



SUSQUEHANNA RIVER
BASIN COMMISSION

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NY ■ PA ■ MD ■ USA

November 2, 2017

TO ALL CONCERNED:

At the September 7, 2017, Commission meeting, the draft minutes of the June 16, 2017, Commission meeting were approved as written. Please attach this notice to your copy of the June 16, 2017, minutes.

SUSQUEHANNA RIVER BASIN COMMISSION
4423 N. FRONT ST.
HARRISBURG, PA 17110

**MINUTES OF THE
SUSQUEHANNA RIVER BASIN COMMISSION
September 7, 2017
#2017-03**

The meeting was held at the Holiday Inn Elmira Riverview, Elmira, New York. Chairman Chamberlayne called the meeting to order at 9:00 a.m.

ROLL CALL

Commissioners Present

Ms. Jennifer Orr, Director, Compact and Commissions Office, Pennsylvania Dept. of Environmental Protection (PADEP)
Ms. Virginia Kearney, Deputy Director, Water Management Administration (MDE)
Col. Edward Chamberlayne, District Engineer, U.S. Army Corps of Engineers (USACE), Baltimore District
Mr. Paul J. D'Amato, Region 8 Director, New York State Dept. of Environmental Conservation (NYSDEC)

Alternate Commissioners Present

Mr. Saeid Kasraei, Program Administrator, Water Supply Program, MDE

Staff Present

Mr. Andrew D. Dehoff, Executive Director
Mr. Andrew J. Gavin, Deputy Executive Director
Ms. Marcia Hutchinson, Director, Administration & Finance
Ms. Stephanie L. Richardson, Secretary to the Commission
Mr. Jason Oyler, General Counsel
Ms. Gwyn Rowland, Manager, Governmental & Public Affairs
Mr. John W. Balay, Manager, Planning & Operations

Ms. Paula B. Ballaron, Manager, Policy Implementation & Outreach
Mr. Brent Bauman, Hydrogeologist, Project Review
Mr. Todd D. Eaby, Manager, Project Review
Mr. Brydon Lidle, Manager, Information Technology
Mr. Eric Roof, Manager, Compliance & Enforcement
Mr. Jamie Shallenberger, Manager, Monitoring & Protection

Also Present

Mr. Hank Gruber, USACE, North Atlantic Division *Ms. Heather Cisar*, USACE, Baltimore District

1. Opening Remarks from the Chair

Chairman Chamberlayne opened the meeting by outlining the rules of conduct for the meeting. He noted that a public hearing was previously held on August 3, 2017. The Commissioners introduced themselves.

2. Presentation: Public Water Supply Water Assistance Program

SRBC Hydrogeologist Brent Bauman gave a presentation on the Public Water Supply Assistance Program, initially established through a partnership with the Pennsylvania Department of Environmental Protection (PADEP) in 2012, to assist small municipal systems in meeting the Commission's regulatory requirements.

3. Minutes of June 16, 2017, Commission Meeting

On a motion by Commissioner D'Amato, seconded by Commissioner Orr, the minutes of the regular business meeting of June 16, 2017, were unanimously approved as written.

4. Grants

Director of Administration & Finance Marcia Hutchinson presented the following requests:

a. Grant Amendment Approval – Chesapeake Bay Program (Pennsylvania Department of Environmental Protection)

Staff requested that the Commission approve the signing of this grant amendment. Under this grant amendment, staff will continue to assist the Pennsylvania Department of Environmental Protection (PADEP) in its Total Maximum Daily Load (TMDL) program and the Sediment and Nutrient Assessment (SNAP) component of its Chesapeake Bay Watershed program. Specifically, staff will continue developing and working on TMDLs as well as pilot new, TMDL-alternative approaches to addressing impaired streams within the Susquehanna River Basin. The Commission will also continue to conduct monthly and periodic high flow stormwater quality sampling at Pennsylvania's six Susquehanna River Basin SNAP monitoring sites and to analyze and report flow-adjusted trends for sediment and nutrient loads within the Susquehanna River Basin. This scope of work also includes materials acquisition of passive samplers and support of Abandoned Mine Drainage/Waterways Assessment activities. PADEP will provide the entire cost of this grant in the amount of \$713,200.

b. Grant Approval - Water Quality Protection and Pollution Prevention (U.S. Environmental Protection Agency)

Staff requested that the Commission approve the signing of this grant. Under the grant, staff will continue to establish and maintain adequate measures for the prevention and control of surface water pollution and implement U.S. Environmental Protection Agency (USEPA)

approved Clean Water Act Section 106 program activities. Some of these activities include performance of subbasin surveys and large waters assessments, Total Maximum Daily Load (TMDL) coordination, interstate stream monitoring, GIS and data management, water quality coordination, public participation and outreach, integrated reporting of monitoring results, and migratory fish and eel restoration. The Commission will also participate in the National Lakes Assessment this year. The total estimated cost of this project is \$746,847 with USEPA providing \$699,000 and the Commission providing \$47,847.

On a motion by Commissioner Kearney, seconded by Commissioner D'Amato, the signing of the two grants was unanimously approved.

5. Amendment to By-laws Resolution

Ms. Hutchinson presented Resolution No. 2017-10 which will make updates to the Commission's By-laws and Procedures. Staff requested that this be adopted.

Commissioner Kearney made a motion to defer any decision on Resolution No. 2017-10 until the December 2017 meeting of the Commission. The motion was seconded by Commissioner Orr. The decision to defer consideration of this resolution to December 2017 was unanimous.

6. Guidelines for Preparing an Alternatives Analysis

Manager of Policy Implementation and Outreach Paula Ballaron requested that the Commission vote to adopt Policy No. 2017-01 (Exhibit A) developing guidelines for procedures for project sponsors to follow for new projects and major modifications to existing projects that request an increase to an existing surface water withdrawal in settings with a drainage area of 50 square miles or less, or in a waterway with exceptional water quality under Section 806.14 of the Commission's regulations.

Commissioner Kearney suggested that a cover sheet be added to the guideline clearly outlining the applicability and highlights of the alternative analysis related to environmental impact. A motion was made by Commissioner D'Amato, seconded by Commissioner Orr, to approve Resolution No. 2017-11 with the change requested. The resolution was unanimously adopted.

7. Proposed Rulemaking

General Counsel Jason Oyler presented a rulemaking proposal which would amend the Commission regulations to codify and strengthen the Commission's Access to Records Policy. This rule is designed to enhance the Commission's commitment to open and transparent operations and accessibility of records to the public.

On a motion by Commissioner Orr, seconded by Commissioner D'Amato, the staff was authorized to publish the proposed rulemaking in the member jurisdiction notice publications, schedule public hearings, and set a comment period on a final rulemaking action proposed for the December 2017 Commission meeting.

8. Report on Delegated Settlements

Manager of Compliance Eric Roof reported on three delegated settlements staff completed over the previous quarter. Pursuant to Resolution No. 2014-15, the Executive Director entered into the following settlements to resolve compliance and enforcement matters:

A settlement with Labrador Mountain:

- Labrador Mountain operates a ski resort that has an Commission docket 20030801 for a surface water withdrawal and a consumptive use and is located in the Town of Truxton, Cortland County, NY.
- Compliance staff discovered that the facility was subject to a sale occurring in 2015.
- Despite this change of ownership, the project did not file a transfer application with the Commission as required by Section 806.6 of the regulations.
- The settlement is for **\$2,000**.

A settlement with Standing Stone Golf Club, Inc. (Standing Stone):

- Standing Stone operates a surface water withdrawal and consumptive use under Commission docket 20020612-1 to support golf course operations located in Huntingdon County, PA.
- The docket requires Standing Stone to assess the streamflow at the nearby gage run by the Huntingdon Water Authority to determine whether the project needs to be on passby.
- Standing Stone failed to check the streamflow numbers and accordingly operated their surface water withdrawal on several days in the summer of 2016 when the project should have been shut down on passby.
- Standing Stone has put a process in place with the Huntingdon Water Authority to avoid a repeat occurrence of the situation.
- The Settlement is for **\$2,000** to be paid in installments.

A settlement with Suez Water Owego-Nichols, Inc. (Suez):

- Suez operates a privately owned public water supply system serving the Village of Owego, Tioga County, NY.
- Upon review of the water withdrawal data submitted to the Commission, Compliance staff discovered that Suez increased its usage of Well 3 over 100,000 gallons per day requiring the system to submit applications for review and approval of its 3 groundwater wells.
- Suez has entered a consent order and agreement with the Commission and agreed to a schedule to submit applications for its groundwater wells.
- The settlement is for **\$7,500**.

9. Carrolltown Borough and Village of Hamilton Requests for Waiver [replaced Amendment to Delegated Authorities Resolution]

Todd Eaby, Manager of Project Review, informed the Commission that staff received a request by Carrolltown Borough and Village of Hamilton to waive the 6-month submittal deadline for renewal of their groundwater withdrawal approvals.

Staff recommended that the Commission waive the provision of 18 CFR § 806.31(e) that requires renewal applications to be submitted at least six months prior to expiration and that the Commission deem the Docket to be extended until such time that the Commission renders a decision on each of the project sponsor's respective renewal applications.

By a motion made by Commissioner Kearney, seconded by Commissioner Orr, these waiver requests was unanimously approved.

10. Middletown Borough Request for Waiver

Mr. Eaby presented a request received from Middletown Borough (Middletown), to waive associated application fees and waiver of aquifer testing without having to submit separate waiver applications and supporting data as prescribed in Commission Policy No. 2007-01. At the June 16, 2017, Commission meeting, staff recommended denial of the request for waivers. The commissioners tabled any action on the request for waivers and urged staff to work closely with Middletown while reviewing and evaluating broader implications to Middletown's request. Staff completed their evaluation and recommended that the Commission waive the requirement in accordance with Middletown's request.

A motion was made by Commissioner Orr, seconded by Commissioner D'Amato, to waive the requirement, to apply the same waiver prospectively to similar situations, and to direct staff to develop a rulemaking to modify the regulations accordingly. Resolution No. 2017-12 (Exhibit B) was unanimously adopted.

11. Peak Resorts, Inc.-Greek Peak Mountain Resort Request for Waiver

Mr. Eaby presented a request for waiver of regulations by Peak Resorts, Inc.-Greek Peak Mountain Resort. Greek Peak requested to waive the regulation that, due to change in ownership, results in forfeiture of the mitigation exemption for the portion of its pre-compact consumptive use. Staff recommended denial of the waiver.

Mr. Wes Kryger, a representative of Greek Peak, made a statement and answered questions from the Commissioners regarding this request for waiver.

After this discussion, Chairman Chamberlayne, with the assent of the Commissioners, called a recess for a brief caucus. Upon reconvening, the Commissioners proposed to deny the waiver and require collection of any necessary mitigation of the project sponsor's pre-compact consumptive use; however, the Commission would not assess any fines for the compliance violation and Commission staff would consider a flexible payment plan for any consumptive use mitigation payments that would be required.

The Commissioners on a motion made by Commissioner Kearney, seconded by Commissioner Orr, unanimously denied the waiver subject to the provisions outlined above.

12. Emergency Certificate: Sunset Golf Course

Mr. Eaby presented Resolution No. 2017-13 (Exhibit C). The resolution would extend the emergency certificate previously awarded on June 23, 2017, until terminated by the Executive Director.

13. Emergency Certificate: Sunoco Pipeline, L.P.

Resolution No. 2017-14 (Exhibit D) was presented by Mr. Eaby. The resolution would extend the emergency certificate previously awarded to Sunoco Pipeline, L.P. on July 21, 2017, until terminated by the Executive Director.

14. Emergency Certificate: Furman Foods, Inc.

Mr. Eaby presented Resolution No. 2017-15 (Exhibit E) requesting extension of the an emergency certificate previously awarded to Furman Foods, Inc. on July 27, 2017, until terminated by the Executive Director.

A motion was made by Commissioner D'Amato, seconded by Commissioner Kearney, to approve all three of these requests. Resolution Nos. 2017-13, 2017-14 and 2017-15 were unanimously adopted.

15. Docket Actions

Mr. Eaby presented a staff memorandum containing details and recommendations regarding the following list of project applications:

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| <ol style="list-style-type: none"> 1. Cabot Oil & Gas Corporation (Meshoppen Creek) Susquehanna County, Pa. (Exhibit F1) 2. Chesapeake Appalachia, LLC (Chemung River) Bradford County, Pa. (Exhibit F2) 3. Chesapeake Appalachia, LLC (Sugar Creek) Bradford County, Pa. (Exhibit F3) 4. Chesapeake Appalachia, LLC (Susquehanna River) Bradford County, Pa. (Exhibit F4) 5. Chief Oil & Gas LLC (Towanda Creek) Bradford County, Pa. (Exhibit F5) 6. Downs Racing, L.P. d/b/a Mohegan Sun Pocono, Luzerne County, Pa. (Exhibit F6) 7-8. Elizabethtown Area Water Authority (Wells 6-7) Lancaster County, Pa. (Exhibit F7) 9. Elizabethtown Area Water Authority, Lancaster County, Pa. (Exhibit F8) 10. Houtzdale Municipal Authority, Clearfield County, Pa. 11. Moxie Freedom, LLC, Luzerne County, Pa. (Exhibit F9) | <ol style="list-style-type: none"> 12. Susquehanna Gas Field Services, LLC (Meshoppen Creek) Wyoming County, Pa. (Exhibit F10) 13-14. Susquehanna Nuclear, LLC (Susquehanna River) Luzerne County, Pa. (Exhibit F11) 15. SWEPI LP (Elk Run) Tioga County, Pa. (Exhibit F12) 16. SWN Production Company, LLC (Wyalusing Creek) Bradford County, Pa. (Exhibit F13) 17-18. Transcontinental Gas Pipe Line Company, LLC (Fishing Creek) Columbia County, Pa. (Exhibit F14) 19. Village of Waverly (Well 1) Tioga County, N.Y. 20. Village of Waverly (Well 2) Tioga County, N.Y. 21. Village of Waverly (Well 3) Tioga County, N.Y. |
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Highlight = Staff recommended tabling.

Commissioner Orr moved and Commissioner Kearney seconded a motion that the Commission adopt the recommendations of staff for the 21 project applications. The motion was unanimously approved.

ADJOURNMENT

Chairman Chamberlayne adjourned the meeting at 10:40 a.m.

Date Adopted

Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20170901

Approval Date: September 7, 2017

CABOT OIL & GAS CORPORATION

**Surface Water Withdrawal (Peak Day), Variable, of up to 0.750 mgd
from Meshoppen Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal and modification of Commission Docket No. 20130904 that was originally approved September 19, 2013, with a peak day withdrawal rate of 0.500 million gallons per day (mgd) and special flow protection requirements. The project sponsor has requested an increase in the peak day withdrawal and variable (monthly) peak day withdrawal rates. Following technical review, and consistent with applicable regulatory standards, Commission staff recommended that the approved peak day rate of withdrawal be increased to 0.750 mgd. Commission staff also recommended special flow protection requirements consistent with current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Cabot Oil & Gas Corporation
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20130904
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Springville Township
County:	Susquehanna County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Meshoppen Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010608 (Meshoppen Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.695103 N Long: 75.887269 W
Site Flow Statistics (cfs):	Q7-10 = 0.84; Average Daily Flow = 27.1
Drainage Area (square miles):	26.7
Aquatic Resource Class*:	2
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations				
Peak Day Withdrawal Amount (mgd):	Not to Exceed Values Contained in the “Withdrawal and Passby Schedule,” When Available			
Maximum Instantaneous Withdrawal Rate (gpm):	Not to Exceed Values Contained in the “Withdrawal and Passby Schedule,” When Available			
Flow Protection Type:	Seasonal passby expressed as monthly values			
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania			
Withdrawal and Passby Schedule:				
<i>Month</i>	<i>Peak Day Withdrawal (mgd)</i>	<i>Maximum Instantaneous Withdrawal (gpm)</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	0.750	563	8.2	196
February	0.750	563	9.7	226
March	0.750	563	21	461
April	0.750	563	23	497
May	0.750	563	12	273

Approved Withdrawal Quantities and Limitations (continued)				
Withdrawal and Passby Schedule:				
<i>Month</i>	<i>Peak Day Withdrawal (mgd)</i>	<i>Maximum Instantaneous Withdrawal (gpm)</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
June	0.750	563	5.2	133
July	0.470	326	2.9	75
August	0.345	239	2.1	55
September	0.329	228	2.0	53
October	0.454	315	2.8	73
November	0.750	563	6.4	159
December	0.750	563	9.9	231
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm) * Flow Protection Threshold				

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR § 806.30.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

6. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. Within sixty (60) days from notice of this approval, the project sponsor shall post an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website (www.srbc.net), along with example sign templates for reference. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project sponsor shall submit photographs as proof of installation of the updated sign.

8. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

9. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

10. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

11. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

12. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

13. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

14. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

15. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

16. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

17. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

18. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

19. In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

20. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

21. Effective October 1, 2017, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours.

22. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

23. The date of the last meter certification was April 4, 2017; therefore, the next meter certification is due no later than April 4, 2022. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

24. Except as authorized pursuant to Special Condition 26, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

25. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 26, including daily quantities supplied.

26. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

27. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

Section 7. Term

28. This approval shall be effective October 1, 2017, and shall remain effective until September 30, 2022. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

29. Commission Docket No. 20130904 shall remain effective through September 30, 2017, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson

SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20170902
Approval Date: September 7, 2017

CHESAPEAKE APPALACHIA, L.L.C.

**Surface Water Withdrawal (Peak Day) of up to 0.999 mgd
 from the Chemung River**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20130905 that was originally approved September 19, 2013, with a peak day withdrawal rate of 0.999 million gallons per day (mgd) and special flow protection requirements. The project sponsor has not requested any changes to the conditions of the original docket. Commission staff recommended special flow protection requirements consistent with current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Chesapeake Appalachia, L.L.C.
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20130905
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Athens Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Chemung River
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010506 (Lower Chemung River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.944186 N Long: 76.518129 W
Site Flow Statistics (cfs):	Q7-10 = 151; Average Daily Flow = 2,710
Impairment:	Mercury
Drainage Area (square miles):	2,579
Aquatic Resource Class*:	5
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.999 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,000 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01531000; Chemung River at Chemung, New York	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	463	453
February	453	443
March	--	--
April	--	--
May	--	--
June	395	387
Approved Withdrawal Quantities and Limitations (continued)		

Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
July	211	208
August	152	151
September	139	138
October	169	167
November	258	253
December	391	383
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		-- No special flow protection required * Flow Protection Threshold

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR § 806.30.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

6. The project sponsor shall keep daily records of the project’s withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be

submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. Within sixty (60) days from notice of this approval, the project sponsor shall post an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website (www.srbc.net), along with example sign templates for reference. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project sponsor shall submit photographs as proof of installation of the updated sign.

8. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

9. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

10. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

11. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

12. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

13. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

14. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

15. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

16. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

17. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

18. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

19. In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

20. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

21. Effective October 1, 2017, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow is equal to or exceeds such flow protection threshold.

22. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

23. The date of the last meter certification was March 21, 2016; therefore, the next meter certification is due no later than March 21, 2021. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

24. The project is fully constructed and no changes are proposed. However, if changes are proposed or maintenance requires instream work, the project sponsor should adhere to recommendations provided by PFBC in the February 14, 2017, Pennsylvania Natural Diversity Inventory (PNDI) response for avoiding adverse impact to documented occurrences of rare species at or in proximity to the project location. The documented species are the elktoe mussel (*Alasmidonta marginata*), triangle floater mussel (*Alasmidonta undulata*), and green floater mussel (*Lasmigona subviridis*).

25. Except as authorized pursuant to Special Condition 27, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

26. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 27, including daily quantities supplied.

27. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

28. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

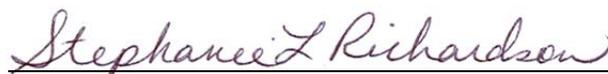
Section 7. Term

29. This approval shall be effective October 1, 2017, and shall remain effective until September 30, 2022. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

30. Commission Docket No. 20130905 shall remain effective through September 30, 2017, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

(717) 238-0423 Phone • (717) 238-2436 Fax

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Docket No. 20170903

Approval Date: September 7, 2017

CHESAPEAKE APPALACHIA, L.L.C.

**Surface Water Withdrawal (Peak Day) of up to 0.499 mgd
from Sugar Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20130906 that was originally approved September 19, 2013, with a peak day withdrawal rate of 0.499 million gallons per day (mgd) and special flow protection requirements. The project sponsor has not requested any changes to the project. Commission staff recommended special flow protection requirements consistent with current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Chesapeake Appalachia, L.L.C.
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20130906
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Burlington Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Sugar Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010601 (Sugar Creek)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.779838 N Long: 76.579893 W
Site Flow Statistics (cfs):	Q7-10 = 0.94; Average Daily Flow = 98.4
Drainage Area (square miles):	149
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.499 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	475 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01531325; Sugar Creek at West Burlington, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	24	16
February	25	17
March	--	--
April	66	42
May	35	23
June	12	8.3
July	5.0	3.9

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
August	4.3	3.4
September	4.3	3.4
October	5.0	3.9
November	16	11
December	27	18
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		-- No special flow protection required * Flow Protection Threshold

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR § 806.30.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

6. The project sponsor shall keep daily records of the project’s withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative

measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. Within sixty (60) days from notice of this approval, the project sponsor shall post an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website (www.srbc.net), along with example sign templates for reference. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project sponsor shall submit photographs as proof of installation of the updated sign.

8. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

9. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

10. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

11. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

12. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

13. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

14. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of

this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

15. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

16. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

17. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

18. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

19. In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

20. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

21. Effective October 1, 2017, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow is equal to or exceeds such flow protection threshold.

22. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

23. The date of the last meter certification was May 15, 2017; therefore, the next meter certification is due no later than May 15, 2022. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

24. Except as authorized pursuant to Special Condition 26, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

25. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 26, including daily quantities supplied.

26. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

27. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

Section 7. Term

28. This approval shall be effective October 1, 2017, and shall remain effective until September 30, 2022. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

29. Commission Docket No. 20130906 shall remain effective through September 30, 2017, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20170904

Approval Date: September 7, 2017

CHESAPEAKE APPALACHIA, L.L.C.

**Surface Water Withdrawal (Peak Day) of up to 1.440 mgd
from the Susquehanna River**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20130907 that was originally approved September 19, 2013, with a peak day withdrawal rate of 1.440 million gallons per day (mgd) and no special flow protection requirements. The project sponsor has not requested any changes to the project. Commission staff recommended special flow protection requirements consistent with current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Chesapeake Appalachia, L.L.C.
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20130907
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Terry Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Susquehanna River
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010605 (Upper Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.690569 N Long: 76.276897 W
Site Flow Statistics (cfs):	Q7-10 = 627; Average Daily Flow = 11,500
Impairment:	Mercury; Polychlorinated Biphenyl (PCB)
Drainage Area (square miles):	8,248
Aquatic Resource Class*:	6
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	1.440 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,000 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01531500; Susquehanna River at Towanda, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	--	--
February	--	--
March	--	--
April	--	--
May	--	--
June	--	--

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
July	936	887
August	710	673
September	651	618
October	823	780
November	--	--
December	--	--
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		-- -- No special flow protection required * Flow Protection Threshold

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR § 806.30.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

6. The project sponsor shall keep daily records of the project’s withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and

are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. Within sixty (60) days from notice of this approval, the project sponsor shall post an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website (www.srbc.net), along with example sign templates for reference. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project sponsor shall submit photographs as proof of installation of the updated sign.

8. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

9. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

10. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

11. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

12. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

13. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

14. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of

this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

15. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

16. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

17. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

18. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

19. In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

20. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

21. Effective October 1, 2017, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow is equal to or exceeds such flow protection threshold.

22. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

23. The date of the last meter certification was March 21, 2016; therefore, the next meter certification is due no later than March 21, 2021. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

24. The project is fully constructed and no changes are proposed. However, if changes are proposed or maintenance requires instream work, the project sponsor should adhere to recommendations provided by PFBC and DCNR in the February 14, 2017, Pennsylvania Natural Diversity Inventory (PNDI) response for avoiding adverse impact to documented occurrences of rare species at or in proximity to the project location. The documented species are sand cherry (*Prunus pumila* var. *susquehanae*), elktoe mussel (*Alasmidonta marginata*), triangle floater mussel (*Alasmidonta undulata*), and green floater mussel (*Lasmigona subviridis*).

25. Except as authorized pursuant to Special Condition 27, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

26. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 27, including daily quantities supplied.

27. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

28. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

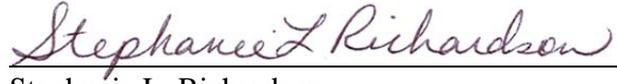
Section 7. Term

29. This approval shall be effective October 1, 2017, and shall remain effective until September 30, 2022. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

30. Commission Docket No. 20130907 shall remain effective through September 30, 2017, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017



Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20170905

Approval Date: September 7, 2017

CHIEF OIL & GAS LLC

**Surface Water Withdrawal (Peak Day), Variable, of up to 1.500 mgd
from Towanda Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Chief Oil & Gas LLC
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Leroy Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Towanda Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010603 (Towanda Creek)
Water Use Designation:	Trout Stocked Fishery (TSF)
Withdrawal Location (degrees):	Lat: 41.668169 N Long: 76.723569 W
Site Flow Statistics (cfs):	Q7-10 = 0.82; Average Daily Flow = 85.9
Drainage Area (square miles):	63.4
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations				
Peak Day Withdrawal Amount (mgd):	Not to Exceed Values Contained in the “Withdrawal and Passby Schedule,” When Available			
Maximum Instantaneous Withdrawal Rate (gpm):	Not to Exceed Values Contained in the “Withdrawal and Passby Schedule,” When Available			
Flow Protection Type:	Seasonal passby expressed as monthly values			
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01531908; Towanda Creek near Franklindale, Pennsylvania			
Withdrawal and Passby Schedule:				
<i>Month</i>	<i>Peak Day Withdrawal (mgd)</i>	<i>Maximum Instantaneous Withdrawal (gpm)</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	1.500	1,175	21	39
February	1.500	1,175	22	41
March	1.500	1,175	49	89
April	1.500	1,175	57	104
May	1.500	1,175	31	56
June	1.500	1,175	11	21
July	0.720	500	4.4	8.7
August	0.432	300	2.7	5.3
September	0.432	300	2.6	5.1

Approved Withdrawal Quantities and Limitations (continued)				
Withdrawal and Passby Schedule:				
<i>Month</i>	<i>Peak Day Withdrawal (mgd)</i>	<i>Maximum Instantaneous Withdrawal (gpm)</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
October	0.720	500	4.4	8.7
November	1.500	1,175	14	27
December	1.500	1,175	23	43
mgd – million gallons per day		USGS – U.S. Geological Survey		
1 cfs = 448.8 gallons per minute (gpm)		* Flow Protection Threshold		

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the permit prior to operating the withdrawal. If subsequent design review by the permitting agency requires modification to the intake design, the project sponsor shall submit to the Commission a revised intake design for review and, if appropriate, approval by Commission staff prior to permit issuance by the permitting agency. Thereafter, any

modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

6. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. Prior to initiation of the withdrawal, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website (www.srbc.net), along with example sign templates for reference. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project sponsor shall submit photographs as proof of sign installation prior to initiation of the withdrawal.

8. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

9. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

10. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

11. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

12. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

13. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

14. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

15. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

16. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

17. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

18. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

19. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

20. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow is equal to or exceeds such flow protection threshold.

21. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

Section 7. Term

26. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawal or this approval will automatically expire, unless an extension is requested, in writing, by the project sponsor no later than one hundred twenty (120) days prior to such expiration and approved by the Commission as provided in Commission Regulation 18 CFR § 806.31(b). In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

27. This approval is effective until September 6, 2022. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 6, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20170906

Approval Date: September 7, 2017

DOWNS RACING, L.P. d/b/a MOHEGAN SUN POCONO

**Consumptive Use (Peak Day) of up to 0.350 mgd
from Public Water Supply and Stormwater**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Consumptive use at the project was previously approved by Commission Regulation 18 CFR § 806.22(e) and addition of stormwater as a source requires this modification.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Downs Racing, L.P. d/b/a Mohegan Sun Pocono
Approval Type:	Consumptive Use
Authorized Water Use Purpose:	Operation of a Casino and Racetrack Facility which includes Irrigation, Racetrack Watering, Evaporative Cooling, and Related Incidental Uses
Municipality:	Plains Township
County:	Luzerne County
State:	Pennsylvania

Section 3. Approved Consumptive Use Quantities and Limitations

The consumptive use approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Consumptive Use Quantities and Limitations	
Sources for Project Consumptive Use:	1. Stormwater 2. Public Water Supply – Pennsylvania American Water Company – Watres System (PWSID No. 2409011)
Peak Day Consumptive Use Amount (mgd):	0.350 (Not to Exceed)
Authorized Project Consumptive Uses:	1. Irrigation 2. Racetrack watering 3. Evaporative cooling 4. Related incidental uses
Consumptive Use Mitigation Type:	Payment of consumptive use mitigation fee
mgd – million gallons per day	

The consumptive use is also subject to all other conditions set forth in this docket approval.

Section 4. Grandfathering Determination – Consumptive Use

The project did not utilize surface water or groundwater withdrawals prior to November 11, 1995, or July 13, 1978, respectively.

Quantities applicable to the project’s grandfathering determination for existing consumptive use are listed in the table below.

Grandfathered Consumptive Use		
Consumptive Use	Source	Peak Day Consumptive Use (mgd)
Racetrack Watering	Public Water Supply	0.050

The grandfathered quantity identified in the table above is based on information submitted by the project sponsor and reviewed by the Commission under the Pre-Compact Consumptive Water Use Determination, dated October 9, 2015. The grandfathered quantity or the grandfathered status is subject to change if information becomes available that demonstrates consumptive use occurred at rates that are inconsistent with the data submitted and utilized to support this determination.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified

in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the consumptive use in accordance with Commission Regulation 18 CFR § 806.30.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of consumptive uses, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall keep daily records of the project's consumptive use and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

7. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

8. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

10. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

11. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

12. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

13. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

14. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

15. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

16. In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

17. The project sponsor is required to apply for and obtain approval prior to any increase in consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Section 3.

Section 6. Special Conditions

18. The project's consumptive use is subject to mitigation requirements, as per Commission Regulation 18 CFR § 806.22(b). For the purposes of this project, 0.050 mgd is considered to be grandfathered with respect to racetrack watering uses and is not subject to consumptive use mitigation requirements. To satisfy the Commission's current mitigation requirements for consumptive use, the project sponsor shall make quarterly payments to the Commission at the rate specified in the effective Regulatory Program Fee Schedule, as modified

from time to time by the Commission. Payments shall be made quarterly and shall be calculated by applying this rate to the total amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within thirty (30) days after the close of the preceding quarter. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

19. The project's existing Approval by Rule for consumptive use (ABR-201509001) under Commission Regulation 18 CFR § 806.22(e) is hereby rescinded.

20. Prior to supplying water for any use not authorized pursuant to Section 3 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

21. No less than three (3) months prior to the initiation of consumptive use of stormwater, the project sponsor shall submit an updated comprehensive metering and accounting plan for review and, if appropriate, approval by Commission staff that accounts for all consumptive use of the facility.

22. Prior to initiation of the consumptive use of stormwater, the project sponsor shall install and maintain metering on the stormwater source in accordance with Commission Regulation 18 CFR § 806.30 and the approved plan. The project sponsor shall notify the Commission, in writing, and submit photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Consumptive use of stormwater shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

Section 7. Term

23. This approval is effective until September 6, 2032. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 6, 2032, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20170907

Approval Date: September 7, 2017

ELIZABETHTOWN AREA WATER AUTHORITY

Groundwater Withdrawals (30-Day Averages) of 0.432 mgd from Well 6 and 0.432 mgd from Well 7, 0.432 mgd from Wells 6 and 7 (Combined), and Total System Withdrawal Limit (30-Day Average) of 2.250 mgd

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the renewal of the project described herein in accordance with the conditions set forth below.

The Elizabethtown Area Water Authority (Authority) supplies water to Mount Joy Township, East Donegal Township, and Elizabethtown Borough in Lancaster County, Pennsylvania. The Authority maintains and operates a public water supply system that is supplied by eight groundwater wells (Wells 1, 3, 4, 5, 6, 7, 8, and 9) and surface water withdrawals from Conewago Creek, Back Run, and Cornwall Quarry. According to information provided by the Authority, no other sources are utilized by the project.

On November 13, 1986, and January 15, 1998, the Commission approved the groundwater withdrawal of 0.432 million gallons per day (mgd) from Well 6 and Well 7 under Commission Docket Nos. 19861103 and 19980106, respectively. On April 13, 2016, the Authority submitted a groundwater withdrawal renewal application requesting approval to continue to withdraw from Well 6. After discussions with Commission staff, the Authority submitted a groundwater withdrawal renewal application requesting Commission approval of Well 7, and approval of Wells 6 and 7 as a wellfield at the combined withdrawal rate of 0.432 mgd. This approval authorizes the use of Wells 6 and 7 at the requested wellfield withdrawal rate and establishes a revised total system withdrawal limit for withdrawals from Wells 1, 3, 4, 5, 6, 7, 8, and 9 and Back Run.

This approval establishes a total system limit based on the 15-year projected need for 2032. Should demand exceed the total system limit established herein, the project sponsor may request a minor modification in accordance with Commission Regulation 18 CFR § 806.18(c)(7) to increase the total system limit, as the total system limit established herein is based on the 15-year projected demand.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Elizabethtown Area Water Authority
Approval Type:	Groundwater Withdrawal
Past Docket Nos.:	19861103 (Well 6) and 19980106 (Well 7)
Authorized Water Use Purpose:	Public Water Supply
Municipality:	West Donegal Township
County:	Lancaster County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawals will be made is set forth in the table below.

Source Information	
Withdrawal Type:	Groundwater
Approved Sources:	Wells 6 and 7
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030608 (Chickies Creek)
Withdrawal Location (degrees)*:	Lat: -- Long: --
Special Flow Protection Required:	No
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

Section 4. Aquifer Testing

The project sponsor requested that the constant-rate aquifer testing required by Commission Regulation 18 CFR § 806.12 for groundwater withdrawals be waived for Wells 6 and 7. In support of the aquifer testing waiver request for Wells 6 and 7, the project sponsor provided the required groundwater availability analysis, historical withdrawal and water level data, and the result of historical aquifer testing performed on Well 7.

Commission staff found that withdrawals from Wells 6 and 7 at the requested withdrawal rates should not cause permanent loss of aquifer storage, render competing supplies unreliable,

or cause adverse impacts to the water resources of the basin and made recommendations to the Executive Director to waive the aquifer testing requirements. Pursuant to Commission Resolution No. 2015-06, the Executive Director approved the waiver of the aquifer testing requirements of Commission Regulation 18 CFR § 806.12 on August 22, 2017.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawals approved hereunder are subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
	Well 6	Well 7
30-Day Average Withdrawal (mgd):	0.432	0.432
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	300	300
Wellfield Withdrawal Limit – Wells 6 and 7 (30-Day Average) (mgd):	0.432	
Total System Withdrawal Limit – Wells 1, 3, 4, 5, 6, 7, 8, and 9 and Back Run (30-Day Average) (mgd):	2.250	
gpm – gallons per minute		

The withdrawals are also subject to all other conditions set forth in this docket approval.

Section 6. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the tables below.

Existing Approved Groundwater Withdrawals				
Source	30-Day Average Withdrawal (mgd)	Combined Withdrawal Limit (30-day average) (mgd)	Commission Docket No.	Docket Expiration Date
Well 1	0.201	1.204*	20160903	September 30, 2031
Well 3	0.106		20160903	September 30, 2031
Well 4	0.130		20160903	September 30, 2031
Well 5	0.432		19880402	April 14, 2018
Well 8	0.187		20160903	September 30, 2031
Well 9	0.216		20160903	September 30, 2031
* Includes Wells 1, 3, 4, 5, 8, and 9.				

Existing Approved Surface Water Withdrawals*			
Source	Peak Day Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Conewago Creek	1.620	19970501	June 10, 2022
Back Run	1.620	19970501	June 10, 2022
Cornwall Quarry	1.500	19970501	June 10, 2022
* The maximum withdrawal from Back Run Reservoir shall be limited to 1.620 mgd, including natural flows from Back Run plus augmented flows from Cornwall Quarry and Conewago Creek.			

Section 7. Rescission of Existing Approval

Commission Docket No. 19980106, which approved withdrawal from Well 7, does not expire until January 15, 2023. The Authority requested rescission of Commission Docket No. 19980106 upon combined approval of Wells 6 and 7 herein. Therefore, Commission Docket No. 19980106 is hereby rescinded effective October 1, 2017.

Section 8. Grandfathering Determination – Withdrawals and Consumptive Water Use

All surface water withdrawals and groundwater withdrawals utilized by the Authority have been approved by the Commission.

The project did not consumptively use water prior to January 23, 1971.

Section 9. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawals in accordance with Commission Regulation 18 CFR § 806.30.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the sources listed in Sections 3 and 6. The project sponsor shall maintain and monitor the accuracy of the measuring devices in accordance with the manufacturer's specifications.

6. The project sponsor shall keep daily records of the project's withdrawals and groundwater elevations for the sources listed in Sections 3 and 6, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure, and any modifications proposed for the groundwater elevation monitoring plan, shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

8. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

9. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

10. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

11. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal locations for the duration of the approval.

12. The project sponsor shall register with the appropriate agency all surface water and groundwater sources described herein, as may be required by regulations of the member jurisdiction.

13. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of

this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

14. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

15. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

16. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

17. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

18. In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

19. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawals that would exceed the amounts listed herein.

20. The project sponsor is required to apply for and obtain approval prior to any increase in the total system withdrawal that would exceed the approved total system withdrawal limits listed herein.

21. If the Commission determines that the operation of the project's groundwater withdrawals adversely affect any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

Section 10. Special Conditions

22. Commission Docket No. 19980106 is hereby rescinded effective October 1, 2017.

23. The date of the last meter certification for Wells 6 and 7 was May 20, 2015; therefore, the next meter certification is due no later than May 20, 2020. Certification of meter accuracy

shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

24. The project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

25. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep records, and shall report the same to the Commission upon request, of all persons supplied water from the project that maintain a permanent connection to the public water supply system. The project sponsor shall also keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project that do not maintain a permanent connection to the public water supply system for uses other than hydrocarbon development, including daily quantities supplied.

Section 11. Term

26. This approval shall be effective October 1, 2017, and shall remain effective until September 30, 2032. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2032, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

27. Commission Docket No. 19861103 shall remain effective through September 30, 2017, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20160903-1

Approval Date: September 8, 2016

Modification Date: September 7, 2017

ELIZABETHTOWN AREA WATER AUTHORITY

**Groundwater Withdrawals (30-Day Averages) of
0.201 mgd from Well 1, 0.106 mgd from Well 3,
0.130 mgd from Well 4, 0.187 mgd from Well 8, and 0.216 mgd from Well 9;
Combined Withdrawal Limit (30-Day Average) of
1.204 mgd from Wells 1, 3, 4, 5, 8, and 9; and
Total System Withdrawal Limit (30-Day Average) of 2.230 mgd**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no unmitigated significant adverse impacts are anticipated by the operation of this project as described and conditioned, and that the project is physically feasible and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves modification of the project described herein in accordance with the conditions set forth below.

The Elizabethtown Area Water Authority (Authority) supplies water to Mount Joy Township, East Donegal Township, and Elizabethtown Borough in Lancaster County, Pennsylvania. The Authority maintains and operates a public water supply system that is supplied by eight groundwater wells (Wells 1, 3, 4, 5, 6, 7, 8, and 9) and surface water withdrawals from Conewago Creek, Back Run, and Cornwall Quarry. According to information provided by the Authority, no other sources are utilized by the project. On September 8, 2016, a total system limit was established that included all of these sources with approval of Commission Docket No. 20160903.

During a routine compliance inspection on May 25, 2017, it was brought to the attention of Commission staff that the total system limit as established in Commission Docket No. 20160903 included all surface water sources and that the withdrawal from Back Run was the only source that is placed directly into the water supply system. Inclusion of all three of the surface water sources in the total system limit calculation would not allow the Authority to properly utilize its sources to the full approved quantities without causing a violation. Upon further evaluation, Commission staff determined that the total system limit approved under Commission Docket No. 20160903 should not include withdrawals from Cornwall Quarry or Conewago Creek, as these withdrawals augment flow to Back Run to meet system demands and offset the passby flow requirement at the Conewago Creek intake. Inclusion of withdrawals from Cornwall Quarry and Conewago Creek in the total system limit would result in apparent

violation of the total system limit and is not appropriate. Therefore, Commission staff initiated recommendation of this corrective modification to Commission Docket No. 20160903 to remove inclusion of withdrawals from Cornwall Quarry and Conewago Creek from the calculation of the total system withdrawal. The sources to be incorporated into the total system limit include eight groundwater sources (Wells 1, 3, 4, 5, 6, 7, 8, and 9) and Back Run. No other changes to Commission Docket No. 20160903 have been made.

The Commission hereby approves a modification to remove the inclusion of surface water withdrawals from the Cornwall Quarry and Conewago Creek from the total system limit.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Elizabethtown Area Water Authority
Approval Type:	Groundwater Withdrawal
Original Docket No.:	20160903
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Elizabethtown Borough and Mount Joy Township
County:	Lancaster County
State:	Pennsylvania

Section 3. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations				
Source	30-Day Average Withdrawal (mgd)	Maximum Instantaneous Withdrawal Rate (gpm) (not to exceed)	Combined Withdrawal Limit* (30-day average) (mgd)	Total System Withdrawal Limit** (30-day average) (mgd)
Well 1	0.201	140	1.204	2.230
Well 3	0.106	104		
Well 4	0.130	150		
Well 8	0.187	130		
Well 9	0.216	150		
mgd – million gallons per day gpm – gallons per minute * Combined withdrawal limit includes Wells 1, 3, 4, 5, 8, and 9. ** Total system withdrawal limit includes Wells 1, 3, 4, 5, 6, 7, 8, and 9, and surface water withdrawal from Back Run.				

The withdrawal is also subject to all other conditions set forth in Commission Docket No. 20160903 and this modification approval.

Section 4. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the tables below.

Existing Approved Groundwater Withdrawals				
Source	30-Day Average Withdrawal (mgd)	Combined Withdrawal Limit (30-day average) (mgd)	Commission Docket No.	Docket Expiration Date
Well 5	0.432	1.204*	19880402	April 14, 2018
Well 6	0.432	0.432**	20170907	September 30, 2032
Well 7	0.432		20170907	September 30, 2032
* Combined withdrawal limit includes Wells 1, 3, 4, 5, 8, and 9 as established by Commission Docket No. 20160903.				
** Includes Wells 6 and 7.				

Existing Approved Surface Water Withdrawals*			
Source	Peak Day Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Conewago Creek	1.620	19970501	June 10, 2022
Back Run	1.620	19970501	June 10, 2022
Cornwall Quarry	1.500	19970501	June 10, 2022
* The maximum withdrawal from Back Run Reservoir shall be limited to 1.620 mgd, including natural flows from Back Run plus augmented flows from Cornwall Quarry and Conewago Creek.			

Section 5. Standard Conditions

1. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

2. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

3. This project is approved for inclusion in the Commission’s Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

Section 6. Special Conditions

4. All other limitations and conditions in Commission Docket No. 20160903 not inconsistent herewith shall remain effective.

5. Section 5 of Commission Docket No. 20160903 is hereby rescinded and replaced by Section 3 of this modification.

6. Section 6 of Commission Docket No. 20160903 is hereby rescinded and replaced by Section 4 of this modification.

Section 7. Term

7. This modified approval shall be effective October 1, 2017. The term of Commission Docket Nos. 20160903 and 20160903-1 shall remain effective until September 30, 2031. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2031, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20150907-2

Approval Date: September 10, 2015

Modification Date: December 8, 2016

Modification Date: September 7, 2017

MOXIE FREEDOM LLC

**Groundwater Withdrawal (30-Day Average) of 0.062 mgd
from Production Well 1,
and Consumptive Use (Peak Day) of up to 0.500 mgd
from Production Well 1, Production Well 2, and Public Water Supply**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves modification of the project described herein in accordance with the conditions set forth below.

This approval is a modification to Commission Docket Nos. 20150907 and 20150907-1, which authorized the consumptive use of 0.092 million gallons per day (mgd) (peak day) from Production Well 1 and Production Well 2, respectively. The project sponsor determined that the previously requested and approved consumptive use of 0.092 mgd was sufficient for normal facility operations but was insufficient for the construction and commissioning phase, and during occasional post-commissioning maintenance events. The requested modification to add a public water supply source (Pennsylvania American Water Company – Berwick System) and to increase the consumptive use quantity from 0.092 mgd to 0.500 mgd, an increase of 0.408 mgd, will meet water demand during construction and commissioning, normal operations, and maintenance events.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Moxie Freedom LLC
Approval Types:	Groundwater Withdrawal and Consumptive Use
Original Docket Nos.:	20150907 and 20150907-1
Authorized Water Use Purpose:	Construction and Operation of a Natural Gas Power Plant, including Potable and Process Water and Related Incidental Uses
Municipality:	Salem Township
County:	Luzerne County
State:	Pennsylvania

Section 3. Approved Consumptive Use Quantities and Limitations

The consumptive use approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Consumptive Use Quantities and Limitations	
Sources for Project Consumptive Use:	1. Production Well 1 2. Production Well 2 3. Public Water Supply – Pennsylvania American Water Company – Berwick System (PWSID No. 4190013)
Peak Day Consumptive Use Amount (mgd):	0.500 (Not to Exceed)
Authorized Project Consumptive Uses:	Development, Construction, Commissioning, Operation and Maintenance of a Natural Gas Power Plant
Consumptive Use Mitigation Type:	Payment of consumptive use mitigation fee

The consumptive use is also subject to all other conditions set forth in this docket approval.

Section 4. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Production Well 1	0.062	20150907	September 9, 2030
Production Well 2	0.062	20161210	December 7, 2031
Total System Limit	0.062	20161210	December 7, 2031

Section 5. Standard Conditions

1. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

2. The project sponsor shall keep daily records of the project's consumptive use and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

3. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

4. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

5. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

Section 6. Special Conditions

6. Prior to any consumptive use from the public water supply source listed in Section 3, the project sponsor shall install and maintain metering in accordance with Commission Regulation 18 CFR § 806.30.

7. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices associated with the public water supply source listed in Section 3, accurate to within five (5) percent, so as to provide an accurate record of consumptive use, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

8. Standard Condition 7 of Commission Docket No. 20150907 is hereby rescinded.

9. All other limitations and conditions in Commission Docket Nos. 20150907 and 20150907-1 not inconsistent herewith shall remain effective.

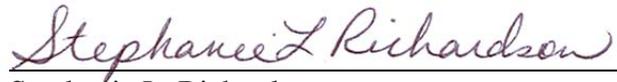
10. Prior to supplying water for any use not authorized pursuant to Sections 2 or 3 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

Section 7. Term

11. This modified approval shall be effective October 1, 2017. The term of Commission Docket Nos. 20150907, 20150907-1, and 20150907-2 shall remain effective until September 9, 2030. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 9, 2030, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



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Docket No. 20170908

Approval Date: September 7, 2017

SUSQUEHANNA GAS FIELD SERVICES, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.145 mgd
from Meshoppen Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal and modification of Commission Docket No. 20130913 that was originally approved September 19, 2013, with a peak day withdrawal rate of 0.145 million gallons per day (mgd) and special flow protection requirements. The project sponsor has requested a change to authorized uses. Following technical review, and consistent with applicable regulatory standards, Commission staff recommended approval of the requested change to authorized uses. Commission staff also recommended special flow protection requirements consistent with current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Susquehanna Gas Field Services, LLC
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20130913
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development, Hydrostatic Pipeline Testing, Dust Suppression, Quarrying Operations, and Related Incidental Uses

Project Information (continued)	
Municipality:	Meshoppen Borough
County:	Wyoming County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Meshoppen Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010608 (Meshoppen Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.613248 N Long: 76.050328 W
Site Flow Statistics (cfs):	Q7-10 = 5.0; Average Daily Flow = 162
Drainage Area (square miles):	114
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.145 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	200 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	--	--
February	--	--
March	--	--

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
April	--	--
May	--	--
June	--	--
July	15	55
August	11	40
September	11	39
October	15	54
November	--	--
December	--	--
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		-- -- No special flow protection required * Flow Protection Threshold

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR § 806.30.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

6. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. Within sixty (60) days from notice of this approval, the project sponsor shall post an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website (www.srbc.net), along with example sign templates for reference. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project sponsor shall submit photographs as proof of installation of the updated sign.

8. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

9. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

10. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

11. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

12. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

13. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

14. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

15. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

16. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

17. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

18. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

19. In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

20. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

21. Effective October 1, 2017, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours.

22. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

23. The date of the last meter certification was March 2, 2016; therefore, the next meter certification is due no later than March 2, 2021. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

24. Except as authorized pursuant to Special Condition 26, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

25. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 26, including daily quantities supplied.

26. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

27. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

Section 7. Term

28. This approval shall be effective October 1, 2017, and shall remain effective until September 30, 2022. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

29. Commission Docket No. 20130913 shall remain effective through September 30, 2017, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

(717) 238-0423 Phone • (717) 238-2436 Fax

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Docket No. 19950301-2

Approval Date: March 9, 1995

Modification Date: September 12, 2007

Modification Date: September 7, 2017

SUSQUEHANNA NUCLEAR, LLC

**Surface Water Withdrawal (Peak Day) of up to 76.000 mgd
from the Susquehanna River,**

**Groundwater Withdrawal (30-Day Average) of 0.125 mgd
from Wells TW-1 and TW-2, and**

**Consumptive Use (Peak Day) of up to 53.000 mgd
from the Susquehanna River, Well TW-1, and Well TW-2**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves modification of the project described herein in accordance with the conditions set forth below.

This approval is a modification of Commission Docket No. 19950301 that was originally approved March 9, 1995, and modified September 12, 2007, as Commission Docket No. 19950301-1. The project sponsor has requested an increase in the peak day surface water withdrawal to 76.000 million gallons per day (mgd) and an increase in the peak day consumptive use to 53.000 mgd. The requested increases are needed to support continued operations following the Extended Power Uprate to provide quantity sufficient to cover the maximum daily water demand under full power dual-unit operations during worst-case conditions. Commission staff recommended the project sponsor's request for modification be approved.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Susquehanna Nuclear, LLC
Approval Types:	Surface Water Withdrawal, Groundwater Withdrawal, and Consumptive Use
Original Docket Nos.:	19950301 and 19950301-1
Authorized Water Use Purpose:	Operation of a Thermoelectric Power Generation Facility and Related Incidental Uses
Municipality:	Salem Township
County:	Luzerne County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Susquehanna River
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010703 (Middle Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees)*:	Lat: -- Long: --
Site Flow Statistics (cfs):	Q7-10 = 897; Average Daily Flow = 14,200
Impairment:	Metals; Polychlorinated Biphenyl (PCB); Mercury
Drainage Area (square miles):	10,246
Aquatic Resource Class**:	6
Special Flow Protection Required:	No
cfs – cubic feet per second * Specific location information concerning discrete water-related project features has been withheld for security reasons. ** Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations	
Peak Day Withdrawal Amount (mgd):	76.000 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	54,000 (Not to Exceed)
gpm – gallons per minute	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Approved Consumptive Use Quantities and Limitations

The consumptive use approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Consumptive Use Quantities and Limitations	
Sources for Project Consumptive Use:	1. Susquehanna River 2. Well TW-1 3. Well TW-2
Peak Day Consumptive Use Amount (mgd):	53.000 (Not to Exceed)
Authorized Project Consumptive Uses:	1. Thermal electric power generation 2. Evaporative cooling 3. Evaporation 4. Related incidental uses
Consumptive Use Mitigation Type:	Release of water from surface water storage for flow augmentation and payment of consumptive use mitigation fee (see Special Condition 22)

The consumptive use is also subject to all other conditions set forth in this docket approval.

Section 6. Existing Approved Groundwater Withdrawals

Quantities applicable to the existing approved groundwater withdrawals are listed in the table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well TW-1	0.072	19950301-1	March 9, 2025
Well TW-2	0.125	19950301-1	March 9, 2025
Total Groundwater Withdrawal	0.125	19950301-1	March 9, 2025

Section 7. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission

Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal and consumptive use in accordance with Commission Regulation 18 CFR § 806.30.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and consumptive uses, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

6. The project sponsor shall keep daily records of the project's withdrawal and consumptive use and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

8. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

14. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

18. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal or consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Section 5.

Section 8. Special Conditions

19. The project's existing Emergency Certificate, issued May 5, 2017, for surface water withdrawal and consumptive use, authorized under Commission Regulation 18 CFR § 806.34, as extended June 16, 2017, by Commission Resolution No. 2017-07, is hereby terminated.

20. Decision Items 5, 6, 7, 8, 12, 13, 15, 16, 21, 22, 23, and 24 of Commission Docket No. 19950301-1 are hereby rescinded.

21. All other limitations and conditions in Commission Docket Nos. 19950301 and 19950301-1 not inconsistent herewith shall remain effective.

22. The project's consumptive use is subject to mitigation requirements, as per Commission Regulation 18 CFR § 806.22(b). To satisfy the Commission's current mitigation requirements for consumptive use, the project sponsor shall continue to comply with the terms set forth in the Contract with the Commission for water supply storage at the Cowanesque Reservoir and make quarterly payments for consumptive use in excess of 40,000 mgd (30-day average) to the Commission at the rate specified in the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission. Payments shall be made quarterly and shall be calculated by applying this rate to the total amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within thirty (30) days after the close of the preceding quarter. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

23. The project sponsor shall maintain the terms of Commission Resolution Nos. 82-5, 83-1, 89-12, 90-02, and 91-2, adopted by the Commission to satisfy the project's mitigation requirements for releases from the Cowanesque Reservoir to the extent they are not inconsistent herewith.

24. Prior to supplying water for any use not authorized pursuant to Sections 2 or 5 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss, unless otherwise directed by Commission staff.

Section 9. Term

26. This modified approval shall be effective immediately. The term of Commission Docket Nos. 19950301, 19950301-1, and 19950301-2 shall remain effective until March 9, 2025. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 9, 2024, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20170909

Approval Date: September 7, 2017

SWEPI LP

Surface Water Withdrawal (Peak Day) of up to 0.646 mgd from Elk Run

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	SWEPI LP
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Sullivan Township
County:	Tioga County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Elk Run
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010407 (Mill Creek)
Water Use Designation:	Trout Stocked Fishery (TSF)
Withdrawal Location (degrees):	Lat: 41.827003 N Long: 76.986680 W
Site Flow Statistics (cfs):	Q7-10 = 0.18; Average Daily Flow = 23.1
Drainage Area (square miles):	21.7
Aquatic Resource Class*:	2
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.646 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	449 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01516500; Corey Creek near Mainesburg, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	5.2	3.5
February	6.6	4.3
March	17	11
April	17	11
May	8.0	5.1
June	4.0	2.9
July	4.0	2.9
August	4.0	2.9
September	4.0	2.9
October	4.0	2.9
November	4.0	2.9
December	7.1	4.6
mgd – million gallons per day 1 cfs = 448.8 gallons per minute (gpm)		USGS – U.S. Geological Survey * Flow Protection Threshold

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the permit prior to operating the withdrawal. If subsequent design review by the permitting agency requires modification to the intake design, the project sponsor shall submit to the Commission a revised intake design for review and, if appropriate, approval by Commission staff prior to permit issuance by the permitting agency. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

6. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this

approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. Prior to initiation of the withdrawal, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website (www.srbc.net), along with example sign templates for reference. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project sponsor shall submit photographs as proof of sign installation prior to initiation of the withdrawal.

8. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

9. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

10. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

11. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

12. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

13. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

14. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

15. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from

other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

16. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

17. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

18. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

19. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

20. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours.

21. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

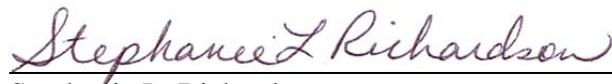
Section 7. Term

26. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawal or this approval will automatically expire, unless an extension is requested, in writing, by the project sponsor no later than one hundred twenty (120) days prior to such expiration and approved by the Commission as provided in Commission Regulation 18 CFR § 806.31(b). In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

27. This approval is effective until September 6, 2022. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 6, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20170910

Approval Date: September 7, 2017

SWN PRODUCTION COMPANY, LLC

**Surface Water Withdrawal (Peak Day) of up to 2.000 mgd
from Wyalusing Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20130911 that was originally approved September 19, 2013, with a peak day withdrawal rate of 2.000 million gallons per day (mgd) and special flow protection requirements. The project sponsor has not requested any changes to the project. Commission staff recommended special flow protection requirements consistent with current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	SWN Production Company, LLC
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20130911
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Wyalusing Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Wyalusing Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010607 (Wyalusing Creek)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.746156 N Long: 76.210425 W
Site Flow Statistics (cfs):	Q7-10 = 8.6; Average Daily Flow = 277
Impairment:	Pathogens
Drainage Area (square miles):	195
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	2.000 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,400 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	74	157
February	88	184
March	190	391
April	--	--
May	--	--
June	46	100

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
July	26	60
August	19	45
September	18	44
October	26	59
November	52	111
December	89	187
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		-- -- No special flow protection required * Flow Protection Threshold

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR § 806.30.

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

6. The project sponsor shall keep daily records of the project’s withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and

are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. Within sixty (60) days from notice of this approval, the project sponsor shall post an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website (www.srbc.net), along with example sign templates for reference. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project sponsor shall submit photographs as proof of installation of the updated sign.

8. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

9. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

10. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

11. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

12. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

13. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

14. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR Part 808.

15. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

16. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR § 806.32.

17. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

18. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

19. In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

20. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

21. Effective October 1, 2017, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours.

22. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

23. The date of the last meter certification was July 26, 2017; therefore, the next meter certification is due no later than July 26, 2022. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

24. Except as authorized pursuant to Special Condition 26, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

25. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 26, including daily quantities supplied.

26. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

27. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

Section 7. Term

28. This approval shall be effective October 1, 2017, and shall remain effective until September 30, 2022. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

29. Commission Docket No. 20130911 shall remain effective through September 30, 2017, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson



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Docket No. 20160913-1

Approval Date: September 8, 2016

Modification Date: September 7, 2017

TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC

**Surface Water Withdrawal (Peak Day), Variable, of up to 2.592 mgd
from Fishing Creek,
and Consumptive Use (Peak Day) of up to 0.200 mgd
from Fishing Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves modification of the project described herein in accordance with the conditions set forth below.

This approval is a modification of Commission Docket No. 20160913 that was originally approved September 8, 2016, with a variable, peak day withdrawal rate of up to 2.592 million gallons per day (mgd) and special flow protection requirements. The project sponsor has requested authorization to consumptively use water withdrawn from Fishing Creek for horizontal directional drilling and related incidental uses. Commission staff recommended the project sponsor's request for modification be approved.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Transcontinental Gas Pipe Line Company, LLC
Approval Types:	Surface Water Withdrawal and Consumptive Use
Original Docket No.:	20160913
Authorized Water Use Purpose:	Hydrostatic Testing of Pipeline, Horizontal Directional Drilling, and Related Incidental Uses

Project Information (continued)	
Municipality:	Sugarloaf Township
County:	Columbia County
State:	Pennsylvania

Section 3. Approved Consumptive Use Quantities and Limitations

The consumptive use approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Consumptive Use Quantities and Limitations	
Source for Project Consumptive Use:	Fishing Creek
Peak Day Consumptive Use Amount (mgd):	0.200 (Not to Exceed)
Authorized Project Consumptive Uses:	1. Horizontal directional drilling (HDD) 2. Related incidental uses
Consumptive Use Mitigation Type:	Payment of consumptive use mitigation fee

The consumptive use is also subject to all other conditions set forth in this docket approval.

Section 4. Standard Conditions

1. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

2. Prior to consumptive use from the source listed in Section 3, the project sponsor shall install and maintain metering in accordance with Commission Regulation 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Consumptive use shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

3. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and consumptive uses, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

4. The project sponsor shall keep daily records of the project's withdrawal and consumptive use and shall report the data to the Commission quarterly, and as otherwise

required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

5. The project's consumptive use is subject to mitigation requirements, as per Commission Regulation 18 CFR § 806.22(b). To satisfy the Commission's current mitigation requirements for consumptive use, the project sponsor shall make quarterly payments to the Commission at the rate specified in the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission. Payments shall be made quarterly and shall be calculated by applying this rate to the total amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within thirty (30) days after the close of the preceding quarter. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

6. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

7. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

8. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.

9. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

10. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

11. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal or consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Section 3.

Section 5. Special Conditions

12. Prior to initiation of the withdrawal, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website (www.srbc.net), along with example sign templates for reference. Additionally, the sign shall state: "Approved for a temporary, short-duration withdrawal for horizontal directional drilling and hydrostatic testing of a pipeline." The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project sponsor shall submit photographs as proof of sign installation prior to initiation of the withdrawal.

13. Conditions 2, 4, 6, 16, and 17 of Commission Docket No. 20160913 are hereby rescinded.

14. All other limitations and conditions in Commission Docket No. 20160913 not inconsistent herewith shall remain effective.

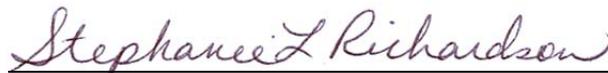
15. Prior to supplying water for any use not authorized pursuant to Sections 2 or 3 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

Section 6. Term

16. This modified approval shall be effective immediately. The term of Commission Docket Nos. 20160913 and 20160913-1 shall remain effective until September 7, 2021. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 7, 2021, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 7, 2017.

Dated: September 8, 2017


Stephanie L. Richardson