

SALFORD TOWNSHIP**MINUTES OF MEETING AT WRT REGARDING WELL QUESTIONS****DATE: January 17, 2002****Present were:**

**Bob Rohland - Salford Township Supervisor
Bob Bricker - Township Solicitor
Keith Laslow - DEP
Sharon Hill - DEP
Nelson Hoffentrauger - WRT
John Haines - Haines & Kibblehouse
Bob Miller - Haines & Kibblehouse
John Ross - Haines & Kibblehouse
Tony Jeremias - Haines & Kibblehouse**

The quarry has a valid mining permit and is permitted to pump water. The original Consent Decree provided that the Operator was responsible for replacing all failed wells within a 1,000-foot radius within Salford Township and a 1,500-foot radius within West Rockhill Township whether or not it can be established that the quarry is responsible. State law requires operators to replace failed wells regardless of their distance from the site if the State's investigation indicates that the quarry is responsible based upon reasonable scientific evidence.

The Operator has been monitoring wells in the vicinity of the quarry since 1991 and has good data on water wells. Under Consent Decree, eighteen (18) wells have been replaced. Recently, complaints of wells being affected, particularly in Salford Township have been received by the Operator, the Township, and DEP.

The Position of the Operator is summarized as follows:

The well data establishes the level of the water table over the past several years starting about 1998. The quarry is presently 110 feet deep in a small area and has only recently become deep enough to penetrate the water table. Therefore, until recently, the water being

discharged from the quarry has been surface water or precipitation. (The average discharge is 65,000 gallons per day. In 2001, 41 million gallons were discharged.) The quarry estimates that approximately 40% of the discharge is from precipitation. If the quarry were lowering the water table, which is about 150 deep in the area, there would be an obvious effect in the well data (which there is not).

The wells about which recent complaints have been filed are located primarily in Tylersport and west, as far away as the other side of the turnpike. They are all shallow wells. The replacement wells that have been drilled have all been 250 feet or more.

The operator has concluded that its operations are not responsible for the failure of the wells in the Tylersport area and beyond for the following reasons.

1. Drought conditions which have existed since 1998 and have become severe in the past six months.
2. The soils and rock strata along the Ridge result in poor recharge conditions; i.e., surface water runs off rather than penetrates into the aquifers.
3. The water table on the Ridge is gradually declining from increased development in the area, drought conditions and poor recharge; and at least some blame can be attributed to the Telford Borough well which is 600 feet deep and pumps about 500 gallons per minute and several NPWA wells in Franconia Township which are downhill from the top of the Ridge. Downhill pumping will tend to flatten out the water table in areas which are uphill from wells.

The position of the State is summarized as follows:

1. The State's well data closely agrees with the Operator's.

2. The State has seen a dramatic increase in well complaints in recent months due to drought conditions.

3. The State is of the opinion that the data supports a position that the quarry is not influencing the water table beyond a 1,500-foot radius at the present time.

4. As the quarry gets deeper there may be an eventual influence along Allentown Road in Tylersport, but at the present time the wells which are experiencing problems in that area are more likely affected by neighboring wells and drought conditions.

5. The State does feel that there is a possible influence on the Alderfer and Landis wells along Ridge Road and wants the operator to replace these wells. John Haines indicated that they would do so even though he feels that the data does not demonstrate that the quarry is at fault.

The State's procedure with respect to well complaints is as follows:

1. DEP will always respond to well complaints within 48 hours.
2. If the state concludes the well is being affected by the quarry, it will consult with the Operator in an effort to resolve the complaint. If the complaint is not resolved, the State will write a formal report finding the operator responsible and will ask the operator to supply the owner with a temporary water supply. Further, the Operator will be asked to voluntarily replace the well.
3. If the Operator refuses to replace the well, a formal order requiring replacement will be issued. The Operator may appeal such an order to the Environmental Hearing Board, but must replace the well or provide water in the meantime.
4. There is no process by which the operator is found partially responsible and thus liable for some part of the costs of a replacement well. Nevertheless, there are often times where

the owner and Operator work out some cost-sharing arrangement and DEP encourages this in cases where it cannot find the Operator responsible.

The advice we received from DEP is that property owners who believe their wells are being damaged by the quarry should call DEP and register their complaint.