

**Burgess and Commissioners of
Middletown, Maryland**

Water Supply Capacity Management Plan
2009

Approved and Adopted on
February 9, 2009

General Information

PURPOSE OF THE WATER SUPPLY CAPACITY MANAGEMENT PLAN (WSCMP)

This WSCMP is provided to assist the Town Board and Planning Commission in determining the capacity of their water supply systems and in allocating the remaining capacity in a responsible manner. Having an adequate water supply that meets the existing and future water demand in a community is vital for public health protection. Having accurate allocation information, combined with reasonable demand projections, will help ensure that water supply systems achieve a high level of public health protection; operate within Water Appropriation Permit parameters; operate within the limitations of their system to produce safe water; and meet the water supply needs of future residential, commercial, and industrial users in a timely manner. This plan enables the Town to:

- ❖ • Identify when the demand for water is approaching or exceeding the safe capacity of the water supply system;
- ❖ • Provide timely and critical information to the Local Health Officer, Environmental Health Director, and elected officials for the approval of subdivision plats and building permits;
- ❖ • Make commitments for new connections with confidence that there is adequate capacity to serve new as well as existing customers;
- ❖ • Determine when the approval of subdivision plats and the issuance of additional building permits need to be curtailed until improvements are completed to meet the additional water demand;
- ❖ • Plan for needed water supply system improvements to ensure continued adequacy of the water system as new growth occurs and as water demand increases; and
- ❖ • Provide an adequate water supply in order to ensure the protection of public health.

LEGAL MANDATES

It is essential for local governments to carefully manage the allocation of water to new residential, commercial and industrial customers, in conformance with local Comprehensive Plans, County Water and Sewerage Plans, Water Appropriation Permits, and the requirements of the Annotated Code of Maryland pertaining to building permits and subdivision plats. Local governments must ensure that the water supply will be adequate to meet the demand of existing and new users and must allocate any available water in accordance with State as well as local requirements.

The Environment Article of the Annotated Code of Maryland sets forth the State requirements for insuring the adequacy of the water supply to serve new development as well as the authority of the Secretary of the Department to require Water Supply Capacity Management Plans:

§ 9-512 (b) Building Permits – Conformity with county plan; issuance of

building permits. –

(1) A State or local authority may not issue a building permit unless:

(i) The water supply system, sewerage system, or solid waste acceptance facility is adequate to serve the proposed construction, taking into account all existing and approved developments in the service area;

(ii) Any water supply system, sewerage system, or solid waste acceptance facility described in the application will not overload any present facility for conveying, pumping, storing, or treating water, sewage, or solid waste; ...

§ 9-512 (d) Subdivision plats – Conformity with county plan; recording or approving subdivision plats. –

(1) A State or local authority may not record or approve a subdivision plat unless any approved facility for conveying, pumping, storing, or treating water, sewage or solid waste to serve the proposed development would be:

(i) Completed in time to serve the proposed development; and

(ii) Adequate to serve the proposed development, once completed, without overloading any water supply system, sewerage system, or solid waste acceptance facility.

(2) Each water supply system, sewerage system, and solid waste acceptance facility in a subdivision shall:

(i) Conform to the applicable county plan; and

(ii) Take into consideration all present and approved subdivision plats and building permits in the service area.

§ 9-205. Submitting plans for existing water supply system, sewerage system, or refuse disposal system for public use.

(a) “Authority” defined. – In this section, “authority” means a water, sewerage, or sanitary district authority.

(b) Application of section. – This section applies only to any water supply system, sewerage system, or refuse disposal system that is for public use in this State.

(c) Required plans, specifications, and reports – In general. – Any authority or person who owns a water supply system, sewerage system, or refuse disposal system or who supplies or is authorized to supply water, sewerage, or refuse disposal service to the public shall submit to the Secretary:

(1) A certified copy of the complete plans for the water supply system, sewerage system, or refuse disposal system that:

(i) Is correct on the date of submission; and

(ii) Is of the scope and detail that the Secretary requires; and

(2) Any existing specifications of or reports on the water supply system, sewerage system, or refuse disposal system.

(d) Same – Exceptions. – If plans do not exist or are of insufficient scope or detail, the authority or person who is required to submit the plans shall:

(1) Prepare and submit to the Secretary new or supplemented plans; and

(2) Make any investigation that is necessary to ensure that the new or supplemented plans are correct.

(e) Additional information. –

(1) The Secretary may request any other information about the water supply system, sewerage system, or refuse disposal system, including information or records on maintenance and operation, that the Secretary considers appropriate.

(2) Any authority or person to whom a request is made under paragraph (1) of this subsection shall submit the information or records to the Secretary.

In addition to the required State mandates, the Town has also passed legislation to ensure capacity is available. In April of 2003, the Town Board passed the Water & Sewer Certification Ordinance which requires capacity to be available prior the approval of improvement plans:

16.12.055 Water and sewer capacity certification

A. Upon approval of the preliminary plat, the town administrator shall conduct a review and analysis of the capacities of the town water and sewer systems in order to determine whether there exists sufficient water and sewer capacity to service the proposed subdivision or the development project thereon. The review and analysis shall be conducted in coordination with the director of operations and construction and the water and sewer superintendent who shall provide the administrator with pertinent information and data regarding the capacity of the town to provide water and sewer service to the proposed subdivision or project. In the review and analysis of the town water and sewer capacity, the demands of the proposed subdivision or project for water and sewer shall be based upon a daily consumption of three hundred (300) gallons per equivalent dwelling unit as per the standards of the American Water and Wastewater Association.

B. If the town administrator determines that there is sufficient water and sewer capacity to service the proposed subdivision or project, then he shall issue a certificate of water and sewer capacity for the proposed subdivision or project.

C. If the town administrator determines that there is not sufficient water and sewer capacity to service the proposed subdivision or project, then a certificate of water and sewer capacity shall not be issued for the proposed subdivision or project.

D. The planning commission shall not approve any improvement plans for the proposed subdivision or project unless a certificate of water and sewer capacity has been issued for the proposed subdivision or project.

E. If an approved preliminary plat is revised after a certificate of water and sewer capacity has been issued and the revision is approved by the planning commission, and if the effect of the revision does not increase the previously determined water demand of the proposed subdivision or project based upon the standards provided for in subsection (A) of this section, then a new certificate of water and sewer capacity shall not be required, and the previously issued certificate shall remain valid. If the effect of such approved revision is to increase the previously determined water demand of the proposed subdivision or project based upon the standards provided for in subsection (A) of this section, then the previously issued certificate shall be void, and a new certificate shall be issued, if appropriate, in accordance with the procedures set forth above.

(Ord. 03-04-01 §1, 2003)

Executive Summary

The Middletown water system is supplied by eighteen (20) wells and four (4) major groups of springs located on the west side of the Catocin Mountain, north of town. Water from the springs flow by gravity to two (2) in-ground reservoirs with a combined capacity of two million gallons. Water treatment consists of adding caustic soda, for pH adjustment, chlorine, as a disinfectant to protect against microbial contaminants and fluoride to promote dental health. From the plant, the water is pumped to our 400,000 gallon elevated storage tank.

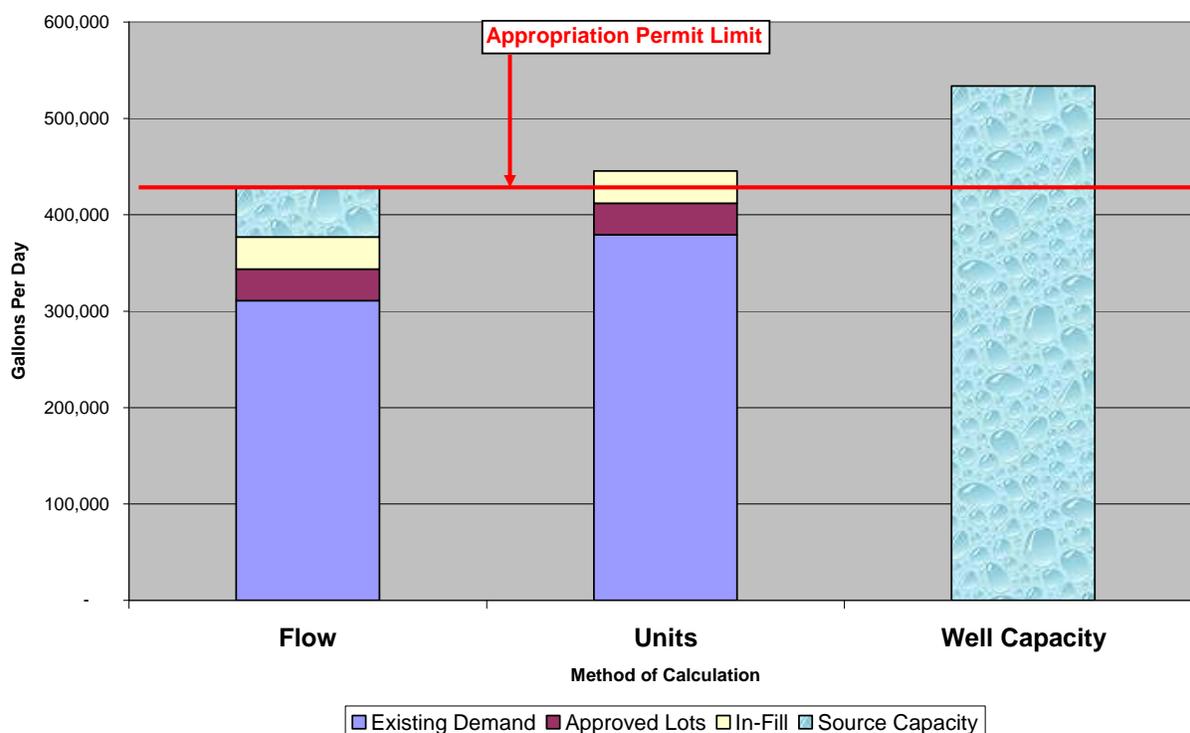
The Town currently has Water Appropriation Permits in the Hollow Creek, Cone Branch, and Catocin Watersheds. The combined permit limits for withdraw are 427,900 gpd Annual Average and 522,000 gpd Month of Maximum Use. The current capacity of the Town's water supply, during drought conditions, has been determined by MDE to be 533,640 gpd.

The information contained in this report was generated following the details specified in the Guidance Document – *Water Supply Capacity Management Plans* as prepared by the Maryland Department of the Environment.

Annual Average

The Town of Middletown is at 88.1% capacity based on calculations by flow and 104.1% capacity based on calculations by units.

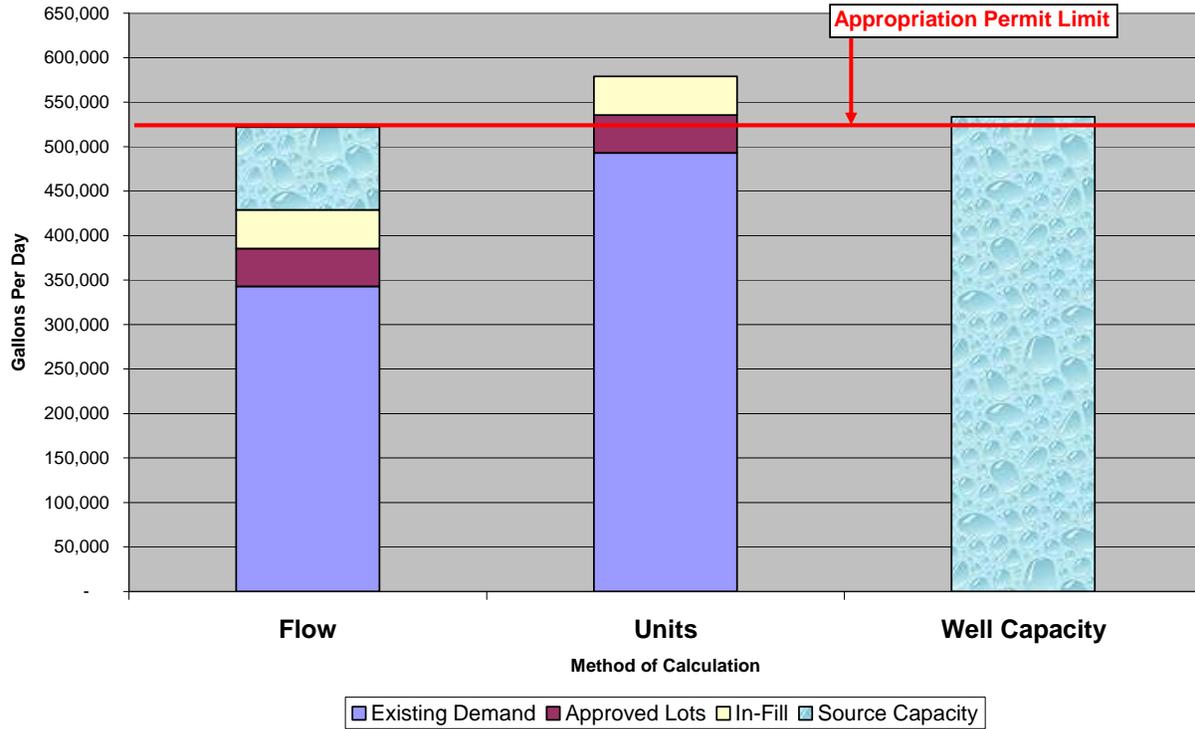
Water Demand - Annual Average



Month of Maximum Use

The Town of Middletown is at 82.2% capacity based on calculations by flow and 110.9% capacity based on calculations by flows.

Water Demand - Month of Maximum Use



Summary and Recommendations

Both the Town's Annual Average and Month of Maximum Use capacities, based on units, exceed 100%. The Burgess and Commissioners of Middletown have entered into a Consent Agreement with MDE to address the over allocation of water. The Town is currently working on developing a number of new water sources.

Until additional water sources are brought on-line, the Planning Commission should not approve any Final Plats for recordation, outside the properties identified in the approved lots or in-fill sections of the appendix, without the express approval of the Town Board and MDE.

Appendix

A detailed appendix is attached to this report with all appropriate back up and calculation.