

Chapter 26

Water

Part 1 Groundwater Wells

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Part 1**Groundwater Wells****§26-101. Definitions.**

1. As used in this Part, the following terms shall be defined in accordance with the description that follows the word:

Affected area—the affected area is that portion of the Borough known as Area A Groundwater pursuant to the United States Navy Study known as the Halliburton NUS Phase II RI report dated April 19, 1993, and also as identified in the United States Navy Record of Decision dated September 27, 2000, and designated OU-1A. A map showing the affected area is attached hereto as Exhibit “26-1-A” and is made a part hereof.

Person—includes a corporation, firm, partnership, association, organization and any other group acting as a unit, as well as individuals. It shall also include an executor, administrator, trustee, receiver or other representative appointed according to law. Whenever the word “person” appears in any Section of this Part prescribing a penalty or fine, as to partnerships or associations, the word shall include the partners or members thereof, and as to corporations, shall include the officer, agents or members thereof who are responsible for any violation of such Section.

(Ord. 2001-3, 7/11/2001, §1)

§26-102. Groundwater Well Construction Permits.

No person shall construct or cause the construction of a new groundwater well, or the re-drilling, or deepening of an existing groundwater well in the affected area without first obtaining from the Borough’s designated official, a groundwater pumping permit.

(Ord. 2001-3, 7/11/2001, §2)

§26-103. Groundwater Pumping Permit.

No person shall operate or permit the operation of any pump or other device that draws groundwater in the affected area without first obtaining from the Borough’s designated official, a groundwater pumping permit.

(Ord. 2001-3, 7/11/2001, §3)

§26-104. Fees.

There shall be no fee required by the Borough for a groundwater pumping permit unless otherwise required by appropriate resolution.

(Ord. 2001-3, 7/11/2001, §4)

§26-105. Issuance of Permit.

In order to obtain a groundwater pumping permit, a person shall make written application to the Borough on a form prepared by the Borough’s designated official. No

permit shall be issued unless it shall be demonstrated to the satisfaction of the Borough's designated official that the proposed well or pumping will not yield groundwater with dangerous contaminants above established maximum contaminant levels (MCL's), and that the proposed pumping will not negatively affect the effectiveness of the United States Navy's remedy for Area A Groundwater as described in the final Record of Decision for OU-1A. The foregoing may be demonstrated by the written certification of a professional hydrologist certified as a Professional Geologist in the Commonwealth of Pennsylvania, and by the approval of at least one of the following:

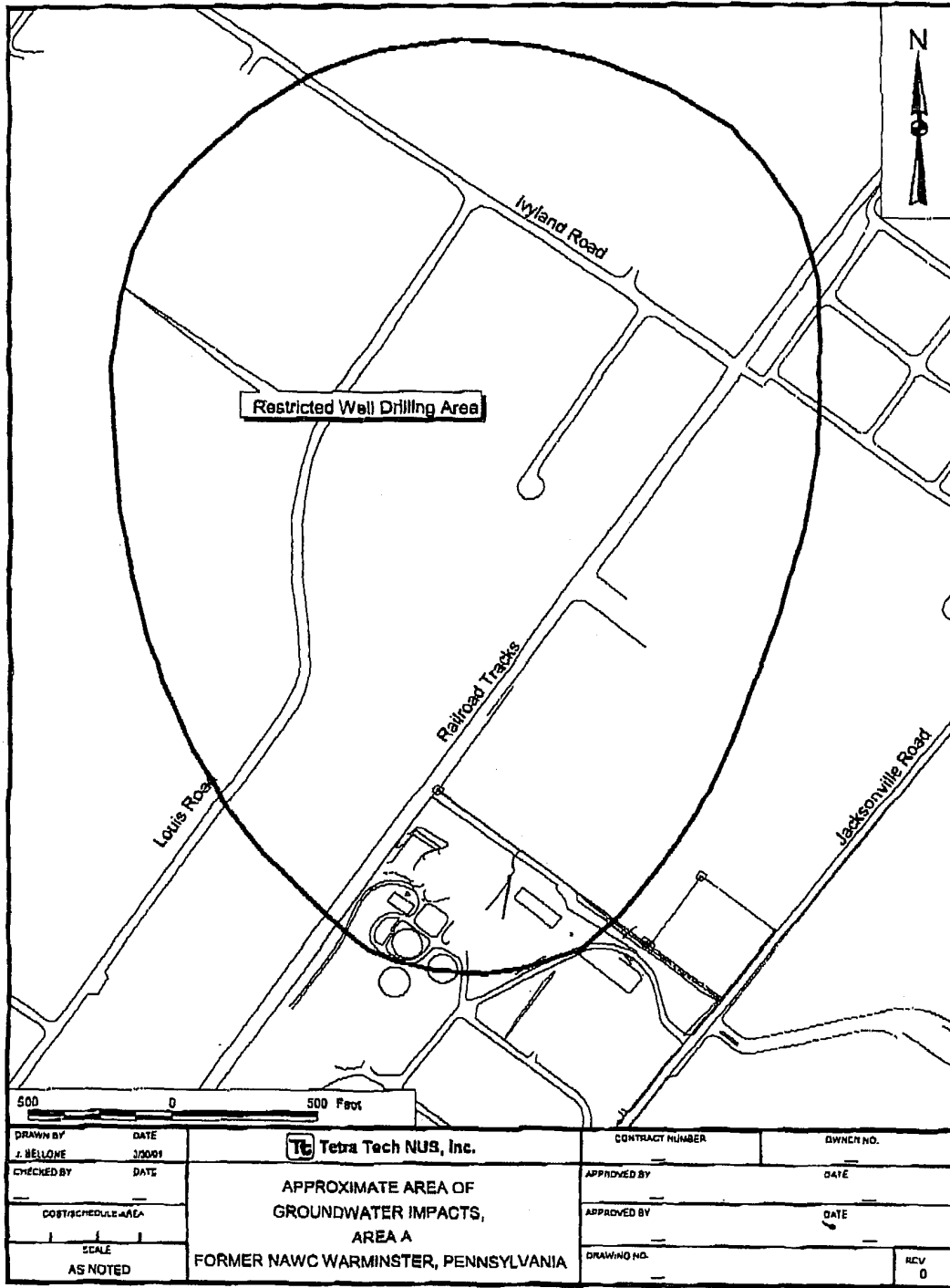
- A. A representative for the United States Navy.
- B. A representative of the United States Geological Survey.
- C. A representative of the United States Environmental Protection Agency.

(*Ord. 2001-3, 7/11/2001, §5*)

§26-106. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of no less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 2001-3, 7/11/2001, §6; as amended by Ord. 2011-3, 11/9/2011*)



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