



SUSQUEHANNA RIVER
BASIN COMMISSION

4423 N. Front Street | Harrisburg, PA 17110-1788 | 717.238.0423 | srbc.net

NY ■ PA ■ MD ■ USA

December 19, 2018

TO ALL CONCERNED:

At the December 6, 2018, Commission meeting, the draft minutes of the September 8, 2018, Commission meeting were approved as written. Please attach this notice to your copy of the September 8, 2018, minutes.

- DRAFT -

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

**MINUTES OF THE
SUSQUEHANNA RIVER BASIN COMMISSION
December 6, 2018
#2018-04**

The meeting was held at the Susquehanna River Basin Commission at Harrisburg, Pennsylvania. Chairman D'Amato called the meeting to order at 9:00 a.m.

ROLL CALL

Commissioners Present

**Alternate Commissioners
Present**

Mr. Paul J. D'Amato, Region 8 Director, New York
State Dept. of Environmental Conservation
(NYSDEC)

Mr. Patrick McDonnell, Secretary, Pennsylvania
Department of Environmental Protection (PADEP)

Ms. Virginia Kearney, Deputy Director, Water
Management Administration, Maryland Dept. of the
Environment (MDE)

Col. John Litz, District Engineer, U.S. Army Corps
of Engineers, (USACE) Baltimore District

Ms. Jennifer Orr, Director, Compact and
Commissions Office, PADEP

Ms. Amy Guise, Planning Division, USACE,
Baltimore District

Staff Present

Mr. Andrew D. Dehoff, Executive Director

Mr. Andrew J. Gavin, Deputy Executive Director

Ms. Marcia Hutchinson, Director, Administration
& Finance

Mr. Jason Oyler, General Counsel

Mr. John W. Balay, Manager, Planning &
Operations

Ms. Paula B. Ballaron, Manager, Policy
Implementation & Outreach

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

Ms. Valerie Cappola, USACE, North Atlantic
Division

1. Opening Remarks

Chairman D'Amato opened the meeting by outlining the rules of conduct for the meeting. He noted that a public hearing was previously held on November 1, 2018. The Commissioners introduced themselves. Chairman D'Amato spoke of the recent audit by the Pennsylvania State Auditor General and shared that the Commissioners and SRBC staff are continuing work on a response to be completed by January 7, 2019.

2. Presentation – Mine Drainage Restoration Efforts in the Susquehanna River Basin

SRBC Mine Drainage Coordinator Thomas J. Clark presented an update on mine drainage restoration efforts in the Susquehanna River Basin.

3. Minutes of September 8, 2018, Commission Meeting

On a motion by Commissioner Kearney, seconded by Commissioner Litz, the minutes of the regular business meeting of September 8, 2018, were unanimously approved as written.

4. Resolution Outlining the Auxiliary Powers of the Commission Under Section 15.1 of the Compact

Executive Director Andrew Dehoff spoke of a draft resolution currently under development by staff. Mr. Dehoff requested a motion to table action on the resolution at this time.

On a motion by Commissioner McDonnell, seconded by Commissioner Kearney, the resolution was tabled for action at a future business meeting by unanimous vote.

5. FY2018 Independent Audit Report

Director of Administration & Finance Marcia Hutchinson presented the FY2018 Audit Report. Ms. Hutchinson requested that the commissioners accept the report as presented. Ms. Hutchinson stated that the FY2018 Audit Report would be made available on the Commission's website upon acceptance.

On a motion by Commissioner Kearney, seconded by Commissioner Litz, the FY 2018 Audit Report was unanimously accepted.

6. Contracts and Grants

Ms. Hutchinson presented the following requests:

a. Agreement Approval – Lidar Coverage for Pennsylvania (U.S. Geological Survey)

Staff requested ratification of an agreement with the U.S. Geological Survey (USGS) to provide a \$50,000 contribution to help collect LiDAR for 22 additional Pennsylvania counties, which will cost approximately \$3.37 million. Partnering agencies offering additional contributions include Pennsylvania Department of Conservation and Natural Resources (PA DCNR), Pennsylvania Emergency Management Agency (PEMA), Pennsylvania Department of Environment Protection (PADEP), Pennsylvania Department of Transportation (PA DOT), and the Pennsylvania Turnpike Commission. The Commission's contribution of \$50,000 to this project will be provided by the Sustainable Water Resources Fund and USGS will partially match the contribution.

b. Grant Approval – Catawissa Creek Watershed QHUP - (Pennsylvania Department of Environmental Protection (PADEP))

Staff requested ratification of the signing of this grant agreement. Under the agreement, staff will create a restoration plan to develop a Qualified Hydrologic Unit Plan (QHUP) for the Catawissa Creek Watershed in Carbon, Columbia and Schuylkill counties in Pennsylvania. The restoration plan will include assessment of the problem, identification of AMD/AML sites affecting water quality, measureable treatment goals for mine discharges, scientific analysis of pollution load, measurable restoration goals, cost benefit analysis of meeting proposed goals, and biological assessment of the Catawissa Creek. PADEP will grant \$55,664 for this project.

c. Grant Approval – Tioga River Watershed QHUP - Pennsylvania Department of Environmental Protection (PADEP)

Staff requested ratification of the signing of this grant agreement. Under the agreement, staff will create a restoration plan to develop a Qualified Hydrologic Unit Plan (QHUP) for the Tioga River Watershed in Bradford, Potter and Tioga counties in Pennsylvania. The restoration plan will include assessment of the problem, identification of AMD/AML sites affecting water quality, measureable treatment goals for mine discharges, scientific analysis of pollution load, measurable restoration goals, cost benefit analysis of meeting proposed goals, and biological assessment of the Tioga River. A grant of \$33,190 will be provided by PADEP.

Commissioner McDonnell expressed his appreciation for the partnership with the Commission on these projects. On a motion by Commissioner McDonnell and seconded by Commissioner Kearney, the agreements were unanimously approved.

7. FY2020 Funding of the Groundwater and Streamflow Information Program

Manager of Planning and Operations John Balay presented a resolution for consideration and adoption by the Commission urging the President and U.S. Congress to provide financial support to the Groundwater and Streamflow Information Program (GWSIP), thereby supporting the Susquehanna Flood Forecast & Warning System.

On a motion by Commissioner McDonnell and seconded by Commissioner Litz, Resolution No. 2018-13 (Exhibit A) was adopted by a vote of 3-0 with Commissioner Litz abstaining.

8. Resolution and Water Supply Agreement for Billmeyer Quarry Consumptive Use Water Storage and Mitigation Project

Mr. Balay asked for action on Resolution No. 2018-14 (Exhibit B) approving the Billmeyer Quarry consumptive use water storage and mitigation project and water supply agreement.

Commissioner Kearney moved and Commissioner McDonnell seconded a motion to approve the resolution along with the water supply agreement. The motion was unanimously adopted.

9. Comprehensive Plan 2021

Mr. Balay presented Resolution No. 2018-15 (Exhibit C) deferring updates to the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin* until 2021 to coincide with the halfway mark of the 100 year *Susquehanna River Basin Compact* duration.

On a motion made by Commissioner Kearney and seconded by Commissioner McDonnell this resolution was adopted unanimously.

10. Request for Waiver of 18 CFR §806.3(E) as it Pertains to Submittal of Renewal Application for a Groundwater Withdrawal Approval

Manager of Project Review Todd Eaby presented a request from Dillsburg Area Authority to waive regulations that require submittal of renewal applications six months prior to the expiration of an approval so that the approval may be extended until such time that the Commission renders a decision on the application. Staff recommended that this waiver be granted.

On a motion by Commissioner McDonnell and seconded by Commissioner Kearney the recommendations of staff were accepted unanimously.

11. Docket Actions

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

- | | |
|--|---|
| 1.-2. City of Aberdeen (Aberdeen Proving Ground Area) Harford County, Md. (Exhibit D1) | 14. Masonic Village at Elizabethtown (West Donegal Township) Lancaster County, Pa. (Exhibit D8) |
| 3. Adams & Hollenbeck Waterworks, LLC (Salt Lick Creek) Susquehanna County, Pa. (Exhibit D2) | 15. Repsol Oil & Gas USA, LLC (Seeley Creek) Bradford County, Pa. (Exhibit D9) |
| 4. Aqua Pennsylvania, Inc. (Beech Mountain Well 3) Luzerne County, Pa. | 16. Repsol Oil & Gas USA, LLC (Wyalusing Creek) Bradford County, Pa. (Exhibit D10) |
| 5. Aqua Pennsylvania, Inc. (Beech Mountain Well 1) Luzerne County, Pa. | 17.-18. Schuylkill Energy Resources, Inc. (Maple Hill Mine Shaft Well) Schuylkill County, Pa. (Exhibit D11) |
| 6. Aqua Pennsylvania, Inc. (Beech Mountain Well 2) Luzerne County, Pa. | 19. SWEPI LP (Cowanesque River) Tioga County, Pa. (Exhibit D12) |
| 7. ARD Operating, LLC (Pine Creek) Lycoming County, Pa. (Exhibit D3) | 20. Tenaska Resources, LLC (Cowanesque River) Tioga County, Pa. (Exhibit D13) |
| 8. Bloomfield Borough Water Authority (Perry Village Well 2) Perry County, Pa. (Exhibit D4) | 21. City of Aberdeen (Aberdeen Proving Ground) Harford County, Md. (Exhibit D1) |
| 9.-10. Denver Borough Authority (Wells 2 and 3) Lancaster County, Pa. (Exhibit D5) | 22. Fox Hill County Club (Halfway House Well) Luzerne County, Pa. (Exhibit D14) |
| 11.-12. East Cocalico Township Authority (Wells 9 and 10) Lancaster County, Pa. (Exhibit D6) | 23. Norwich Pharmaceuticals, Inc. (Wells 1 and 2) Chenango County, N.Y. (Exhibit D15) |
| 13. Eclipse Resources-PA (Pine Creek) Tioga County, Pa. (Exhibit D7) | |

Highlight = Staff recommended tabling.

Commissioner McDonnell moved and Commissioner Kearney seconded a motion that the Commission adopt the recommendations of staff for the 23 project applications, which includes one

out-of-basin diversion, and two commission initiated project approval modifications. The motion was unanimously approved.

12. EQT Production Company Violation of Passby Flow Conditions

General Counsel Jason Oyler reported on actions taken regarding a passby flow condition violation by EQT Production Company. A settlement agreement in the amount of \$120,000 was accepted by EQT.

Vice President of Production Operations Mike Gavin from EQT Production Company assured the Commissioners that this was a one-time event. Since that event, EQT has adopted formal work procedures to prevent such violations from occurring in the future.

A motion to approve this settlement was made by Commissioner McDonnell and seconded by Commissioner Kearney. The settlement was accepted unanimously.

ADJOURNMENT

Commissioner McDonnell moved and Commissioner Kearney seconded a motion for adjournment. The meeting was adjourned at 10:21 a.m.

March 15, 2019

Date Adopted



Jason E. Oyler

RESOLUTION NO. 2018-13

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) urging the President and the Congress of the United States to provide financial support to the Groundwater and Streamflow Information Program in FY 2020, thereby supporting the Susquehanna Flood Forecast and Warning System.

WHEREAS, the Susquehanna River Basin is one of the most flood-prone watersheds in the United States, with average annual flood damages of nearly \$150 million; and

WHEREAS, severe flooding in the Susquehanna River Basin in September 2011 caused millions of dollars in flood damages, injury, and loss of life, and

WHEREAS, severe storms in the Susquehanna River Basin have resulted in Presidential disaster declarations in 2013, 2014, 2016, 2017, and 2018 due to flooding and further underscored the flood prone nature of the basin; and

WHEREAS, through an integrated rain and streamgage network, timely and accurate flood forecasts and warnings, and flood stage mapping for at-risk communities in the Susquehanna River Basin, the Susquehanna Flood Forecasting and Warning System (SFFWS) has helped prevent injury and loss of life; reduced flood damages by tens of millions of dollars; and delivered a benefit to cost ratio of 20:1; and

WHEREAS, these streamgages are crucial to early warning and flood damage reduction efforts in the Susquehanna River Basin, one of the most flood prone river basins in the United States; and

WHEREAS, the SFFWS is inextricably linked to the public health, safety, and welfare of the citizens of the Susquehanna River Basin; and

WHEREAS, in the interest of avoiding duplication of effort, maximizing available resources and promoting good government, the Commission, in accordance with its authority under Section 3.7 of the Susquehanna River Basin Compact, Pub. L. 91-575, plays an important coordinative role with federal and state agencies through the SFFWS, and also provides important technical assistance and public information services to the SFFWS; and

WHEREAS, federal funding for the SFFWS was eliminated in FY 2011; and

WHEREAS, concern by Congress for the long-term continuity and reliability of our national streamgaging data led to the creation of the National Streamflow Information Program (NSIP) by the U.S. Geological Survey (USGS) in 1999; and

WHEREAS, NSIP was designed and authorized to operate as a federally funded “backbone” network supporting approximately 4,760 streamgages and tidal gages necessary to fulfill 5 specific national purposes including streamflow forecasts that provide real-time stage

and discharge data that are required to support flood and other streamflow forecasting by the National Weather Service and other federal agencies across the country; and

WHEREAS, Public Law 111-11 known as the "Omnibus Public Land Management Act of 2009" authorizes full implementation of NSIP by March 2019; and

WHEREAS, NSIP was integrated into a larger Groundwater and Streamflow Information Program (GWSIP) by the USGS in October 2015, which fully supports full implementation of the "federally funded backbone" network as authorized by Public Law 111-11; and

WHEREAS, full implementation of the federal priority streamgauge network will offset costs incurred by other federal streamgauge programs, offset associated costs to cooperators within these same programs, and create a sustainable network to protect the lives and property of our nation's citizenry; and

WHEREAS, 77 streamgages in the Susquehanna River Basin have been designated within the USGS as federal priority streamgages and therefore, have been designated as eligible for USGS support.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission recommends the President include the amount of \$125 million in the FY 2020 budget to fully fund all GWSIP eligible gages in the nation, thereby providing sustainable funding for the SFFWS.
2. The Congress of the United States is likewise encouraged to support the above stated appropriation request for FY 2020.
3. This resolution shall be effective immediately.

Dated: December 6, 2018



Paul D'Amato, Chair
New York

RESOLUTION NO. 2018-14

WHEREAS, Section 4.1 of the Susquehanna River Basin Compact, Pub. Law 91-575, 84 Stat. 1509 *et seq.* (Compact) provides the Susquehanna River Basin Commission (Commission) with the “power to develop, implement, and effectuate” water supply projects to utilize ground and surface water resources;

WHEREAS, Section 4.2 of the Compact provides the Commission with the “power to acquire, construct, operate, and control projects and facilities for the storage and release of waters” for several enumerated purposes;

WHEREAS, 18 CFR §§ 806.4(a)(1) and 806.22 provide for the regulation of the consumptive use of water in the Basin as well as the mitigation of those consumptive uses, which includes the option to projects of paying a mitigation fee to the Commission for the acquisition and development of consumptive use mitigation projects;

WHEREAS, the Lancaster County Solid Waste Management Authority (LCSWMA) acquired the Billmeyer Quarry, an existing, 29-acre flooded dolomite and limestone quarry, and partnered with the Commission to investigate the feasibility of using the quarry as a source for consumptive use mitigation water to the Lower Susquehanna River subbasin during Commission-designated low flow periods;

WHEREAS, the Commission and LCSWMA have conducted numerous studies, including a survey for rare, threatened and endangered species, the investigation and eradication of invasive quagga mussels from the quarry, and a 121-day pumping test to evaluate aquifer characteristics, quarry storage, impacts to other groundwater users and the environment, potential river recirculation, and quarry recovery;

WHEREAS, the Commission and LCSWMA have negotiated a water supply storage agreement for the use of the water stored in the quarry for the withdrawal of up to 425 million gallons (mg) for consumptive use mitigation;

WHEREAS, Section 3.10 requires Commission review and approval of projects, and the Commission’s Planning and Operations program submitted the results of its studies and investigations to the Commission’s Project Review program for its analysis and review of the quarry to supply up to 425 mg of water for consumptive use mitigation;

WHEREAS, this review has concluded that the quarry can safely supply up to 425 mg of water under appropriate operating conditions;

NOW THEREFORE BE IT RESOLVED THAT:

1. After review of the record, including the technical findings of Commission staff, the Commission has determined that no significant adverse impacts are anticipated by the withdrawal of up to 425 mg from Billmeyer Quarry during Commission-designated low-flow periods as conditioned herein. The Commission has also determined that 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 in accordance with this Resolution.

2. The maximum drawdown in the quarry shall not exceed 173 feet above mean sea level (amsl) in the northwest pit and 213 feet amsl in the southeast pit.

3. The Commission shall install additional appropriately constructed monitoring wells between the quarry and the residential wells to the north and northeast.

4. The Commission shall finalize the operations plan within 180 days of approval. The operations plan shall include, but not be limited to, the following: (1) Procedures for obtaining and adhering to all required state, county, and local requirements prior to initiating the withdrawal; (2) Procedures for monitoring and mitigating, if needed, aquatic invasive species in the quarry throughout the operation of the project; (3) Procedures for adhering to the recommendations for avoiding adverse impacts to documented occurrences of bald eagles at or in proximity of the project; (4) Procedures for installation, certification of accuracy, and maintenance of all metering and water level monitoring devices prior to the start of pumping; and (5) Procedures for taking and keeping records of the withdrawal quantities and pool elevation data.

5. The Commission shall routinely review and update the operations plan.

6. Consistent with any required permits for the project, the Commission shall develop a protocol for testing and monitoring quarry water chemistry during all CU mitigation activities to ensure compliance with the appropriate Pennsylvania water quality standards.

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

8. If the operation of the groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the Commission shall provide, at its expense, an alternate water supply or other mitigating measure.

9. The Commission will adhere to recommendations for avoiding adverse impact to documented occurrences of bald eagles (*Haliaeetus leucocephalus*) at or in proximity to the project location.

10. This approval is effective until December 31, 2048. The project may continue operation pursuant to the terms and conditions of this approval past the expiration date, provided such continuance is done in accordance with the water supply agreement between the Commission and LCSWMA and notice is given to the Commissioners.

11. This resolution shall be effective immediately.



Dated: December 6, 2018

Paul D'Amato, Chair
New York

RESOLUTION NO. 2018-15

A RESOLUTION of the Susquehanna River Basin Commission (Commission) deferring substantial updates to the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin* until 2021 to coincide with the halfway mark of the 100 year duration of the Susquehanna River Basin Compact.

WHEREAS, under Article 3, Section 3.3 (1) and Article 14, Section 14.1 of the Susquehanna River Basin Compact, Pub. L. 91-575, the Commission is directed to “develop and adopt, and from time to time review and revise, a comprehensive plan for the immediate and long range development and use of the water resources of the basin;” and

WHEREAS, by Resolution 2008-08 of December 4, 2008, the Commission adopted a substantially revised comprehensive plan; and

WHEREAS, Resolve No. 4 of Resolution 2008-08 directs the Commission staff to conduct periodic review of the comprehensive plan and propose appropriate revisions to the Commission to ensure its continued timeliness and relevance and to maintain its quality and utility; and

WHEREAS, the 2008 comprehensive plan called for an update to the plan every five years to help ensure it is current; and

WHEREAS, in accordance with this five year directive, by Resolution 2013-13, the Commission adopted an updated comprehensive plan dated December 12, 2013.

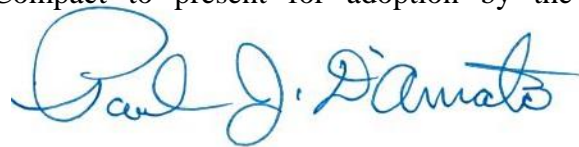
NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission determines that the 2013 *Comprehensive Plan for the Water Resources of the Susquehanna River Basin* is adequate to guide the development and use of the water resources of the basin from 2019 to 2021.

2. The Commission defers updates to the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin* until 2021 to coincide with the halfway mark of the 100 year Susquehanna River Basin Compact duration.

3. The staff is directed to begin scoping and initiating the development of an updated comprehensive plan in 2019 in accordance with the provisions contained in Article 14, Section 14.1 of the Susquehanna River Basin Compact to present for adoption by the December 2020 Commission meeting.

Dated: December 6, 2018



Paul D'Amato, Chair
New York



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20021210-5

Approval Date: December 12, 2002

Modification Date: June 12, 2003

Modification Date: August 14, 2003

Modification Date: September 8, 2004

Modification Date: September 4, 2014

Modification Date: December 6, 2018

THE CITY OF ABERDEEN

**Surface Water Withdrawal (Peak Day) of up to 3.000 mgd,
Consumptive Use (Peak Day) of up to 3.000 mgd, and
Out-of-Basin Diversion (Peak Day) of up to 3.000 mgd
from Deer Creek for Water Supply to Aberdeen Proving Ground;
Harford County, Maryland**

Susquehanna River Basin Commission (Commission) Docket No. 20021210, approved on December 12, 2002, authorized a surface water withdrawal from Deer Creek, an out-of-basin diversion, and consumptive water use through diversion. The approval term was established to be concurrent with the Maryland Department of the Environment's (MDE's) State Water Appropriation and Use Permit No. HA1978S028.

The City of Aberdeen is working with the MDE to develop additional potable water sources located outside the Susquehanna River Basin, which will eliminate the need for the use of Deer Creek as a source. Effective March 1, 2014, MDE revised the City of Aberdeen's State Water Appropriation and Use Permit No. HA1978S028, which included an extension of the approval term and use of Deer Creek through March 1, 2019. The City of Aberdeen subsequently requested an extension of the approval term of Commission Docket No. 20021210 to the same date, which was approved as Commission Docket No. 20021210-4 on September 4, 2014.

Due to the need for additional time to finalize development of the out-of-basin water sources and associated treatment facility, the City of Aberdeen requested an additional extension to the expiration date to December 31, 2019.

The Commission hereby approves the requested extension to the term of Commission Docket No. 20021210 and the modifications thereto.

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. Commission Docket No. 20021210-4 is hereby superseded.

3. All other limitations and conditions in Commission Docket Nos. 20021210, 20021210-1, 20021210-2, and 20021210-3 not inconsistent herewith shall remain effective.

4. This approval is effective until December 31, 2019. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2019, 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, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20181201

Approval Date: December 6, 2018

ADAMS & HOLLENBECK WATERWORKS, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.720 mgd
from Salt Lick 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. 20141209 that was approved December 5, 2014, with special flow requirement protections. The project sponsor did not request 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:	Adams & Hollenbeck Waterworks, LLC
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20141209
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development, Installation and Hydrostatic Testing of Transmission Pipelines, Dust Suppression, and Related Incidental Uses
Municipality:	New Milford 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:	Salt Lick Creek
Subbasin:	Upper Susquehanna
Watershed Boundary Dataset (WBD):	0205010113 (Lower Susquehanna River)
Water Use Designation:	High Quality – Cold Water Fishery (HQ-CWF)
Withdrawal Location (degrees):	Lat: 41.906953 N Long: 75.731953 W
Site Flow Statistics (cfs):	Q7-10 = 1.4; Average Daily Flow = 46.5
Drainage Area (square miles):	32.7
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):	0.720 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	500 (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	14	184
February	17	214
March	36	449
April	39	485
May	21	261
June	10	134
July	10	134

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	10	134
September	10	134
October	10	134
November	11	147
December	17	219
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 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. Prior to initiation of withdrawal, the project sponsor shall install and maintain metering on the withdrawal in accordance with 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. 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 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 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 18 CFR § 808.12.

9. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

10. In accordance with 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 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 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 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. Effective January 1, 2019, 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 or received approval pursuant to 18 CFR § 806.22(f), as applicable.

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 Section 2 or 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 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. This approval shall be effective January 1, 2019, and shall remain effective until December 31, 2023. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2023, 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. 20141209 shall remain effective through December 31, 2018, whereupon it shall expire.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20181202

Approval Date: December 6, 2018

ARD OPERATING, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.720 mgd
from Pine 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. 20141201 that was approved December 5, 2014, with a peak day withdrawal rate of 0.720 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:	ARD Operating, LLC
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20141201
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Watson Township
County:	Lycoming 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:	Pine Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020506 (Lower Pine Creek)
Water Use Designation:	Exceptional Value (EV)
Withdrawal Location (degrees):	Lat: 41.247717 N Long: 77.323804 W
Site Flow Statistics (cfs):	Q7-10 = 37.6; Average Daily Flow = 1,430
Drainage Area (square miles):	956
Aquatic Resource Class*:	4
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):	0.720 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	500 (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 01549700; Pine Creek below Little Pine Creek near Waterville, 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	353	352
February	111	112
March	273	272
April	630	626
May	321	320
June	278	277
July	117	118

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	72	73
September	70	71
October	86	87
November	165	165
December	404	402
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 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 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.

4. 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 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

5. 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 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. 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.

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 18 CFR § 808.12.

8. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

9. In accordance with 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 18 CFR § 806.25.

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

12. 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.

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 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 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. 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

19. Effective January 1, 2019, 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.

20. 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.

21. The date of the last meter certification was July 22, 2015; therefore, the next meter certification is due no later than July 22, 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.

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 or received approval pursuant to 18 CFR § 806.22(f), as applicable.

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 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. During any instream work, the project sponsor shall adhere to an invasive species disinfection protocol to prevent the spread of the invasive algal species, *Didymosphenia geminata*, which is documented as occurring at the project location. Disinfection protocol shall include treatment of all equipment and infrastructure that is placed into and removed from the stream, and all personal gear of any personnel entering the stream at the project location using, at a minimum, one of the following practices:

- a. Thermal treatment shall consist of pressure washing with water that is hotter than 140 degrees Fahrenheit to ensure that the species cannot be spread beyond the project site.
- b. Personal gear or equipment is allowed to dry to the touch plus an additional 48 hours, before coming into contact with another waterbody.

The project sponsor shall submit a disinfection plan for Commission staff review and approval prior to using alternative disinfection protocol other than that described above.

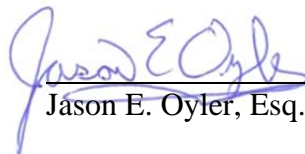
Section 7. Term

26. This approval shall be effective January 1, 2019, and shall remain effective until December 31, 2023. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2023, 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. 20141201 shall remain effective through December 31, 2018, whereupon it shall expire.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018


Jason E. Oyler, Esq.



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20181203

Approval Date: December 6, 2018

BLOOMFIELD BOROUGH WATER AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.055 mgd from Perry Village Well 2,
Interim Combined Withdrawal Limit (30-Day Average) of
0.055 mgd from Perry Village Wells 1 and 2, and
Total System Withdrawal Limit (30-Day Average) of 0.180 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 project described herein in accordance with the conditions set forth below.

The project sponsor supplies water to Centre Township and Bloomfield Borough in Perry County, Pennsylvania. The project sponsor maintains and operates a public water supply system that includes five sources (Wells 1, 2, and 3, and Perry Village Wells 1 and 2 [PV-1 and PV-2]). According to information provided by the project sponsor, no other sources are used by the project.

On June 25, 2018, the project sponsor submitted a groundwater withdrawal application requesting approval to withdraw from PV-2. This approval authorizes the use of PV-2 at the requested withdrawal rate and continues the previously approved total system withdrawal limit for withdrawals from Wells 1, 2, 3, PV-1, and PV-2. This approval also allows for continued operation of PV-1 until Well 3 is brought online and PV-1 is removed from service.

Should demand exceed the total system limit established herein, the project sponsor may request a minor modification in accordance with 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:	Bloomfield Borough Water Authority
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Bloomfield Borough
County:	Perry 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	
Withdrawal Type:	Groundwater
Approved Source:	Perry Village Well 2
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030501 (Sherman 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 18 CFR § 806.12 for groundwater withdrawals be waived. In support of the aquifer testing waiver request for PV-2, the project sponsor provided the required groundwater availability analysis, historical withdrawal and water level data, and the results of a historical aquifer test. Pursuant to Commission Resolution No. 2015-06, the Executive Director approved the waiver of the aquifer testing requirements of 18 CFR § 806.12 on March 28, 2018.

Commission staff found that withdrawals from PV-2 at the recommended withdrawal rate should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below.

During the review of PV-2, Commission staff assessed PV-1, as continued use of PV-1 may be needed until Well 3 is online and supplying the system. Based on the information

provided, staff recommended that PV-1 be authorized for continued use until ninety (90) days following receipt of a PADEP operations permit for Well 3, and that the combined withdrawal from PV-1 and PV-2 not exceed the recommended quantity.

Section 5. 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	
30-Day Average Withdrawal (mgd):	0.055
Maximum Instantaneous Withdrawal Rate (gpm):	45 (Not to Exceed)
Combined Withdrawal Limit* – Perry Village Wells 1 and 2 (30-Day Average) (mgd)	0.055
Total System Withdrawal Limit – Wells 1, 2, and 3, and Perry Village Wells 1 and 2 (30-Day Average) (mgd):	0.180
mgd – million gallons per day gpm – gallons per minute * Interim limit until Perry Village Well 1 is removed from service in accordance with Special Condition 22.	

The withdrawal is 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 table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 1	0.101	19901103	November 8, 2020
Well 2	0.058	20011001	October 11, 2026
Well 3	0.180	20160901	September 7, 2031

Section 7. Grandfathering Determination – Withdrawals and Consumptive Use

The project no longer utilizes surface water withdrawals or groundwater withdrawals that existed prior to November 11, 1995 or July 13, 1978, respectively. With this approval, all sources operated by the system are approved by the Commission.

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

Section 8. 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 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 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.

4. 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.

5. The project sponsor shall keep daily records of the project's withdrawal 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 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 18 CFR § 808.12.

7. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

8. In accordance with 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 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 groundwater 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 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. 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.

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

18. 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.

19. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects 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 9. Special Conditions

20. The project sponsor shall notify the Commission within thirty (30) days of receiving the operations permit for Well 3.

21. The project sponsor shall cease withdrawals from PV-1 and remove PV-1 from the public water supply system within ninety (90) days of receiving the Well 3 operations permit, unless a written request that includes justification to extend the use of PV-1 is provided to the Commission and approved by the Executive Director.

22. Within thirty (30) days of removing PV-1 from the public water supply system, the project sponsor shall provide written notification to the Commission documenting that PV-1 is no longer part of the project sponsor's system.

23. In accordance with Special Condition 19 of Commission Docket No. 20160901, the project sponsor shall comply with the water conservation requirements and reduce system water losses to less than twenty (20) percent to comply with 18 CFR § 806.25(a)(1). The project sponsor's water losses for 2017 were less than twenty (20) percent.

24. The date of the next meter certification for all meters is due no later than October 13, 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.

25. The project sponsor 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 including daily quantities supplied.

Section 10. Term

26. This approval is effective until December 5, 2033. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 5, 2033, 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, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.

SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20181204

Approval Date: December 6, 2018

DENVER BOROUGH

**Groundwater Withdrawals (30-Day Averages) of
0.098 mgd from Well 2 and 0.092 mgd from Well 3, and
Total System Withdrawal Limit (30-Day Average) of 0.310 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 project sponsor maintains and operates a public water supply system within Denver Borough, Lancaster County, Pennsylvania. The public water supply system includes five sources (Wells 1, 2, 3, and 4, and Cocalico Creek) that are all included in the total system limit. Based on information provided by the project sponsor, no other sources are operated by the project.

On January 12, 1989, the Commission approved the combined withdrawal from Wells 2 and 3 of up to 0.275 million gallons per day (mgd). On July 11, 2018, groundwater withdrawal renewal applications were submitted to the Commission requesting approval for withdrawals from Wells 2 and 3. This approval authorizes withdrawals from Wells 2 and 3 at the requested rates, which represents a reduction from the previously approved combined rate, and establishes a total system withdrawal limit for withdrawals from Wells 1, 2, 3, and 4, and Cocalico Creek.

Should demand exceed the total system limit established herein, the project sponsor may request a minor modification in accordance with 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:	Denver Borough
Approval Type:	Groundwater Withdrawal
Past Docket No.:	19890104
Authorized Water Use Purpose:	Public Water Supply
Municipality:	East Cocalico 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 2 and 3
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030609 (Cocalico 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 18 CFR § 806.12 for groundwater withdrawals be waived. In support of the aquifer testing waiver requests for Wells 2 and 3, the project sponsor provided the required groundwater availability analysis, historical withdrawal and water level data, and the results of historical aquifer testing on both wells. Pursuant to Commission Resolution No. 2015-06, the Executive Director approved the waiver of the aquifer testing requirements of 18 CFR § 806.12 on October 19, 2018.

Commission staff determined that the withdrawals from Wells 2 and 3 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, subject to the conditions set forth below.

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 2	Well 3
30-Day Average Withdrawal (mgd):	0.098	0.092
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	250	180
Total System Withdrawal Limit – Wells 1, 2, 3, and 4, and Cocalico Creek (30-Day Average) (mgd):	0.310	
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)	Commission Docket No.	Docket Expiration Date
Well 4	0.430	19960102	January 11, 2021

Existing Approved Surface Water Withdrawals			
Source	Peak Day Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Cocalico Creek	0.302	20180915	May 3, 2043

Section 7. Unapproved Sources

On March 9, 2018, pursuant to Subpart E to 18 CFR Part 806, the project sponsor submitted application for registration of Well 1.

Section 8. 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 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 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.

4. 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.

5. 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 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 18 CFR § 808.12.

7. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

8. In accordance with 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 18 CFR § 806.25.

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

11. 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.

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 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. 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.

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

18. 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.

19. If the Commission determines that the operation of the project's groundwater withdrawals adversely affects 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 9. Special Conditions

20. The date of the last meter certification was November 1, 2017; therefore, the next meter certification is due no later than November 1, 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.

21. The project sponsor 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, including daily quantities supplied.


Section 10. Term

22. This approval shall be effective January 1, 2019, and shall remain effective until December 31, 2033. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2033, 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.

23. Commission Docket No. 19890104 shall remain effective through December 31, 2018, whereupon it shall expire.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20181205

Approval Date: December 6, 2018

EAST COCALICO TOWNSHIP AUTHORITY

**Groundwater Withdrawals (30-Day Averages) of
0.059 mgd from Well 9 and 0.045 mgd from Well 10, and
Total System Withdrawal Limit (30-Day Average) of 1.395 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 project sponsor supplies water to East Cocalico, West Cocalico, and Ephrata Townships in Lancaster County, Pennsylvania. The project sponsor maintains and operates a public water supply system that is authorized to supply water from 14 groundwater wells (Wells 2A, 3A, 4, 5, 6, 7, 8A, 9, 10, 11, 12, 14, F, and M). According to information provided by the project sponsor, no other sources are currently utilized by the project.

On January 12, 1989, the Commission approved the groundwater withdrawal of 0.366 million gallons per day (mgd) from Wells 8, 9, and 10 under Commission Docket No. 19890101. Well 8 was subsequently replaced by Well 8A, which was approved for use on October 9, 2003, under Commission Docket No. 20031007. On June 20, 2018, the project sponsor submitted groundwater withdrawal renewal applications requesting approval to continue to withdraw from Wells 9 and 10. This approval authorizes the use of Wells 9 and 10 at the requested withdrawal rates and continues the total system withdrawal limit for withdrawals from Wells 2A, 3A, 4, 5, 6, 7, 8A, 9, 10, 11, 12, 14, F, and M.

Should demand exceed the total system limit established herein, the project sponsor may request a minor modification in accordance with 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.

The 1999 hydrogeological report for Well 2A recommended that the pumping water level in Well 2A be maintained above 302 feet above mean sea level (AMSL) (298 feet below ground surface [bgs]) to protect water-bearing zones and to prevent impacts to nearby wells. Historical operational records demonstrate that Well 2A and Well 9 are hydraulically connected; therefore, staff finds that water levels in Well 9 should not be drawn down below 302 feet AMSL (288 feet bgs) and recommends that the Well 9 approval be conditioned with a water level restriction prohibiting pumping of Well 9 if water levels in Well 9 are equal to or less than 302 feet AMSL.

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 9	Well 10
30-Day Average Withdrawal (mgd):	0.059	0.045
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	110	111
Total System Withdrawal Limit – Wells 2A, 3A, 4, 5, 6, 7, 8A, 9, 10, 11, 12, 14, F, and M (30-Day Average) (mgd):	1.395	
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 table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 2A (replaced Well 2)	0.576	19990901	September 9, 2024
Well 3A	0.059	20160304	March 9, 2031
Well 4	0.023	20160304	March 9, 2031
Wells 5 and 6	0.073*	20160304	March 9, 2031
Well 7	0.046	20160304	March 9, 2031
Well 8A (replaced Well 8)	0.072	20031007	October 9, 2028
Wells 11 and 12	0.240	19920702	July 9, 2022
Well 14	0.266	19981202	December 3, 2023
Well F	1.150	20070606	June 13, 2022
Well M	1.395	20070606	June 13, 2022
* Value is a combined limit: Well 5 limit is 0.056 mgd and Well 6 limit is 0.022 mgd.			

Section 7. Grandfathering Determination – Withdrawals and Consumptive Use

The project did not utilize surface water withdrawals prior to November 11, 1995. All groundwater withdrawals utilized by the project sponsor have been approved by the Commission.

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

Section 8. 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 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 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.

4. 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.

5. 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 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 18 CFR § 808.12.

7. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

8. In accordance with 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 18 CFR § 806.25.

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

11. The project sponsor shall register with the appropriate agency all groundwater 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 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. 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.

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

18. 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.

19. If the Commission determines that the operation of the project's groundwater withdrawals adversely affects 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 9. Special Conditions

20. The date of the last meter certifications was May 16, 2016; therefore, the next meter certifications for the sources listed in Section 3 are due no later than May 16, 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.

21. To avoid the potential for dewatering significant water-bearing zones in Well 2A and to avoid significant adverse impacts to other users, drawdown in Well 9 shall be limited to 302 feet AMSL. Within ninety (90) days from the date of this approval, the project sponsor shall provide documentation to the Commission that an automatic shutoff switch that ceases withdrawals from Well 9 at the prescribed elevation has been installed.

22. The project sponsor 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, including daily quantities supplied.

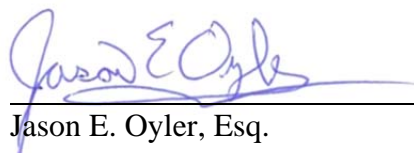
Section 10. Term

23. This approval shall be effective January 1, 2019, and shall remain effective until December 31, 2033. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2033, 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.

24. Commission Docket No. 19890101 shall remain effective through December 31, 2018, whereupon it shall expire.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018


Jason E. Oyler, Esq.



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20181206

Approval Date: December 6, 2018

ECLIPSE RESOURCES–PA, LP

**Surface Water Withdrawal (Peak Day), Variable, of up to 3.000 mgd
from Pine 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.

The proposed project design includes water line transport to a proposed impoundment several miles from the withdrawal location. The inclusion of the water line transport supports the findings that the quantity requested is feasible.

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:	Eclipse Resources–PA, LP
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Gaines 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:	Pine Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020502 (Upper Pine Creek)
Water Use Designation:	Exceptional Value (EV)
Withdrawal Location (degrees):	Lat: 41.749619 N Long: 77.562278 W
Site Flow Statistics (cfs):	Q7-10 = 9.4; Average Daily Flow = 331
Drainage Area (square miles):	233
Aquatic Resource Class*:	4
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 01548500; Pine Creek at Cedar Run, 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	2.000	1,389	81	215
February	2.000	1,389	93	245
March	3.000	2,083	186	488
April	3.000	2,083	129	342

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>
May	2.000	1,389	70	185
June	1.750	1,215	59	158
July	1.331	924	39	105
August	1.331	924	39	105
September	1.203	835	35	95
October	1.570	1,090	46	124
November	1.750	1,215	51	138
December	2.000	1,389	93	245
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. Within sixty (60) days from the date of this approval, the project sponsor shall submit a comprehensive metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals associated with this approval.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering in accordance with 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 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 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 18 CFR § 808.12.

9. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

10. In accordance with 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 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 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 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. The project sponsor shall adhere to recommendations provided by PFBC for avoiding adverse impact to occurrences of a naturally reproducing wild trout population at or in proximity to the project location. The project sponsor shall avoid any instream construction from October 1 through December 31 to avoid potential adverse impact to naturally reproducing wild trout populations at or in proximity to the project location, unless otherwise approved by PFBC in writing and submitted to the Commission, or unless otherwise confirmed and notified in writing by Commission staff that naturally reproducing wild trout are not present.

23. The project sponsor shall adhere to the recommendations provided by PFBC for avoiding adverse impact to documented occurrences of the Eastern hellbender (*Cryptobranchus alleganiensis*). The project sponsor shall avoid instream construction, maintenance, and modification of the intake from August 1 through November 30 to avoid the breeding and egg incubation periods, unless otherwise approved by PFBC, in writing, and submitted to the Commission.

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 or received approval pursuant to 18 CFR § 806.22(f), as applicable.

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 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. During any instream work, the project sponsor shall adhere to an invasive species disinfection protocol to prevent the spread of the invasive algal species, *Didymosphenia geminata*, which is documented as occurring at the project location. Disinfection protocol shall include treatment of all equipment and infrastructure that is placed into and removed from the stream, and all personal gear of any personnel entering the stream at the project location using, at a minimum, one of the following practices:

- a. Thermal treatment shall consist of pressure washing with water that is hotter than 140 degrees Fahrenheit to ensure that the species cannot be spread beyond the project site.

- b. Personal gear or equipment is allowed to dry to the touch plus an additional 48 hours, before coming into contact with another waterbody.

The project sponsor shall submit a disinfection plan for Commission staff review and approval prior to using alternative disinfection protocol other than that described above.

28. Prior to operation of the withdrawal, the Commission shall complete an Aquatic Resource Survey at the withdrawal location.


Section 7. Term

29. 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 18 CFR § 806.31(b).

30. This approval is effective until December 5, 2023. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 5, 2023, 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, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20030811-2

Approval Date: August 14, 2003

Modification Date: March 29, 2005

Modification Date: December 6, 2018

MASONIC VILLAGE AT ELIZABETHTOWN

Groundwater Withdrawals (30-Day Averages) of 0.259 mgd from Well EM-500, 0.259 mgd from Well EM-600, and 0.259 mgd from Well EM-700; Total System Withdrawal Limit (30-Day Average) of 0.400 mgd; and Consumptive Use (30-Day Average) of 0.230 mgd from Wells EM-500, EM-600, and EM-700 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 of Commission Docket No. 20030811 that was approved August 14, 2003, and modified March 29, 2005, as Commission Docket No. 20030811-1. The project sponsor has requested an increase to the consumptive use quantity. Commission staff recommended the project sponsor's request for modification be approved.

The project maintains existing groundwater withdrawals from Wells EM-500, EM-600, and EM-700, all of which are incorporated into the total system limit, approved August 14, 2003, as Commission Docket No. 20030811. The project also maintains an existing connection with the Elizabethtown Area Water Authority public water supply, used primarily for emergency backup supply. The project sponsor has not requested changes to withdrawal quantities for any water sources as part of this modification. The withdrawal quantities identified in the existing approval will remain effective.

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:	Masonic Village at Elizabethtown
Approval Types:	Groundwater Withdrawal and Consumptive Use
Original Docket Nos.:	20030811 and 20030811-1
Authorized Water Use Purpose:	Institutional Water Use and Related Incidental Uses
Municipality:	West Donegal Township
County:	Lancaster 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:	<ol style="list-style-type: none"> 1. Well EM-500 2. Well EM-600 3. Well EM-700 4. Public Water Supply – Elizabethtown Area Water Authority
30-Day Average Consumptive Use Amount (mgd):	0.230 (Not to Exceed)
Authorized Project Consumptive Uses:	<ol style="list-style-type: none"> 1. Institutional water use 2. Irrigation 3. Boiler feed makeup 4. Evaporative cooling 5. Laundry 6. 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. 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
Well EM-500	0.259	20030811	August 14, 2028
Well EM-600	0.259	20030811	August 14, 2028
Well EM-700	0.259	20030811	August 14, 2028
Total System Limit	0.400	20030811	August 14, 2028

Section 5. Grandfathering Determination

All withdrawals and consumptive use have been approved by the Commission.

Section 6. 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 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 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 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.

4. The project sponsor shall keep daily records of the project’s withdrawals, consumptive use, and weekly groundwater elevations for the sources listed in Sections 3 and 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. Any alternative measuring, monitoring, or accounting procedure shall be submitted for review and approval by Commission staff in accordance with 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 18 CFR § 806.22(b). For the purposes of this project, 0.009 mgd was determined to be the project's pre-1971 consumptive use and is considered to not be 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.

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 18 CFR § 808.12.

7. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

8. In accordance with 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 18 CFR § 806.25.

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

11. The project sponsor shall register with the appropriate agency all groundwater 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 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. 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.

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 18 CFR § 806.32.

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

16. 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.

17. 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.

Section 7. Special Conditions

18. Decision Items "a," "b," "c," "e," "g," "h," "i," "j," "k," and "m" of Commission Docket No. 20030811 are hereby rescinded.

19. All other limitations and conditions in Commission Docket No. 20030811 not inconsistent herewith shall remain effective.

20. Commission Docket No. 20030811-1 is hereby superseded.

21. The date of the last meter certification was October 9, 2017; therefore, the next meter certification is due no later than October 9, 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.

22. 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 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 8. Term

23. This modified approval shall be effective January 1, 2019. The term of Commission Docket Nos. 20030811 and 20030811-2 shall remain effective until August 14, 2028. As

specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before February 14, 2028, 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, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



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Docket No. 20181207

Approval Date: December 6, 2018

REPSOL OIL & GAS USA, LLC

**Surface Water Withdrawal (Peak Day), Variable, of up to 0.750 mgd
from Seeley 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. 20141212 that was approved December 5, 2014, with special flow protection requirements. The project sponsor did not request 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:	Repsol Oil & Gas USA, LLC
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20141212
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Wells 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:	Seeley Creek
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010505 (Middle Chemung River)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.990960 N Long: 76.902630 W
Site Flow Statistics (cfs):	Q7-10 = 0.22; Average Daily Flow = 28.2
Wild Trout Classification:	Naturally Reproducing Wild Trout
Drainage Area (square miles):	26.6
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 01516500; Corey Creek near Mainesburg, 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	0.576	400	8.0	4.1
February	0.576	400	8.1	4.2
March	0.750	521	21	11

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>
April	0.750	521	21	11
May	0.750	521	10	5.4
June	0.252	175	3.5	1.8
July	0.144	100	2.0	1.1
August	0.144	100	2.0	1.1
September	0.144	100	2.0	1.1
October	0.144	100	2.0	1.1
November	0.432	300	6.0	3.1
December	0.750	521	10	5.4
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 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 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.

4. 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 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

5. 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 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. 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.

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 18 CFR § 808.12.

8. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

9. In accordance with 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 18 CFR § 806.25.

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

12. 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.

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 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 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. 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

19. Effective January 1, 2019, 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.

20. 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.

21. The date of the last meter certification was December 18, 2014; therefore, the next meter certification is due no later than December 18, 2019. 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.

22. The project is fully constructed and no changes are proposed. However, if intake changes are proposed or maintenance requires instream work, the project sponsor shall adhere to recommendations provided by PFBC for avoiding adverse impact to documented occurrences of a naturally reproducing wild trout population at or in proximity to the project location. The project sponsor shall avoid modification of the intake or any other instream construction from

October 1 through December 31, unless otherwise approved by PFBC, in writing, and submitted to the Commission.

23. Except as authorized pursuant to Special Condition 25, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered or received approval pursuant to 18 CFR § 806.22(f), as applicable.

24. 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 25, including daily quantities supplied.

25. 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 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.

26. 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

27. This approval shall be effective January 1, 2019, and shall remain effective until December 31, 2023. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2023, 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.

28. Commission Docket No. 20141212 shall remain effective through December 31, 2018, whereupon it shall expire.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



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Docket No. 20181208

Approval Date: December 6, 2018

REPSOL OIL & GAS USA, LLC

**Surface Water Withdrawal (Peak Day) of up to 1.500 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. 20141213 that was approved December 5, 2014, with a peak day withdrawal rate of 1.500 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:	Repsol Oil & Gas USA, LLC
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20141213
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Stevens 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: 41.763401 N Long: 76.154528 W
Site Flow Statistics (cfs):	Q7-10 = 7.7; Average Daily Flow = 250
Impairment:	Pathogens
Drainage Area (square miles):	176
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):	1.500 (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	67	157
February	79	184
March	--	--
April	--	--
May	98	226
June	42	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	24	60
August	17	45
September	17	44
October	23	59
November	47	111
December	81	187
1 cfs = 448.8 gallons per minute (gpm)		USGS – U.S. Geological Survey
* Flow Protection Threshold		-- – No special flow protection required

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 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 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.

4. 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 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

5. 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 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. 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.

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 18 CFR § 808.12.

8. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

9. In accordance with 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 18 CFR § 806.25.

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

12. 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.

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 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 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. 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

19. Effective January 1, 2019, 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.

20. 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.

21. The date of the last meter certification was November 8, 2017; therefore, the next meter certification is due no later than November 8, 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.

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 or received approval pursuant to 18 CFR § 806.22(f), as applicable.

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 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. This approval shall be effective January 1, 2019, and shall remain effective until December 31, 2023. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2023, 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. 20141213 shall remain effective through December 31, 2018, whereupon it shall expire.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20181209

Approval Date: December 6, 2018

SCHUYLKILL ENERGY RESOURCES, INC.

**Groundwater Withdrawal (30-Day Average) of 5.000 mgd
from the Maple Hill Mine Shaft (Maple Hill Mine Pool), and
Consumptive Use (Peak Day) of up to 2.550 mgd
from the Maple Hill Mine Shaft 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 the renewal of the project described herein in accordance with the conditions set forth below.

On January 8, 1987, the Commission approved a combined groundwater withdrawal (shared with Reading Anthracite Company) from the underground mine pool of up to 7.200 million gallons per day (mgd) and a consumptive use of up to 2.020 mgd under Commission Docket No. 19870101. On July 8, 2016, the project sponsor submitted groundwater and consumptive use renewal applications requesting approval to withdraw up to 5.000 mgd (30-day average) from the Maple Hill Mine Shaft (Maple Hill Mine Pool) and consumptively use up to 2.550 mgd (peak day). The project sponsor has not requested or indicated any changes in the facility operations. The project will utilize the Maple Hill Mine Shaft and the public water supply to meet its consumptive use demand. According to information provided by the project sponsor, no other sources are operated by the project. This approval authorizes the project sponsor to withdraw and consumptively use water from the Maple Hill Mine Shaft (Maple Hill Mine Pool) at the requested rates and use the public water supply as a source for consumptive use.

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:	Schuylkill Energy Resources, Inc.
Approval Types:	Groundwater Withdrawal and Consumptive Use
Past Docket Nos.:	19870101, 19870101-1, and 19870101-2
Authorized Water Use Purpose:	Electric Power Generation and Related Incidental Uses
Municipality:	Mahanoy Township
County:	Schuylkill 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	
Withdrawal Type:	Groundwater
Approved Source:	Maple Hill Mine Shaft (Maple Hill Mine Pool)
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030105 (Mahanoy Creek)
Withdrawal Location (degrees):	Lat: 40.813834 N Long: 76.175399 W
Special Flow Protection Required:	No

Section 4. Aquifer Testing

The project sponsor requested that the constant-rate aquifer testing required by 18 CFR § 806.12 for groundwater withdrawals be waived. In support of the aquifer testing waiver request, the project sponsor provided the required groundwater availability analysis, historic withdrawal data, and historic water level data. Pursuant to Commission Resolution No. 2015-06, the Executive Director approved the waiver of the aquifer testing requirements of 18 CFR § 806.12 on November 16, 2018.

Commission staff found that the withdrawal from the Maple Hill Mine Shaft (Maple Hill Mine Pool) at the requested withdrawal rate should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin.

Section 5. 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	
30-Day Average Withdrawal (mgd):	5.000
Maximum Instantaneous Withdrawal Rate (gpm):	3,500 (Not to Exceed)
Peak Day Withdrawal (mgd):	5.040
gpm – gallons per minute	

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

Section 6. 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:	<ol style="list-style-type: none"> 1. Maple Hill Mine Shaft (Maple Hill Mine Pool) 2. Mahanoy Township Authority
Peak Day Consumptive Use Amount (mgd):	2.550 (Not to Exceed)
Authorized Project Consumptive Uses:	<ol style="list-style-type: none"> 1. Electric power generation 2. Ash conditioning 3. Dust suppression 4. 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 7. Grandfathering Determination – Withdrawals and Consumptive Use

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

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

Section 8. 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 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 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 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.

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

5. The project sponsor shall keep daily records of the project's withdrawal, consumptive use, and groundwater elevations for the source listed in Section 3, 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 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's consumptive use is subject to mitigation requirements, as per 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.

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 18 CFR § 808.12.

8. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

9. In accordance with 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 18 CFR § 806.25.

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

12. The project sponsor shall register with the appropriate agency all 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 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 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. 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 Sections 3 or 6.

19. 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.

20. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects 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 9. Special Conditions

21. The date of the last meter certification was May 2, 2018; therefore, the next meter certifications are due no later than May 2, 2023. 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.

22. Prior to supplying water for any use not authorized pursuant to Sections 2 or 6 of this approval, the project sponsor shall first submit a request for minor modification under 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 10. Term

23. This approval shall be effective January 1, 2019, and shall remain effective until December 31, 2033. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2033, 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.

24. Commission Docket Nos. 19870101, 19870101-1, and 19870101-2 shall remain effective through December 31, 2018, whereupon they shall expire.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



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Docket No. 20181210

Approval Date: December 6, 2018

SWEPI LP

Surface Water Withdrawal (Peak Day) of up to 0.533 mgd from the Cowanesque 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. 20141211 that was approved December 5, 2014, with a peak day withdrawal rate of 0.533 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:	SWEPI LP
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20141211
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Nelson 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:	Cowanesque River
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010408 (Cowanesque River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.989936 N Long: 77.283047 W
Site Flow Statistics (cfs):	Q7-10 = 3.3; Average Daily Flow = 303
Drainage Area (square miles):	246
Aquatic Resource Class*:	4
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):	0.533 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	370 (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 01518862; Cowanesque River at Westfield, 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	27	11
July	12	4.9

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	7.6	3.2
September	8.2	3.4
October	15	6.0
November	30	12
December	--	--
1 cfs = 448.8 gallons per minute (gpm)		USGS – U.S. Geological Survey
* Flow Protection Threshold		-- – No special flow protection required

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 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 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.

4. 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 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

5. 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 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. 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.

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 18 CFR § 808.12.

8. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

9. In accordance with 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 18 CFR § 806.25.

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

12. 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.

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 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 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. 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

19. Effective January 1, 2019, 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.

20. 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.

21. The date of the last meter certification was October 12, 2018; therefore, the next meter certification is due no later than October 12, 2023. 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.

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 or received approval pursuant to 18 CFR § 806.22(f), as applicable.

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 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. This approval shall be effective January 1, 2019, and shall remain effective until December 31, 2023. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2023, 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. 20141211 shall remain effective through December 31, 2018, whereupon it shall expire.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

Docket No. 20181211

Approval Date: December 6, 2018

TENASKA RESOURCES, LLC

Surface Water Withdrawal (Peak Day) of up to 0.400 mgd from the Cowanesque 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. 20141214 that was approved December 5, 2014, with special flow protection requirements. The project sponsor did not request 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:	Tenaska Resources, LLC
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20141214
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Westfield 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:	Cowanesque River
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010408 (Cowanesque River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.916805 N Long: 77.556800 W
Site Flow Statistics (cfs):	Q7-10 = 1.0; Average Daily Flow = 92.8
Drainage Area (square miles):	75.3
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):	0.400 (Not to Exceed, 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 01518862; Cowanesque River at Westfield, 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	0.400	1,040	21	26
February	0.400	1,040	26	32
March	0.400	1,040	59	72
April	0.400	1,040	63	76
May	0.400	1,040	24	30
June	0.400	1,040	9.2	12

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>
July	0.400	300	4.5	5.6
August	0.400	300	2.8	3.5
September	0.400	300	2.7	3.4
October	0.400	300	5.2	6.4
November	0.400	1,040	12	15
December	0.400	1,040	30	37
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 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 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.

4. 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 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

5. 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 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. 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.

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 18 CFR § 808.12.

8. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

9. In accordance with 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 18 CFR § 806.25.

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

12. 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.

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 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 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. 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

19. Effective January 1, 2019, 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.

20. 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.

21. The date of the last meter certification was November 6, 2018; therefore, the next meter certification is due no later than November 6, 2023. 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.

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 or received approval pursuant to 18 CFR § 806.22(f), as applicable.

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 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. This approval shall be effective January 1, 2019, and shall remain effective until December 31, 2023. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2023, 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. 20141214 shall remain effective through December 31, 2018, whereupon it shall expire.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20020605-1

Approval Date: June 12, 2002

Modification Date: December 6, 2018

FOX HILL COUNTRY CLUB

Consumptive Use (Peak Day) of up to 0.500 mgd, for Golf Course Irrigation,
Exeter Borough, Luzerne County, Pennsylvania

Review Authority

This project is subject to review pursuant to Article 3, Section 3.10 of the Susquehanna River Basin Compact (Compact), P.L. 91-575, and Susquehanna River Basin Commission (Commission) Regulations §803.4, relating to projects requiring review and approval, and §803.42, relating to the consumptive use of water.

Description

Purpose. The Commission originally approved the project for the consumptive use of water for irrigation of greens, tees, and fairways at an existing 18-hole golf course on June 12, 2002, under Commission Docket No. 20020605 (Docket). The Docket also identified withdrawal quantities for the Halfway House Well considered to be grandfathered at that time.

On January 24, 2018, the project sponsor submitted a grandfathered water use registration form (Form) in accordance with 18 CFR Part 806, Subpart E. Based on the review of the Form, available data, and in accordance with 18 CFR § 806.44, the Executive Director has determined the grandfathered quantity for withdrawals from the Halfway House Well. This determination supersedes the grandfathered quantity listed in the Docket; therefore, the Commission initiated this corrective modification to remove the previously considered grandfathered quantity.

Location. The project is located in the Middle Susquehanna Subbasin, HUC 02050107, Exeter Borough, Luzerne County, Pennsylvania.

Project Features. The project sponsor has requested approval for the consumptive use of water of up to 0.500 million gallons of water per day (mgd). Commission staff calculates that the project has a maximum average 30-day consumptive use of water of 0.101 mgd and a peak day consumptive use of 0.455 mgd.

The project sponsor currently has one pumping station that is used to irrigate the golf course. Water for irrigation is supplied from one existing on-site well. The well, referred to as the Halfway House Well, was drilled in 1975 to a total depth of 150 feet. This well draws water

from two mine pools. In 1988, a submersible pump with a rated capacity of 275 gallons per minute (gpm) at 380 feet total dynamic head was installed to replace a 225 gpm pump. No surface-water bodies are located on the golf course.

The golf course was constructed in 1922 and has been in continuous operation since that time. The irrigation of the greens and tees began in 1967. A new automated irrigation system for greens, tees, and fairways was installed in 1993.

Findings

The project's irrigation water use is subject to the Commission's consumptive use approval and reporting requirements as per Commission Regulation §803.42.

All water used for golf course irrigation is considered to be used consumptively. The irrigation system is equipped with a meter (installed in 2001) that measures the quantity of water pumped through the system.

The project sponsor has agreed to a pre-1971 consumptive use of 25,000 gallons per day (gpd) for the project, as calculated by Commission staff. For purposes of this docket, this quantity of water is exempt from water compensation requirements.

The project sponsor has requested a consumptive use approval of up to 0.500 mgd. Based on an analysis of irrigation records supplied by the project sponsor, Commission staff is recommending approval of the requested amount, which represents an increase of approximately 9 percent above the current peak day use of 0.455 mgd. This will allow for an anticipated increase in water usage over the 25-year duration of this approval. Should the project's future consumptive use exceed or be expected to exceed 0.500 mgd, the project sponsor must apply for a modification to this docket at that time.

The project's consumptive use of water in excess of the grandfathered quantity is subject to water compensation requirements, as per Commission Regulation §803.42. To satisfy these requirements, the project sponsor proposes to make quarterly payments to the Commission in-lieu-of providing actual compensation water. The payment will be based on the quantity of water used for irrigation minus the pre-1971 consumptive use of 25,000 gpd. If the pre-1971 consumptive use quantity exceeds the project's daily consumptive use, that day's consumptive use is considered to be zero.

The project is subject to water conservation requirements, as per Commission Regulation §804.20(b).

The project sponsor has paid the appropriate application fee in accordance with Commission Regulation §803.28 and in accordance with Commission Resolution 98-19, as amended by Commission Resolution 2000-06. The project sponsor has provided all proofs of notification as required by Commission Regulation §803.25.

The project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin.

Compliance Incentive Program

Commission staff has determined that the project sponsor is eligible to participate in the Commission's Compliance Incentive Program (CIP). Therefore, the project sponsor would not be subject to penalties for water consumed in violation of Commission Regulation §803.42 prior to January 1, 2001. In accordance with the CIP, payment to the Commission as a method of compensation for the project's consumptive use shall be effective and applicable to all consumptive water used by the project beginning January 1, 2001.

Decision

The project's consumptive use of up to 0.500 mgd is approved pursuant to Article 3, Section 3.10 of the Compact subject to the following conditions:

a. The project sponsor shall comply with all Commission regulations, including consumptive use reporting requirements as per Commission Regulation §803.42.

b. The project sponsor shall keep daily records of the project's consumptive use, and shall provide the results to the Commission quarterly, and as otherwise required. The daily quantity of water consumptively used shall be the quantity pumped to the irrigation system. The project sponsor shall maintain metering on the irrigation system, accurate to within five percent.

c. Within 60 days of the date of this approval, the project sponsor shall install and maintain metering on the Halfway House Well, accurate to within five percent, to measure total ground-water withdrawals. The project sponsor shall keep daily records of the project's ground-water withdrawal, and shall provide the results to the Commission quarterly, and as otherwise required. The project sponsor may propose alternative monitoring to the Commission for staff review and approval.

d. To satisfy the Commission's current compensation requirements for consumptive use set forth in Commission Regulation §803.42, the project sponsor shall make quarterly payments to the Commission based on the rate of \$0.14 per 1,000 gallons of water consumptively used by the project in excess of the pre-1971 quantity. The daily quantity of water consumptively used shall be the quantity pumped to the irrigation system. Payment amounts shall be calculated by applying this rate to the daily amount of water used consumptively by the project, less the pre-1971 consumptive use quantity of 25,000 gpd, during the preceding calendar quarter. If the daily grandfathered amount exceeds the project's daily consumptive use, that day's consumptive use is considered to be zero. Quarterly payments are due and payable within 30 days after the close of the preceding quarter. The rate of payment, after appropriate notice to all consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

e. The project sponsor shall comply with Commission water conservation requirements, as per Commission Regulation §804.20(b).

f. The project sponsor is eligible to participate in the Commission's Compliance Incentive Program. Therefore, the project sponsor is not subject to penalties for its prior noncompliance. In accordance with the CIP, payment to the Commission as a method of compensation for the project's consumptive use shall be effective and applicable to all water consumptively used by the project beginning January 1, 2001. The project sponsor shall provide records of its consumptive use and make a payment to the Commission based on the rate of \$0.14 per 1,000 gallons of water consumptively used, above the pre-1971 quantity of 25,000 gpd, during the period from January 1, 2001 until the effective date of this approval. This payment shall be included in the first quarterly payment made by the project sponsor in accordance with the requirements of condition (d) above.

g. Commission approval shall not be construed to exempt the project sponsor from obtaining 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 reserves the right to modify, suspend or revoke this action if the project sponsor fails to obtain or maintain such approvals.

h. If the project sponsor fails to comply with any term or condition of this docket, the Commission may suspend, modify or revoke its approval of same. Upon written notice by the Commission, the project sponsor shall have thirty (30) days to correct such noncompliance, unless an alternate period is specified in the notice. Failure to comply within thirty (30) days, or within the alternate period identified in the notice, shall result in a ninety (90) day suspension of approval of this docket. If the project sponsor fails to address the noncompliance to the satisfaction of the Commission within the suspension period, this approval may be revoked. Nothing herein shall preclude the Commission from exercising its authority to immediately modify, suspend or revoke this approval where it determines exigent circumstances warrant such action.

i. The Commission reserves the right to reopen any project docket and make additional orders that may be necessary to mitigate or avoid adverse impacts or otherwise to protect the public health, safety, welfare or the environment.

j. 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.

k. This approval is effective until June 12, 2027. The project sponsor shall submit a renewal application by December 12, 2026 and obtain Commission approval prior to continuing operation beyond June 12, 2027.


l. If the project is discontinued for such a period of time and under such circumstances that an abandonment of the project may reasonably be inferred, the Commission may rescind the

approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

m. Commission Docket No. 20020605 is hereby superseded.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20050902-1

Approval Date: September 14, 2005

Modification Date: December 6, 2018

NORWICH PHARMACEUTICALS, INC. NORWICH FACILITY, NEW YORK

Consumptive Use (Peak Day) of up to 0.095 mgd,
for the Manufacturing of Pharmaceuticals,
Town of North Norwich, Chenango County, New York

Review Authority

This project is subject to review pursuant to Article 3, Section 3.10, of the Susquehanna River Basin Compact (Compact), P.L. 91-575, 84 Stat. 1509 et seq., and Susquehanna River Basin Commission (Commission) Regulations §803.4, relating to projects requiring review and approval, and §803.42, relating to the consumptive use of water.

Description

Purpose. The Commission originally approved the project sponsor for the consumptive use of water at their Norwich facility associated with the manufacturing and packaging of pharmaceuticals on September 14, 2005, under Commission Docket No. 20050902 (Docket). The Docket also identified withdrawal quantities for Wells 1 and 2 considered to be grandfathered at that time.

On January 10, 2018, the project sponsor submitted a grandfathered water use registration form (Form) in accordance with 18 CFR Part 806, Subpart E. Based on the review of the Form, available data, and in accordance with 18 CFR § 806.44, the Executive Director has determined the grandfathered quantities for withdrawals from Wells 1 and 2. This determination supersedes the grandfathered quantities listed in the Docket; therefore, the Commission initiated this corrective modification to remove the previously considered grandfathered quantities.

Location. The project is located in the Upper Susquehanna Subbasin, HUC 02050102, Chenango River Watershed, Town of North Norwich, Chenango County, New York.

Project Features. The project sponsor has requested approval for the consumptive use of water up to 0.095 million gallons per day (mgd). Consumptive use at the facility is the result of water incorporated into product, and evaporated from wastewater treatment ponds and two cooling towers used for process cooling. Based on metered water use data for the years 2001

through 2003, the project sponsor calculates the project's maximum average 30-day consumptive use to be 0.020 mgd, and current peak-day consumptive use to be 0.073 mgd.

The Norwich facility is located on NYS Route 12, approximately four miles north of the Town of North Norwich. The property is bordered by the Chenango River. Production of pharmaceuticals at the facility began in 1976, under the ownership of Proctor & Gamble. The project sponsor purchased the facility in July 2001.

Production water for the facility is supplied by two wells, Wells 1 and 2, that are located approximately 250 feet to the west of the Chenango River. The wells are drilled to total depths of 60.6 and 62 feet below ground surface (bgs), respectively, and finished in glacial outwash. Wells 1 and 2 have pump capacities of 300 and 400 gallons per minute (gpm), respectively. The wells have been in operation since 1976, prior to the effective date of Commission Regulation §803.43, relating to the withdrawal of groundwater.

Withdrawals from these wells are separately metered. To meet the current needs of the facility, the wells are used alternately and have a maximum daily withdrawal of 177,300 gallons per day (gpd) and a maximum average (30-day) withdrawal of 127,000 gpd. A third well, Well 3R, was installed in 1994 and is used at the wastewater treatment plant. Well 3R is metered and has an estimated yield of five gpm.

In the plant, water for the pharmaceutical manufacturing process is stored in one of two 8,000-gallon capacity storage tanks. All wastewater generated at the facility is directed to the on-site wastewater treatment plant. Wastewater is discharged to three lined ponds (Ponds 1, 2, and 3) that are connected in series. Ponds 1 and 2 are approximately 1.25 acres (each) and Pond 3 is approximately 0.8 acre. Treated wastewater from Pond 3 is metered and flows into the Chenango River. A fourth pond is available for the emergency storage of the wastewater but remains dry until needed. There are no meters associated with flow into or out of Pond 4.

A fifth pond, having a capacity of 500,000 gallons, stores water for fire flow, exclusively. In addition to this pond, the project sponsor also utilizes a 500,000-gallon storage tank for fire flow storage that occasionally requires additional water to maintain full capacity.

Findings

The project is subject to Commission approval and reporting requirements, as per Commission Regulation §803.42.

All water incorporated into products and evaporated by the facility is considered to be consumptively used. The facility has two cooling towers and three water storage ponds, with a total surface area of 3.30 acres. Commission staff recommends that the project's total daily consumptive use be calculated as the difference between the metered water entering the plant and metered wastewater discharged from the plant.

Commission staff recommends that the project sponsor record both the total metered withdrawal from Wells 1 and 2 and outflow from Pond 3 on a daily basis to determine the project's daily consumptive use. All measurements should be recorded at approximately the same time each day.

The project sponsor reports that water may periodically be pumped to Pond 5 and the 500,000-gallon storage tank for fire protection storage. Commission staff recommends that a meter be installed to quantify the daily water diverted for fire protection and that this quantity be removed from the consumptive use calculation when appropriate.

Should the proposed accounting procedure utilizing daily metered inflow minus daily measured outflow consistently result in negative values, or otherwise not accurately measure the consumptive use, the Commission reserves the right to modify the metering, monitoring, and accounting procedures. Commission staff will provide the project sponsor with written notice of any required change in the metering, monitoring, and accounting procedures. Any alternative monitoring or accounting procedure requested by the project sponsor will be reviewed and approved by Commission staff.

The project sponsor has requested a consumptive use approval of up to 0.095 mgd. Based on an analysis of data provided by the project sponsor, Commission staff is recommending approval of the requested amount, which represents an increase of approximately 30 percent over current peak-day use of 0.073 mgd. Should the project's future consumptive use exceed or be expected to exceed 0.095 mgd, the project sponsor must apply for a modification to this docket at that time.

The project's consumptive use of water is subject to water compensation requirements, as per Commission Regulation §803.42. To satisfy these requirements, the project sponsor proposes to make quarterly payments to the Commission in lieu of providing actual compensation water.

The project is subject to the Commission's water conservation requirements, as per Commission Regulation §804.20(b).

The project sponsor has paid the appropriate application fee in accordance with Commission Regulation §803.28, and in accordance with Commission Resolution 98-19, as amended by Commission Resolution 2000-06. The project sponsor has provided all proofs of notification as called for in Commission Regulation §803.25.

The project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin.

Compliance Incentive Program

Commission staff has determined that the project sponsor is eligible to participate in the Commission's Compliance Incentive Program (CIP). Therefore, the project sponsor would not be subject to penalties for water consumed in violation of Commission Regulation §803.42 prior to January 1, 2001. In accordance with the CIP, payment to the Commission as a method of compensation for the project's consumptive use shall be effective and applicable to all consumptive water used by the project beginning January 1, 2001.

Decision

1. The project's consumptive use of up to 0.095 mgd is approved pursuant to Article 3, Section 3.10, of the Compact.
2. The foregoing findings are hereby adopted and shall be incorporated into and made a part of this decision.
3. The project sponsor shall comply with all Commission regulations, including consumptive use reporting requirements, as per Commission Regulation §803.42.
4. 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. Quarterly monitoring reports are due within thirty (30) days after the close of the preceding quarter. The daily quantity of water consumptively used shall be the quantity incorporated into products and evaporated by the facility's ponds and cooling towers, which is equal to the total metered groundwater withdrawal minus the metered wastewater discharged from Pond 3 to the Chenango River. The project sponsor shall maintain metering on Wells 1 and 2 and its wastewater discharge, accurate to within five (5) percent. The Commission reserves the right to inspect all measurement equipment and audit all measurement records.
5. To satisfy the Commission's current compensation requirements for consumptive use set forth in Commission Regulation §803.42, the project sponsor shall make quarterly payments to the Commission based on the rate of \$0.14 per 1,000 gallons of water consumptively used by the project. Payment amounts shall be calculated by applying this rate to the daily amount of water used consumptively by the project. Payments shall be made quarterly and shall be calculated by applying this rate to the daily 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. The project sponsor may install and maintain metering on flow from Wells 1 and 2 that is directed to storage for fire protection, accurate to within five (5) percent, and that this daily quantity be removed from the consumptive use calculation when appropriate. The project

sponsor shall notify the Commission, in writing, when the meter is installed. Commission staff shall review and approve the changes in the method of calculation of consumptive use.

7. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation §804.20(b).

8. The project sponsor is eligible to participate in the Commission's CIP. Therefore, the project sponsor is not subject to penalties for its prior noncompliance. In accordance with the CIP, payment to the Commission as a method of compensation for the project's consumptive use shall be effective and applicable to all water consumptively used by the project beginning January 1, 2001. The project sponsor shall provide records of its consumptive use and make a payment to the Commission based on the rate of \$0.14 per 1,000 gallons of water consumptively used during the period from January 1, 2001, until the effective date of this approval. This payment shall be calculated and included in the first quarterly payment made by the project sponsor in accordance with the requirements of Condition 5 above.

9. Commission approval shall not be construed to exempt the project sponsor from obtaining 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 reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

10. The Commission reserves the right to inspect or investigate the project facility, and the project sponsor shall allow authorized employees or agents of the Commission, without advance notice or a search warrant, 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. Such employees or agents shall be authorized to conduct tests or sampling; to take photographs; to perform measurements, surveys, and other tests; to inspect the methods of construction, operation, or maintenance; to inspect all measurement equipment; to audit, examine, and copy books, papers, and records pertinent to any matter under investigation; and to take any other action necessary to assure that the project is constructed, operated, or maintained in accordance with the terms and conditions of this approval or any other rule, regulation, or order of the Commission.

11. If the project sponsor fails to comply with the provisions of the Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the Commission may suspend, modify, or revoke its approval of same, and may impose appropriate penalties. Upon written notice by the Commission, the project sponsor shall have thirty (30) days to correct such noncompliance, unless an alternate period is specified in the notice. Nothing herein shall preclude the Commission from exercising its authority to immediately modify, suspend, or revoke this approval where it determines exigent circumstances warrant such action, or from imposing penalties, regardless of the period of noncompliance.

12. The Commission reserves the right to reopen any project docket 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.

13. 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.


14. This approval is effective until September 14, 2030. The project sponsor shall submit a renewal application by March 14, 2030, and obtain Commission approval prior to continuing operation beyond September 14, 2030.

15. If the project is discontinued for such a period of time, and under such circumstances that an abandonment of the project may reasonably be inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

16. Commission Docket No. 20050902 is hereby superseded.

CERTIFICATION: I, Jason E. Oyler, Acting Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 6, 2018.

Dated: December 7, 2018



Jason E. Oyler, Esq.