

Regulatory Program Actions

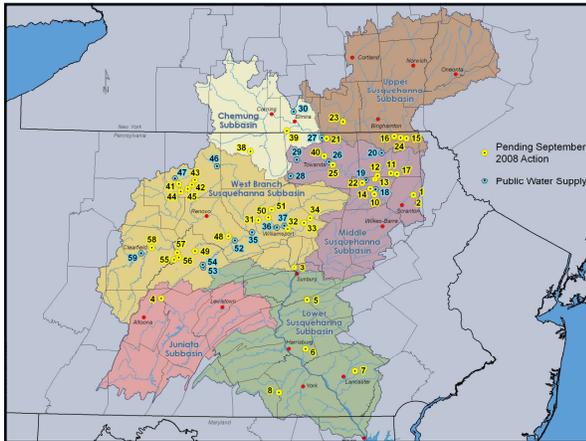


September 11, 2008

Lewisburg, Pennsylvania

Susquehanna River Basin Commission

www.sbc.net



Commission Regulations

- Projects requiring review and approval
 - Consumptive water use §806.4(a)(1)
 - 20,000 gpd/30-day average (600,000 gallons)
 - Water withdrawals §806.4(a)(2)(iii)
 - 100,000 gpd/30-day average (3,000,000 gallons)
 - Any project which involves a withdrawal from a groundwater or surface water source and which is subject to the requirements of §806.4(a)(1) regarding consumptive use.

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Project Review Application Requirements and Standard Conditions

- Notification Requirements
- Coordination
- Aquifer Testing
- Metering
- Monitoring and Reporting
- Periodic Inspection
- Mitigation for adverse impacts
- Water Conservation
- Docket Reopener



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Project Review Applications

Staff is recommending the following applications be tabled:

Chief Oil & Gas LLC

- Sugar Creek
- Pine Creek

Rex Energy Corporation

- Lower Little Surveyor Run
- Upper Little Surveyor Run

Fortuna Energy Inc.

- Sugar Creek
- Towanda Creek

PPL Holtwood, LLC

- Holtwood Hydroelectric Station

Application Withdrawn by project sponsor

Cabot Oil & Gas Corporation

- Unnamed Tributary to Meshoppen Creek

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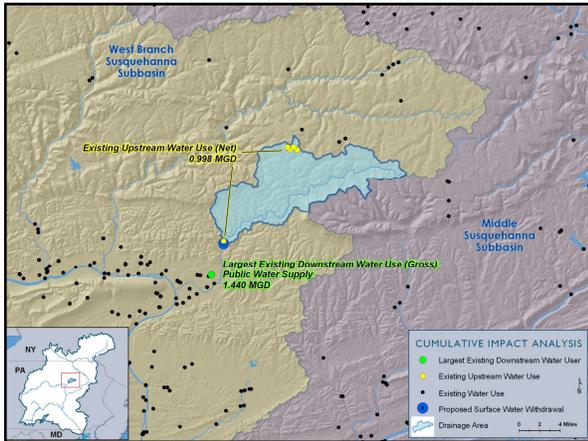
Commission Regulation

Water withdrawals §806.4(a)(2)(iii)

(2) The Commission may deny an application, limit or condition an approval to ensure that the withdrawal will not cause significant adverse impacts to the water resources of the basin. The Commission may consider, without imitation, the following in its consideration of adverse impacts: Lowering of groundwater or stream flow levels; rendering competing supplies unreliable; affecting other water uses; causing water quality degradation that may be injurious to any existing or potential water use; affecting fish, wildlife or other living resources or their habitat; causing permanent loss of aquifer storage capacity; or affecting low flow of perennial or intermittent streams.

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Affecting fish, wildlife or other living resources or their habitat

A photograph showing four researchers in a stream, using tools to measure water flow and collect samples. They are surrounded by lush green vegetation.

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Environmental Review

- Surface and Groundwater Withdrawals
- Water Use Classification
 - Special Protection Designations
 - Wild Trout Fishery
- 303(d) List or PWL Status
 - Type of Impairment
 - TMDL Development
- Adjacent Wetlands
- Wild/Scenic River
- Natural Diversity Inventory Search
- Any Additional Water Quality Issues

A photograph showing a person wearing red gloves holding a large fish in a white mesh net.

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Aquatic Resource Surveys

- No data available
- Outdated information
- Special protection stream
- Background data
 - Build the database
 - Compliance review



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Aquatic Resource Surveys - Protocol

- Macroinvertebrate
 - D-frame nets
 - Genus level ID
- Fish
 - Depletion surveys
 - Community structure
- Discharge measurements
- Physical habitat assessment
- Water Chemistry



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Susquehanna Mussels



Yellow lampmussel



Eastern floater

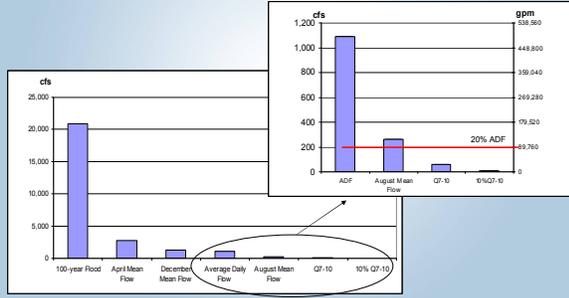


Elktoe

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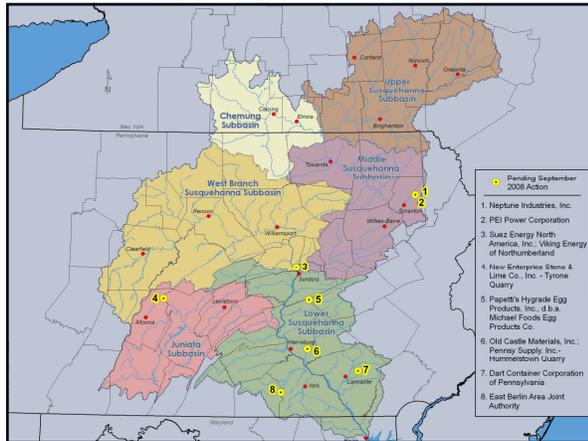
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Affecting low flow of perennial or intermittent streams



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- Pending September 2008 Action
- 1. Neptune Industries, Inc.
- 2. PEI Power Corporation
- 3. Suez Energy North America, Inc. Viking Energy of Northumberland
- 4. New Enterprise Stone & Lime Co., Inc. - Tyrone Quarry
- 5. Papert's Hygrade Egg Products, Inc. d.b.a. Michael Foods Egg Products Co.
- 6. Old Castle Materials, Inc.; Penny Supply, Inc.; Hummelstown Quarry
- 7. Dart Container Corporation of Pennsylvania
- 8. East Berlin Area Joint Authority

Project Review Applications

Staff is recommending action on the following projects:

Neptune Industries, Inc.

- Surface water withdrawal (Lackawanna River)
 - 0.449 mgd (999gpm)

PEI Power Corporation

- PA American Water Company
- Settlement of \$90,000

Suez Energy North America, Inc Viking Energy of Northumberland

- Increase consumptive water use from 0.288 to 0.387 mgd
- Release from Red Run Reservoir 1 day in 20 year low flow or Q7-10

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Project Review Applications

New Enterprise Stone and Lime Co. Inc. - Tyrone Quarry

- Groundwater water withdrawal (wells 1,2,3,5)
 - 0.095 mgd, 0.006 mgd, 0.050 mgd, 0.003 mgd (30 day)

Papetti's Hygrade Egg Products, Inc. (Michael Foods)

- Increase consumptive water use from 0.100 to 0.225 mgd (peak)
- Groundwater water withdrawal (well 3)
 - 0.350 mgd (30 day) pumping rate of 325
 - Groundwater monitoring for 3 years and residential well survey

Old Castle Materials, Inc.; Pennsy Supply, Inc.

- Increase withdrawal from 12.9mgd to 29 mgd (20,800 gpm)
 - Emergency Action Plan
 - Recreation Plan
 - Groundwater Monitoring
 - Sinkhole Mitigation Plan

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Project Review Applications

Dart Container Corporation of Pennsylvania

- Increase groundwater water withdrawal (well 4 and 12)
 - 0.072 mgd, to 0.144 mgd (100gpm), 0.043 mgd, to 0.058 mgd (40 gpm)

East Berlin Area Joint Authority

- Groundwater water withdrawal (well TW-1 and TW-2)
 - 0.130 mgd (99 gpm), 0.029 mgd (20 gpm)

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Consumptive Water Use Gas Well Docket Conditions

- The project sponsor shall demonstrate to the satisfaction of the Commission that all flow-back and produced fluids, including brines, have been treated and disposed of in accordance with applicable state and federal law.
- Any unused (surplus) water shall not be discharged back to the waters of the basin without appropriate controls and treatment to prevent the spread of aquatic nuisance species.
- The project sponsor shall obtain all necessary permits or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke any approval if the project sponsor fails to obtain or maintain such approvals.

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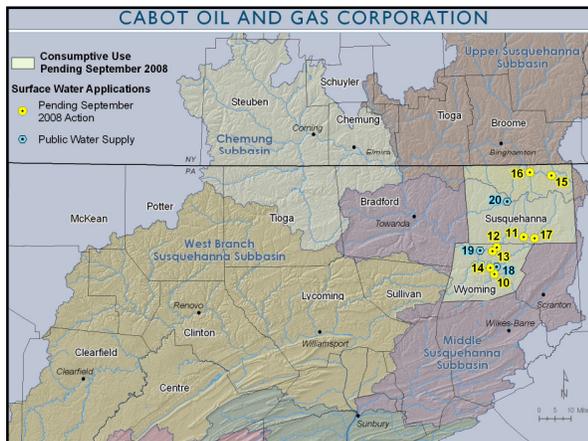
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Surface Water Withdrawal Gas Well Docket Conditions

- Within ninety (90) days of this approval, the project sponsor shall submit a plan of study and a schedule for completion to conduct a survey and evaluate the potential impacts on the rare and protected freshwater mussels located in the Susquehanna River within the area of the withdrawal.
- This approval does not become effective until the Commission is satisfied that the withdrawal has no adverse impacts to the rare and protected freshwater mussel species of concern.
- The project sponsor shall submit to the Commission information regarding the method of water transport (tanker truck or pipeline). In addition, the project sponsor shall demonstrate to the satisfaction of the Commission that all water withdrawn from surface water sources is transported, stored, injected into a well, or discharged with appropriate controls and treatment to prevent the spread of aquatic nuisance species.

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East Resources, Inc.

Consumptive Water Use of up to 4.00 mgd --SRBC Docket No. 20080603

- Chemung and Steuben Counties, NY, and Tioga Counties, PA

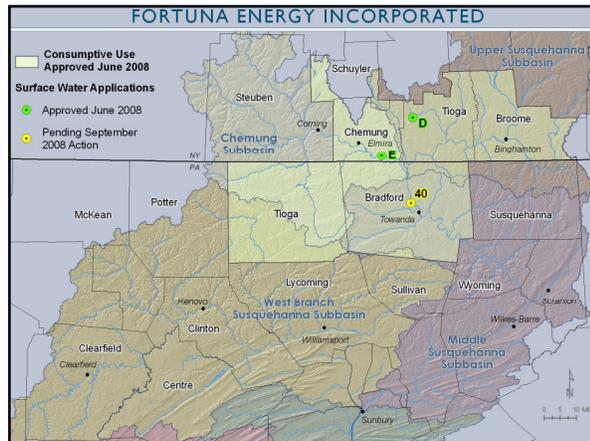
Consumptive Water Use of up to 4.00 mgd --SRBC Docket No. 20080608

- Tioga and Bradford Counties Pa

- Crooked Creek (Tioga Township)
- Seeley Creek (Town of Southport)

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Fortuna Energy, Inc.

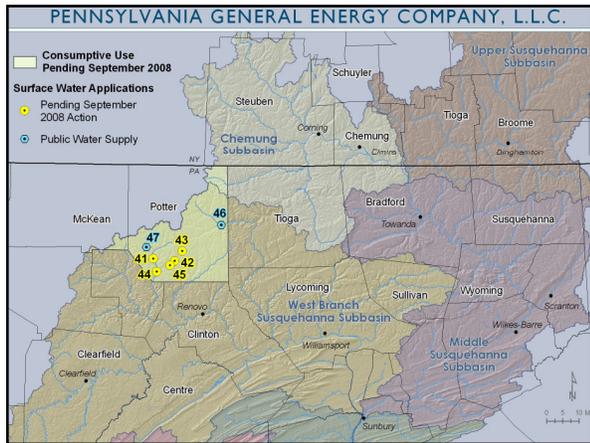
Consumptive Water Use of up to 3.00 mgd --SRBC Docket No. 20080601

- Chemung, Schuyler, Tioga and Broome Counties, NY, and Tioga and Bradford Counties, PA

- Susquehanna (Sheshequin Township)

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Pennsylvania General Energy Company, L.L.C.

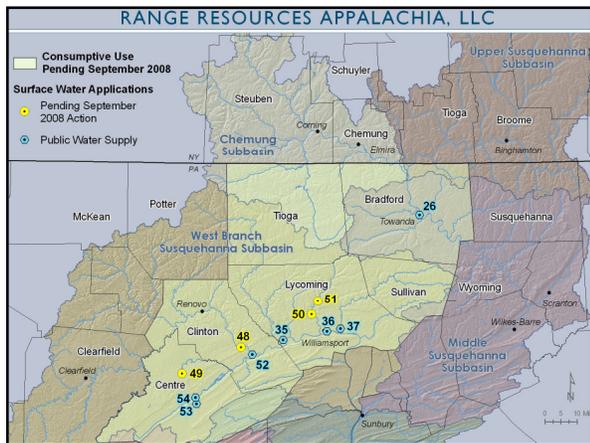
Consumptive Water Use of up to 4.90 mgd

- Potter and McKean Counties, PA
 - First Fork Sinnemahoning Creek-1 (Sylvania Township)
 - East Fork Sinnemahoning Creek-1 (East Fork Township)
 - East Fork Sinnemahoning Creek-2 (East Fork Township)
 - First Fork Sinnemahoning Creek-2 (Wharton Township)
 - East Fork Sinnemahoning Creek-3 (Wharton Township)

Public Water Suppliers

- Galeton Borough Authority
- Austin Borough Water

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Range Resources Appalachia, LLC

Consumptive Water Use of up to 5.00 mgd

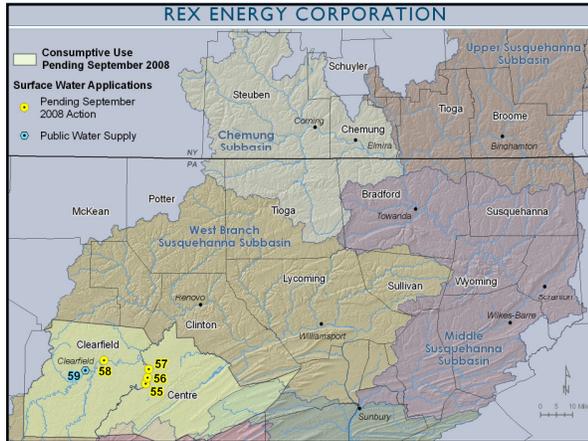
- Bradford, Centre, Clinton, Lycoming, Sullivan, and Tioga Counties , PA
 - West Branch Susquehanna River (Colebrook Township)
 - Beech Creek (Snow Shoe Township)
 - Lycoming Creek -1 (Lycoming Township)
 - Lycoming Creek -2 (Lewis Township)

Public Water Suppliers

- Jersey Shore Joint Water Authority
- Williamsport Municipal Water Authority
- City of Lock Haven Water Department
- Borough of Bellefonte
- Borough of Montoursville
- Milesburg Water System
- Towanda Municipal Authority

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Rex Energy Corporation

Consumptive Water Use of up to 5.00 mgd

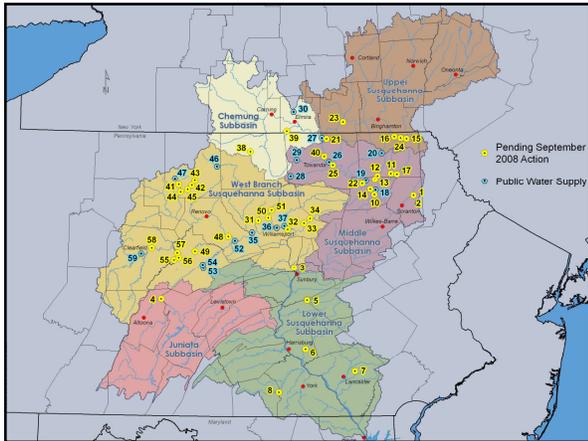
- Centre and Clearfield Counties , PA
 - Moshannon Creek-1 (Rush Township)
 - Moshannon Creek-2 (Rush Township)
 - Moshannon Creek-3 (Snow Shoe Township)
 - West Branch Susquehanna River (Goshen Township)

Public Water Suppliers

- Clearfield Municipal Authority

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Regulatory Program Actions

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Presented September 11, 2008 Lewisburg, Pennsylvania

Susquehanna River Basin Commission
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