaired, replaced or mitigated at the docket holder's expense.** The scope of the options to consider for repair, replacement and/or mitigation shall not be limited solely to those that are owned, operated, or controlled by the project sponsor. An investigation report and/or mitigation plan prepared and certified by a licensed professional engineer and/or a licensed professional geologist shall be submitted to the Executive Director as soon as practicable following notice of the demonstrated or alleged impairment consistent with this paragraph. The Executive Director shall make the final determination regarding the scope and sufficiency of the investigation and the extent of any mitigation measures that may be required. Where ground and surface waters are rendered unavailable, unusable, or unsuitable for the pre-existing use, the Executive Director may direct the docket holder to take interim actions to mitigate such impacts, pending completion of the investigative report and any long-term repair, replacement, or mitigation.

25. 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.

26. 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

27. Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the *Rules of Practice and Procedure*. In accordance with Section 15.1(p) of the *Delaware River Basin Compact*, cases and controversies arising under the *Compact* are reviewable in the United States district courts.

BY THE COMMISSION

APPROVAL DATE:

EXPIRATION DATE: September 2, 2036