



SUSQUEHANNA RIVER
BASIN COMMISSION

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

NY ■ PA ■ MD ■ USA

July 6, 2018

TO ALL CONCERNED:

At the June 15, 2018, Commission meeting, the draft minutes of the March 8, 2018, Commission meeting were approved as written. Please attach this notice to your copy of the March 8, 2018, minutes.

- DRAFT -

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

**MINUTES OF THE
SUSQUEHANNA RIVER BASIN COMMISSION
June 15, 2018
#2018-02**

The meeting was held at the Crown Plaza Downtown Inner-Harbor, Baltimore, Maryland. Chairman Chamberlayne called the meeting to order at 9:00 a.m.

ROLL CALL

Commissioners Present

Mr. Timothy Schaeffer, Acting Deputy Secretary, Office of Water Programs, Pennsylvania Dept. of Environmental Protection (PADEP)
Ms. Virginia Kearney, Deputy Director, Water Management Administration, Maryland Dept. of the Environment (MDE)
Col. Edward Chamberlayne, District Engineer, U.S. Army Corps of Engineers (USACE), Baltimore District
Mr. Paul J. D'Amato, Region 8 Director, New York State Dept. of Environmental Conservation (NYSDEC)

Alternate Commissioners Present

Ms. Jennifer Orr, Director, Compact and Commissions Office, PADEP
Mr. Saeid Kasraei, Program Administrator, Water Supply Program, MDE
Ms. Amy Guise, Planning Division Chief, USACE, Baltimore District

Staff Present

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

Ms. Paula B. Ballaron, Manager, Policy Implementation & Outreach
Mr. Todd D. Eaby, Manager, Project Review
Mr. Brydon Lidle, Manager, Information Technology
Mr. Eric Roof, Manager, Compliance & Enforcement
Mr. Jamie Shallenberger, Manager, Monitoring & Protection
Mr. Wesley Reitz, Hydrologist, Project Review
Mr. Josh Brengel, Environmental Scientist, Monitoring & Protection
Mr. Curtis Sebastian, Intern

Also Present

Mr. Curtis Schreffler, U. S. Geological Survey
Ms. Heather Cisar, USACE, Baltimore District

Ms. Valerie Cappola, USACE, North Atlantic
Division

1. Opening Remarks from the Chair

Chairman Chamberlayne opened the meeting by outlining the rules of conduct for the meeting. He noted that a public hearing was previously held on May 10, 2018. The Commissioners introduced themselves.

2. Presentation: Update on the U.S. Army Corps of Engineers' Chesapeake Bay Comprehensive Water Resources and Restoration Plan

USACE Baltimore District Planning Division Chief Amy Guise presented an update on the Corps' Chesapeake Bay Comprehensive Water Resources and Restoration Plan.

3. Minutes of March 8, 2018, Commission Meeting

On a motion by Commissioner Schaeffer, seconded by Commissioner D'Amato, the minutes of the regular business meeting of March 8, 2018, were unanimously approved as written.

4. Election of Officers

Executive Director Andrew Dehoff explained that, by tradition, the Chair and Vice Chair of the Commission are rotated among the member jurisdictions. In accordance with that rotation, New York would become the Chair of the Commission, and the Commonwealth of Pennsylvania would become the Vice-Chair of the Commission for FY2019.

Commissioner Kearney moved and Commissioner Schaeffer seconded a motion to elect the member from New York as the Chair of the Commission, and the member from the Commonwealth of Pennsylvania as the Vice-Chair of the Commission for the period of July 1, 2018, to June 30, 2019. The motion was unanimously approved.

5. FY2019 Regulatory Program Fee Schedule

Director of Administration & Finance Marcia Hutchinson presented the Commission's proposed Regulatory Program Fee Schedule for FY2019. As directed by earlier resolutions of the Commission, consideration was given to changes that have occurred in the Consumer Price Index (CPI) and the USACE Civil Works Construction Cost Index System.

The proposed fee schedule includes clarification of applicable fees for groundwater remediation systems. Systems would be subject to the "all others" fee, and pay a single fee for the entire system. The fee schedule also includes a 2% increase in most of the fees due to the change in the CPI. Language has also been added to the fee schedule that allows smaller hydroelectric projects to request a staff determination of a smaller initial fee as an alternative to paying the full fee up front.

The fee for an emergency certificate would be waived for projects that are paying the Annual Compliance and Monitoring Fee. Maximum fees for multiple transfers or multiple reissues have also been established. A maximum fee was established for multiple reissues that occur simultaneously or as a single transaction. The fee for the transfer or reissuance of approvals or operations at a single facility would be a single fee.

Due to implementation of efficiencies to the Commission's Compliance Program and a resulting surplus that would be generated by the Annual Compliance and Monitoring Fee, reduced fees are being proposed for hydroelectric facilities and docketed projects as well as Approvals by Rule. The municipal discount would be increased to 50% of the standard fee.

Language has been clarified in regard to the Grandfathered Project Fee. The fee will be applied on a per facility basis. Language was incorporated for the regulations that allowed for a 50% discount for applications received between July 1, 2018 and December 31, 2018.

Ms. Hutchinson shared public comments on the proposed fee schedule and outlined the changes to the final fee schedule proposed by staff in response to those comments.

On a motion by Commissioner D'Amato and seconded by Commissioner Kearney, Resolution No. 2018-03 (Exhibit A) was unanimously adopted.

6. Current Expense Budget for FY2020

Mrs. Hutchinson then presented Resolution No. 2018-04 (Exhibit B) providing for the adoption of a preliminary FY2020 budget covering the period July 1, 2019, to June 30, 2020. Staff anticipates that the general fund will receive fund transfers from other Commission funds.

On a motion by Commissioner Kearney, seconded by Commissioner D'Amato, the resolution was adopted.

7. Member Allocation for FY2020

Mrs. Hutchinson presented Resolution No. 2018-05 (Exhibit C) outlining the proposed member allocation for FY2020, which will cover the period July 1, 2019, to June 30, 2020.

On a motion by Commissioner D'Amato, seconded by Commissioner Schaeffer, the resolution was unanimously adopted.

8. Authorization of Purchase Approval Threshold

Mrs. Hutchinson presented Resolution 2018-06 (Exhibit D) authorizing the Executive Director and the Director of Administration and Finance to procure goods and services under a certain amount. Anything over the certain amount that is not included in the current expense budget would be submitted to the Commissioners for approval.

On a motion by Commissioner Kearney, seconded by Commissioner Schaeffer, the resolution was unanimously adopted.

9. Contracts and Grants

a. Agreement Approval – Flood Study and Hazard Mapping for Blair County, Pennsylvania (U.S. Army Corps of Engineers)

Staff requested authorization to enter into an agreement with the U.S. Army Corps of Engineers (USACE), Baltimore District to participate as a non-federal sponsor in a study to update floodplain mapping for Duncansville Borough and the Frankstown Branch Juniata River, Blair County, Pennsylvania. The last flood study and floodplain mapping for this region were completed in the early 1980s. Since then changes to the watershed have occurred, and a revised flood study and floodplain mapping are needed to accurately determine the present day flood risk to buildings and infrastructure. The Commission will support this study by completing the field survey, collecting up-to-date data for bridges, culverts, and the stream channel. The Commission will also perform hydrologic and hydraulic analysis of the data. The total cost of the study is \$108,000, which will be shared equally among the parties with each providing \$54,000.

b. Grant Amendment Approval - Phase 3 Watershed Implementation Plan (Pennsylvania Department of Environmental Protection) and Subcontract Approval (Interstate Commission on the Potomac River Basin)

Staff requested authorization to execute a grant amendment with the Pennsylvania Department of Environmental Protection (PADEP) for additional Phase 3 Watershed Implementation Plan (WIP) work, and to subcontract the additional work to the Interstate Commission on the Potomac River Basin (ICPRB).

The Chesapeake Bay Total Maximum Daily Load (TMDL) was established in 2010 by the U.S. Environmental Protection Agency to reduce nutrient and sediment pollution to specified targets by 2025. Watershed Implementation Plans (WIPs) are required by each jurisdiction to explicitly identify how the pollution reduction goals will be accomplished.

The third version of the plans, the Phase 3 WIP, is currently under development in Pennsylvania. The Commission is assisting PADEP, through a Technical Assistance and Implementation Grant, by: 1) analyzing and interpreting pollutant monitoring data, 2) developing recommended pollutant reduction strategies, and 3) assisting Pennsylvania's stakeholder workgroups with integrating all the information for the development of county-based implementation strategies, including assisting Lancaster and York counties with development of draft WIP 3 planning templates.

Adams and Franklin counties, which are partially located in the Potomac River Basin, are also in need of assistance with development of their draft WIP 3 planning templates. The ICPRB is ideally situated to provide this assistance due to their local stakeholder relationships, their understanding of local planning activities, and their expertise with Bay TMDL and associated models. Therefore, staff is proposing to subcontract the additional support to ICPRB. The required assistance will be provided by PADEP at a cost of \$30,000.

On a motion by Commissioner D'Amato, seconded by Commissioner Kearney, the agreement and amendment were approved with Commissioner Schaeffer abstaining.

10. Records Retention Policy

Manager of Information Technology Brydon Lidle presented a Records Retention Policy, No. 2018-01, establishing formal procedures to preserve information appropriately and ensure that vital information is archived. This policy will ensure legal compliance, control costs of information storage/retrieval, provide for management of scientific records and monitoring data, and preserve intellectual property. The adoption of this policy will rescind Policy No. 2010-01.

On a motion by Commissioner D'Amato and seconded by Commissioner Kearney, Resolution No. 2018-07 (Exhibit E) was adopted unanimously.

11. Delegation of Settlement Authority

General Counsel Jason Oyler presented Resolution No. 2018-08 (Exhibit F) delegating authority to the Executive Director to enter into certain settlement agreements to resolve violations of regulations or approval conditions. The authority would extend to entering settlements of up to \$25,000 for private entities, but remain at \$10,000 for public water suppliers or municipal authorities. Any repeat violations within 5 years would be brought to the Commissioners to approve settlement. This resolution would replace Resolution 2014-15.

A motion was made by Commissioner Kearney and seconded by Commissioner Schaeffer for an amendment to re-insert language used in the previous resolution. The resolution was adopted unanimously as amended.

12. Report on Delegated Settlements

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

A settlement with Briarwood Golf Club (Briarwood):

- Briarwood operates in York County, Pennsylvania under Docket No. 20030216.
- Briarwood exceeded the approved daily groundwater withdrawal for a total of 23 days. The project claimed that it was necessary to exceed the amount due to refilling a depleted irrigation pond after a groundwater pump failure.
- The maximum daily consumptive use maximum was exceeded for a total of five days. Consumptive use was exceeded due to use of a new surfactant that required more water.
- No indications of environmental harm were identified
- The settlement is \$4,000 for a total of 28 days of violation.

A settlement with Sugar Hollow Water Services (Sugar Hollow):

- Sugar Hollow operates in Pennsylvania under Docket Nos. 20141602 (Bowman Creek) and 20151304 (Martin Creek).

- Sugar Hollow withdrew water while on passby for a total of 12 days. The project claimed that they self-reported and failed to adjust change in passby requirements at the beginning of the month.
- No indications of environmental harm were identified.
- The settlement is \$8,000.

A settlement with SWEPI LP (SWEPI):

- SWEPI operates in Tioga County, Pennsylvania under Docket No. 20150311.
- SWEPI withdrew water while on passby for a total of ten days. The project claimed that they reported this when it was identified three months after the fact. An automated system failed to obtain stream flow data and withdrawal continued without the data.
- No indications of environmental harm were identified.
- The settlement is \$10,000.

A settlement with Valley Green Golf Course:

- Valley Green Golf Course operates in York County, Pennsylvania under Docket No. 20021019.
- Valley Green withdrew water while on passby for a total of two days. The project claimed that they withdrew the water to prevent loss of greens.
- No indications of environmental harm were identified.
- The settlement is \$1,500 and agreement to adding a public water source.

13. Docket Actions

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

1. Brymac, Inc. dba Mountain View Country Club (Pond 3/4) Centre County, Pa.(Exhibit I1)
 2. Dillsburg Area Authority (Well 3) York County, Pa. (Exhibit I2)
 3. Healthy Properties, Inc. (Sugar Creek) Bradford County, Pa. (Exhibit I3)
 4. LDG Innovation, LLC (Tioga River) Tioga County, Pa. (Exhibit I4)
 5. Lycoming Engines, (City of Williamsport) Lycoming County, Pa. (Exhibit I5)
 6. Mountain Energy Services, Inc. (Tunkhannock Creek) Wyoming County, Pa. (Exhibit I6)
 7. Niagara H2O Company (Susquehanna River) Bradford County, Pa. (Exhibit I7)
 8. Northeast Marcellus Aqua Midstream I, LLC (Susquehanna River) Wyoming County, Pa. (Exhibit I8)
 9. Pennsylvania General Energy Company, L.L.C. (Pine Creek) Lycoming County, Pa. (Exhibit I9)
 10. Pro-Environmental, LLC (Martins Creek) Susquehanna County, Pa. (Exhibit I10)
 11. Repsol Oil & Gas USA, LLC (Fall Brook) Bradford County, Pa. (Exhibit I11)
 12. Repsol Oil & Gas USA, LLC (North Branch Sugar Creek) Bradford County, Pa. (Exhibit I12)
 13. SUEZ Water Pennsylvania Inc. (Well 1) Cumberland County, Pa.
 14. SUEZ Water Pennsylvania Inc. (GW) Cumberland County, Pa.
 15. Sugar Hollow Water Services LLC (Bowman Creek) Wyoming County, Pa. (Exhibit I13)
 16. Susquehanna Gas Field Services, LLC (Meshoppen Pizza Well) Wyoming County, Pa. (Exhibit I14)
 17. Susquehanna Gas Field Services LLC (Susquehanna River) Wyoming County, Pa. (Exhibit I15)
 18. Togg Mountain LLC (Town of Fabius) Onondaga County, N.Y.
 19. Togg Mountain LLC (West Branch of Tioughnioga Creek) Onondaga County, N.Y.
 20. Town of Vestal (Well4-4) Broome County, N.Y. (Exhibit I16)
- Highlight** = Staff recommended tabling.

Commissioner D'Amato moved and Commissioner Schaeffer seconded a motion that the Commission adopt the recommendations of staff for the 20 project applications. The motion was unanimously approved.

14. FY2019-2021 Water Resources Program

Planning and Operations Manager Mr. John Balay presented Resolution 2018-09 (Exhibit G) adopting the FY2019-2021 Water Resources Program, in accordance with the requirements of the Compact.

On a motion by Commissioner Schaeffer, seconded by Commissioner D’Amato, the FY2019-2021 Water Resources Program was unanimously adopted.

15. Comprehensive Plan Amendments

Mr. Balay presented Resolution No. 2018-10 (Exhibit H) amending the Commission’s *Comprehensive Plan for the Water Resources of the Susquehanna River Basin*. The proposed amendments include the Water Resources Program (FY2019-2021) as well as all water resources projects approved by the Commission since the last amendments to the Comprehensive Plan.

Commissioner Kearney moved and Commissioner D’Amato seconded a motion that the Commission adopt the proposed amendments to the *Comprehensive Plan*. The motion was unanimously approved.

ADJOURNMENT

Commissioner D’Amato moved and Commissioner Schaeffer seconded a motion for adjournment. The meeting was adjourned at 10:15 a.m.

Date Adopted

Stephanie L. Richardson

RESOLUTION NO. 2018-03

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) adopting the Regulatory Program Fee Schedule for FY2019.

WHEREAS, pursuant to Article 3, Sections 3.4(8) and 3.9 of the Susquehanna River Basin Compact (the “Compact”), the Commission’s regulations, 18 CFR Parts 801, 806-808, including 18 CFR § 806.35, and previously adopted resolutions of the Commission, the most recent of which is Resolution No. 2017-03 of June 21, 2017, the Commission imposes certain fees to help defray the cost of its Regulatory Program for water resource projects; and

WHEREAS, Resolve No. 3 of Resolution 2005-03 provided that the Regulatory Program Fee Schedule be adjusted annually in accordance with changes in the U.S. Consumer Price Index; and

WHEREAS, Resolve No. 2 of Resolution No. 2008-03 provided that the Regulatory Program Fee Schedule be adjusted annually in accordance with changes to the U.S. Army Corps of Engineers’ Civil Work Construction Cost Index System; and

WHEREAS, in addition to the said adjustments, certain other revisions to the Regulatory Program Fee Schedule are needed; and

WHEREAS, the Commission has actively sought public comment on the proposed Regulatory Program Fee Schedule by posting it on its website, publishing notice in the *Federal Register* on April 11, 2018 (83 FR 22576) and by holding a public hearing covering the proposed fee schedule for FY2019 on May 10, 2018, with an open written comment period through May 21, 2018.

NOW THEREFORE BE IT RESOLVED THAT:

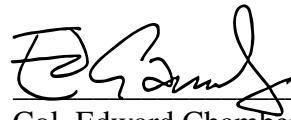
1. The Commission hereby adopts a Regulatory Program Fee Schedule for FY2019 implementing the above-referenced revisions, which is attached hereto and made a part of this Resolution.

2. Resolve No. 3 of Resolution No. 2005-03 providing that the Regulatory Program Fee Schedule be adjusted annually in accordance with changes in the U.S. Consumer Price Index, is incorporated herein and made a part of this Resolution, and shall remain in full force and effect.

3. Resolve No. 2 of Resolution No. 2008-03 providing that the Consumptive Use Mitigation Fee shall be adjusted annually based on the U.S. Army Corps of Engineers’ Civil Works Construction Cost Index System average for the immediately previous four quarters for which indexing data are available, is incorporated herein and made a part of this Resolution, and shall remain in full force and effect.

4. The fees set forth in the attached Regulatory Program Fee Schedule shall become effective July 1, 2018.

Dated: June 15, 2018

A handwritten signature in black ink, appearing to read 'E. Chamberlayne', written over a horizontal line.

Col. Edward Chamberlayne, Chair
United States

RESOLUTION NO. 2018-04

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) to adopt the Commission’s annual Current Expense Budget for the fiscal year ending June 30, 2020 (July 1, 2019, through June 30, 2020).

WHEREAS, pursuant to Section 14.3 of the Susquehanna River Basin Compact (the “Compact”) and the Commission’s By-Laws, the Commission desires to adopt a current expense budget for the fiscal year ending June 30, 2020.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Current Expense Budget of the Commission for the fiscal year ending June 30, 2020, for expenditures from the General Fund and the Water Management Fund, in the amount of \$13,323,000, is hereby approved and adopted for submission to the member jurisdictions for their review and approval.

2. In addition to funds in the amount of \$2,254,000 apportioned by the signatory parties by separate resolution, the Commission hereby appropriates for the support of the Fiscal Year 2020 Current Expense Budget the following anticipated revenue:

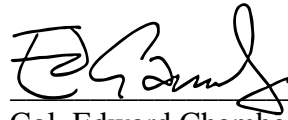
SOURCE	ANTICIPATED REVENUE
Grants and Contractual Agreements	\$ 2,390,000
Regulatory Program Fees	\$ 7,466,500
Transfer In – Fiscal Stabilization and Reserve Fund	\$ 300,000
Transfer In – Sustainable Water Resources Fund	\$ 780,000
Other Income	\$ 1,573,500
TOTAL	<u>\$12,510,000</u>

3. To the extent that actual revenues received during fiscal year 2020 are less than amounts stipulated in this budget, and are insufficient to cover actual expenditures incurred, the Executive Director is authorized to transfer such amounts as are necessary from the Fiscal Stabilization and Reserve Fund to the General Fund to cover such revenue shortfall.

4. The Executive Director is authorized and directed to transmit to the principal budget officers of the respective signatory parties certified copies of the budget hereby adopted, together with a certified statement of the amount hereby apportioned to each signatory party, in accordance with the requirements of the Compact and the By-Laws.

5. This resolution shall be effective immediately.

Dated: June 15, 2018

A handwritten signature in black ink, appearing to read "E Chamberlayne", written over a horizontal line.

Col. Edward Chamberlayne, Chair
United States

RESOLUTION NO. 2018-05

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) to apportion among the signatory parties the amounts required for the support of the Current Expense Budget for the fiscal year ending June 30, 2020 (July 1, 2019 through June 30, 2020).

WHEREAS, the Commission incurs expenses in its daily operations, executing projects, and generally carrying out its mission, and pursuant to Article 3.9 and Article 15 of the Susquehanna River Basin Compact (the “Compact”) collects fees, grants and other sources of revenue to balance said expenses where practicable;

WHEREAS, although it is the practice of the Commission to be financially self-sufficient and minimize requests for members contributions, there are nevertheless certain critical activities for which revenue streams are generally unavailable;

WHEREAS, the Commission desires to conduct certain community flood and drought preparedness activities that currently have no revenue source and historically have not been equitably allocated to the members; and

WHEREAS, pursuant to Section 14.3 of the Compact and the Commission’s By-Laws, the Commission desires to apportion equitably among its signatory parties the amount required to balance its Current Expense Budget for the fiscal year ending June 30, 2020.

NOW THEREFORE BE IT RESOLVED THAT, by unanimous vote of the Susquehanna River Basin Commission:

1. Pursuant to Section 14.3 of the Compact, and subject to such review and approval as may be required by the respective budgetary processes of the signatory parties, there are hereby apportioned the following amounts, totaling 16.9% of the overall Current Expense Budget, together with other funds, among the parties the following amounts, together with other funds that may be available to the Commission for the support of the budget, as proposed, for the fiscal year ending June 30, 2020.

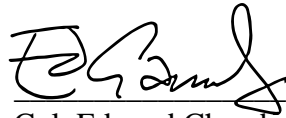
Signatory Party	Equitable Allocation
New York	\$ 281,750
Pennsylvania	845,250
Maryland	563,500
Federal Government	563,500
Signatory Party Contribution	<u>\$2,254,000</u>

2. All requested contributions are expressly subject to the executive branch prerogatives of each member jurisdiction in formulating annual budgets, and this Commission Resolution is not intended to be an endorsement of any appropriation request to the extent that it is inconsistent with such executive branch priorities or policies.

3. Any newly identified revenue streams that can address the expected unfunded expenses will be used to offset and reduce the member allocations in the FY2020 Budget Reconciliation to be considered prior to the beginning of the fiscal year ending June 30, 2020.

4. This Resolution shall be effective immediately.

Dated: June 15, 2018



Col. Edward Chamberlayne, Chair
United States

RESOLUTION NO. 2018-06

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") authorizing the Executive Director and the Director of Administration and Finance to procure goods and services under a certain amount.

WHEREAS, under Section 15.1(b)(3) of the Susquehanna River Basin Compact, Pub. L. 91-575; 84 Stat. 1509 et seq. (Compact), the Commissioners shall "provide for the internal organization and administration of the commission;" and

WHEREAS, under Section 15.1(b)(4) of the Compact, the Commissioners shall "appoint the principal officers of the Commission and delegate to and allocate among them administrative functions, powers, and duties;" and

WHEREAS, Section 15.5 of the said compact provides for the appointment of an Executive Director by the Commission; and


WHEREAS, Section 3-2 of the Commission's By-Laws sets forth the duties of the Executive Director as the chief executive officer of the Commission and section 3-4 sets forth the duties of the Director of Administration and Finance over procurement and the financial matters of the Commission; and

WHEREAS, the Commission has determined that, to improve the efficiency and efficacy of the Commission's procurement process, the Commission will set a purchasing threshold below which the Executive Director and Director of Administration and Finance may procure goods and services.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby authorizes the Executive Director and the Director of Administration and Finance to procure goods or services where the contract price equals or is less than \$25,000. All pertinent procedures contained in section 15.9 of the Compact and the Commission's Administrative Manual must be followed for any purchases under this resolution.
2. All purchases over \$25,000 that are not included in the approved budget must be submitted for approval by the Commission.
3. For purchasing authorization, this resolution supersedes Resolution No. 2004-03 and the current threshold of \$29,000 contained in the Commission's Administrative Manual.
4. This resolution shall be effective immediately.

Dated: June 15, 2018



Col. Edward Chamberlayne, Chair
United States

RESOLUTION NO. 2018-07

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") adopting Policy No. 2018-01, Records Retention Policy.

WHEREAS, the Commission creates and maintains numerous personnel and public records in the course of conducting its regulatory, planning and resource management mission; and

WHEREAS, the Commission desires to adopt formal procedures to preserve information appropriately and ensure that vital information is archived; and

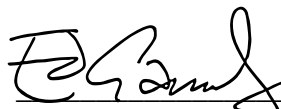
WHEREAS, adoption of a records retention policy ensures legal compliance, controls costs of information storage/retrieval, provides for management of scientific records and monitoring data, and preserves intellectual property; and

WHEREAS, section 15.1(b)(4) of the Compact authorizes the Commission to provide for its own internal organization and administration.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby adopts Policy No. 2018-01, "Records Retention Policy," a copy of which is attached hereto and made part of this resolution.
2. The Executive Director is authorized to make changes to this policy as is deemed advisable to clarify and elaborate on its provisions.
3. The Commission staff is directed to post this policy on the Commission's website.
4. The Commission's prior Records Retention Policy, No. 2010-01, is hereby rescinded.
5. This resolution shall be effective immediately.

Dated: June 15, 2018



Col. Edward Chamberlayne, Chair
United States

RESOLUTION NO. 2018-08

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") outlining the authority of the Executive Director to enter into settlement agreements.

WHEREAS, under Section 15.1(b)(4) of the Susquehanna River Basin Compact, Pub. L. 91-575; 84 Stat. 1509 et seq., the Commissioners shall "appoint the principal officers of the Commission and delegate to and allocate among them administrative functions, powers, and duties;" and

WHEREAS, Section 15.5 of the said compact provides for the appointment of an Executive Director by the Commission; and

WHEREAS, Section 3-2 of the Commission's By-Laws sets forth the duties of the Executive Director as the chief executive officer of the Commission; and

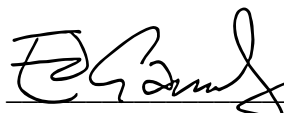
WHEREAS, the Executive Director, under the said By-Laws, is primarily responsible for the "effectuation and enforcement of all policies and resolutions adopted by the Commission;" and

WHEREAS, the Commission revised and adopted 18 CFR § 808.18 that provides that the "Executive Director may enter into settlement agreements to resolve enforcement action" on behalf of the Commission and that the "Commission may, by Resolution, require certain types of enforcement actions to settlements to be submitted to the Commission for action and approval."

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby requires settlement agreements entered pursuant to § 808.18 to be submitted to the Commission for action under the following circumstances:
 - a. Any settlement over \$25,000;
 - b. Any settlement with a municipality or municipal authority over \$10,000; or
 - c. Any settlement with a repeat violator who has two or more prior enforcement actions within the past five years.
2. The Commission also adopts the Guidelines appended to this Resolution regarding use of the settlement authority under § 808.18. The Executive Director shall consult with the appropriate member jurisdiction prior to entering into a settlement agreement under this delegation.
3. Resolution 2014-15 is rescinded in its entirety.
4. This resolution shall be effective immediately.

Dated: June 15, 2018



Col. Edward Chamberlayne, Chair
United States

GUIDELINES FOR USE OF SETTLEMENT AUTHORITY

Per Resolution 2018-03, the use of settlement authority under the Resolution and 18 CFR § 808.18 generally should be exercised in accordance with these guidelines. The Commission finds that there are benefits in delegating the settlement of compliance actions to the Executive Director. This delegation allows Commission staff to engage in more timely and efficient resolution of compliance and enforcement matters with alleged violators.

The Commission hereby requires settlement agreements entered pursuant to § 808.18 to be submitted to the Commission for action under the following circumstances:

1. Any settlement over \$25,000;
2. Any settlement with a municipality or municipal authority over \$10,000;
3. Any settlement with a repeat violator who has two or more prior enforcement actions within the past five years.

Limits on Delegation Under § 808.18

- Prior to entering a settlement agreement under the delegation provided in § 808.18, the Executive Director shall consult with the appropriate member jurisdiction.
- The Executive Director shall report to the Commission all settlements entered into under this delegation each quarter and all settlements under this delegation will be publicly available at the Commission's quarterly business meeting.
- Nothing in this Resolution is meant to limit the Executive Director's ability to issue Orders under 18 CFR § 808.14 or make penalty determinations at an Order to Show Cause Proceeding under 18 CFR § 808.15.

Effect of Guidelines on Existing Regulations and Policy

- Settlements under this delegation of authority shall consider the factors for civil penalties and settlement set forth in 18 CFR § 808.16.
- These guidelines are meant to be used along with other Commission policies regarding enforcement actions, including Policy No. 96-01, SRBC Civil Penalty Matrix (March 14, 1996) and Policy No. 2000-01, Policy and Guidance Statement for the Settlement of Civil Penalties/Enforcement Actions (February 10, 2000), and any and all future amendments to these policies or successor policies.
- The Commission's regulations and policies will continue to be utilized in the initial assessment of enforcement actions for alleged violations. The limit for settlements in this resolution should not be a factor used by the Executive Director in determining the proper amount proposed for settlement.

RESOLUTION NO. 2018-09

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") adopting a Water Resources Program for Fiscal Years 2019-2021.

WHEREAS, Section 14.2 of the Susquehanna River Basin Compact, Pub. L. 91-575, provides: "The Commission shall annually adopt a Water Resources Program, based upon the comprehensive plan, consisting of the projects and facilities which the Commission proposes to be undertaken by the Commission and by other authorized governmental and private agencies, organizations, and persons during the ensuing six years or such other reasonably foreseeable period as the Commission may determine;" and

WHEREAS, in December 2008, the Commission adopted an extensively revised Comprehensive Plan for the Water Resources of the Susquehanna River Basin (Comprehensive Plan), directing that the actions called for therein be implemented through its Water Resources Program; and

WHEREAS, an updated Comprehensive Plan was adopted by the Commission on December 12, 2013; and

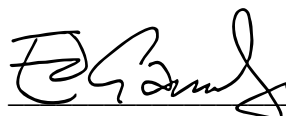
WHEREAS, the Commission annually requests input to the Water Resources Program from member jurisdictions and other federal and state agency partners; and

WHEREAS, the Commission has formulated an updated Water Resources Program, based on the goals contained in the Comprehensive Plan, which lists the key projects proposed to be undertaken by the Commission, member jurisdictions, and partner agencies during Fiscal Years 2019-2021.

NOW THEREFORE BE IT RESOLVED THAT:

1. The accompanying document titled "Water Resources Program (Fiscal Years 2019-2021)" is hereby adopted by the Commission in accordance with Section 14.2 of the Compact and shall be considered for incorporation into the Comprehensive Plan by separate action of the Commission.
2. Staff is instructed to make the Water Resources Program available to legislators, policy makers, and the public as a clear statement of Susquehanna River Basin needs and priorities, and as a mechanism for coordinating the efforts of water managers at all levels.
3. This resolution shall be effective immediately.

Dated: June 15, 2018



Col. Edward Chamberlayne, Chair
United States

RESOLUTION NO. 2018-10

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) amending the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin* (the “Comprehensive Plan”) by incorporating the Water Resources Program (FY 2019-2021) and all water resources projects approved by the Commission from July 2017 through June 2018.

WHEREAS, under Article 3, Section 3.3 (1) and Article 14, Section 14.1 of the Susquehanna River Basin Compact, Pub. L. 91-575, (Compact), 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 on December 4, 2008, the Commission adopted a substantially revised Comprehensive Plan; and

WHEREAS, an updated Comprehensive Plan was adopted by Resolution 2013-13 on December 12, 2013; and

WHEREAS, under Article 14, Section 14.2 of the Compact, the Commission also annually adopts a Water Resources Program based upon the Comprehensive Plan, which consists of the projects and facilities that the Commission proposes to be undertaken by the Commission and its member jurisdictions over the ensuing six-year time period or such other reasonably foreseeable period as the Commission may determine; and

WHEREAS, Resolve No. 2 of Resolution 2008-08 stipulates that the annual Water Resources Program prepared by the Commission shall hereinafter implement and be based upon the Comprehensive Plan, and shall be incorporated into the plan annually; and

WHEREAS, an updated Water Resources Program (FY 2019-2021) was adopted by Resolution 2018-08 on June 15, 2018; and

WHEREAS, Resolve No. 4b of Resolution 2008-08 provides for the incorporation of approved water resources projects into the Comprehensive Plan annually; and

WHEREAS, a public hearing was held on May 10, 2018, regarding the proposed amendments to the Comprehensive Plan, in accordance with the requirements of Article 14, Section 14.1 of the Compact, and a written comment period was held open through May 21, 2018.

NOW THEREFORE BE IT RESOLVED THAT:

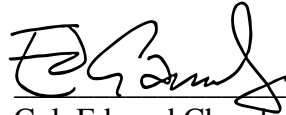
1. The Commission hereby incorporates the Water Resources Program (FY 2019-2021) into the Comprehensive Plan.

2. The Commission further incorporates all water resources projects approved by the Commission from July 2017 through June 2018 into the Comprehensive Plan.

3. Staff is directed to file copies of these 2018 amendments to the Comprehensive Plan with the Federal Energy Regulatory Commission pursuant to Section 10 (a) of the Federal Power Act, 16 U.S.C. Section 803(a).

4. This resolution shall be effective immediately.

Dated: June 15, 2018



Col. Edward Chamberlayne, Chair
United States



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20180601

Approval Date: June 15, 2018

BRYMAC, INC.

d/b/a MOUNTAIN VIEW COUNTRY CLUB

**Surface Water Withdrawal (Peak Day) of up to 0.240 mgd
from Pond 3/4**

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.

As a result of a transfer of ownership, the project sponsor forfeited the grandfathered status of the withdrawal from Pond 3/4.

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:	Brymac, Inc. d/b/a Mountain View Country Club
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Golf Course Irrigation and Related Incidental Uses
Municipality:	Harris Township
County:	Centre County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Constructed, Off Stream Pond 3/4
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020401 (Spring Creek)
Water Use Designation*:	High Quality Cold Water Fishery (HQ-CWF)
Withdrawal Location (degrees):	Lat: 40.780842 N Long: 77.763475 W
Site Flow Statistics (cfs)*:	Q7-10 = 0.91; Average Daily Flow = 4.5
Wild Trout Classification*:	Class A
Impairment*:	Siltation and Habitat Modification
Drainage Area (square miles)*:	3.8
Aquatic Resource Class** **:	1
Special Flow Protection Required:	No
cfs – cubic feet per second	
* Refers to point of adjacent Spring Creek	
** 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):	0.240 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	500 (Not to Exceed)
mgd – million gallons per day	
gpm – gallons per minute	

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

Section 5. Existing Approved Consumptive Use

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

Existing Approved Consumptive Uses		
Peak Day Consumptive Use (mgd)	Commission Docket No.	Docket Expiration Date
0.343	20021011	October 10, 2027

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

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

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

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

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

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

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

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

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

11. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal 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 Commission Regulation 18 CFR Part 808.

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

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

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

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

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

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

Section 7. Special Conditions

20. Within sixty (60) days from the date of this approval, the project sponsor shall notify the Commission, in writing, and certify the accuracy of the measuring device to within five (5) percent of actual flow.

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

22. No later than April 1, 2019, the project sponsor shall submit for review and, if appropriate, approval by Commission staff a water resource development plan designed to evaluate the project sponsor's ability to meet its anticipated water demands. The water resource development plan shall identify water resources available for development and assess the sustainability of withdrawals.

Section 8. Term

23. This approval is effective until June 14, 2033. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 14, 2032, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20081207-1

Approval Date: December 4, 2008

Modification Date: June 15, 2018

DILLSBURG AREA AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.200 mgd from Well 3, and
Total System Withdrawal Limit (30-Day Average) of 1.112 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 modification of the project described herein in accordance with the conditions set forth below.

The Dillsburg Area Authority (Authority) supplies water to Dillsburg Borough and parts of Carroll and Franklin Townships in York County, Pennsylvania. The Authority maintains and operates a public water supply system that is supplied by five groundwater wells (Wells 1, 3, 4, 5A, and 7). According to information provided by the Authority, no other sources are utilized by the project.

This approval is a modification of Commission Docket No. 20081207 that was originally approved on December 4, 2008, for the withdrawal of 0.101 million gallons per day (mgd) from Well 3. On November 1, 2017, the Authority submitted a modification application requesting to increase the approved Well 3 withdrawal by 0.099 mgd to a total withdrawal of 0.200 mgd. This approval authorizes use of Well 3 at the requested increased rate. No changes to the maximum instantaneous withdrawal rate or total system limit were requested or are authorized under this approval.

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.

Approved Withdrawal Quantities and Limitations	
30-Day Average Withdrawal (mgd):	0.200
Maximum Instantaneous Withdrawal Rate (gpm):	175 (Not to Exceed)
Total System Withdrawal Limit – Wells 1, 3, 4, 5A, and 7 (30-Day Average) (mgd):	1.112
gpm – gallons per minute	

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	0.022	20081206	December 4, 2023
Well 4	0.220	19890304	March 9, 2019
Well 5A	0.576	19980703	July 9, 2023
Well 7	0.460	20070907	September 12, 2022

Section 7. Grandfathering Determination – Withdrawals

All sources used by the project sponsor have been reviewed and approved by the Commission.

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

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

4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of

withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the sources listed in Sections 3, 5, and 6. Within ninety (90) days from the date of this approval, the project sponsor shall install and maintain water level monitoring equipment in accordance with Commission Regulation 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit make, model, serial numbers, and photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall maintain and monitor the accuracy of the measuring devices in accordance with the manufacturer's specifications.

6. The project sponsor shall keep daily records of the project's withdrawal and groundwater elevations for the sources listed in Sections 3, 5, and 6, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure, and any modifications proposed for the groundwater elevation monitoring plan, shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

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

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

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

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

11. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal 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 Commission Regulation 18 CFR Part 808.

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

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

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

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

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

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

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

21. If the Commission determines that the operation of the project's groundwater 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

22. Commission Docket No. 20081207 is hereby superseded.

23. The project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered or received approval pursuant to Commission Regulation 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 records, and shall report the same to the Commission upon request, of all persons supplied water from the project that maintain a permanent connection to the public water supply system. The project sponsor shall also keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project that do not maintain a permanent connection to the public water supply system for uses other than hydrocarbon development, including daily quantities supplied.

Section 10. Term

25. This modified approval shall be effective July 1, 2018. The term of Commission Docket No. 20081207-1 shall remain effective until December 4, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 4, 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, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180602

Approval Date: June 15, 2018

HEALTHY PROPERTIES, INC.

**Surface Water Withdrawal (Peak Day), Variable, up to 0.999 mgd
from Sugar Creek**

Section 1. Approval

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

This approval is a renewal of Commission Docket No. 20140602 that was approved June 5, 2014, and modified November 1, 2016, by Executive Director authority, with variable peak day withdrawal rates up to 0.999 million gallons per day (mgd) and 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:	Healthy Properties, Inc.
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20140602
Authorized Water Use Purpose:	Bulk Supply for Hydrostatic Pipeline Testing, Hydrocarbon Development, and Related Incidental Uses
Municipality:	North Towanda Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Sugar Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010601 (Sugar Creek)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.795861 N Long: 76.462458 W
Site Flow Statistics (cfs):	Q7-10 = 1.2; Average Daily Flow = 136
Impairment:	Mercury
Drainage Area (square miles):	189
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations				
Peak Day Withdrawal Amount (mgd):	Not to Exceed Values Contained in the “Withdrawal and Passby Schedule,” When Available			
Maximum Instantaneous Withdrawal Rate (gpm):	Not to Exceed Values Contained in the “Withdrawal and Passby Schedule,” When Available			
Flow Protection Type:	Seasonal passby expressed as monthly values			
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01531325; Sugar Creek at West Burlington, 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	0.999	800	32	17
February	0.999	800	34	18
March	0.999	800	77	40

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	0.999	800	91	46
May	0.999	800	48	25
June	0.999	800	17	9.1
July	0.576	400	6.9	3.9
August	0.576	400	4.2	2.6
September	0.576	400	4.0	2.5
October	0.999	700	6.9	4.2
November	0.999	800	22	12
December	0.999	800	37	19

USGS– U.S. Geological Survey
1 cfs = 448.8 gallons per minute (gpm)
* Flow Protection Threshold

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

Section 5. Standard Conditions

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

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

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

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

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in

accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

21. Effective July 1, 2018, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow is equal to or exceeds such flow protection threshold.

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

23. The date of the last meter certification was 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.

24. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal from grandfathered sources or consumptive uses that would exceed the amounts listed herein.

25. The project is fully constructed and no changes are proposed. However, if changes are proposed or maintenance requires instream work, the project sponsor should adhere to recommendations provided by the PFBC in the December 28, 2017, Pennsylvania Natural Diversity Inventory (PNDI) response for avoiding adverse impact to documented occurrences of rare species at or in proximity to the project location. The documented species is the green floater mussel (*Lasmigona subviridis*).

26. Except as authorized pursuant to Special Condition 28, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered or received approval pursuant to Commission Regulation 18 CFR § 806.22(f), as applicable.

27. 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 28, including daily quantities supplied.

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

29. 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

30. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

31. Commission Docket No. 20140602 shall remain effective through June 30, 2018, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180603
Approval Date: June 15, 2018

LDG INNOVATION, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.750 mgd
 from the Tioga 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. 20140604 that was approved June 5, 2014, with a peak day withdrawal rate of 0.750 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:	LDG Innovation, LLC
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20140604
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Lawrenceville Borough
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:	Tioga River
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010409 (Tioga River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.991241 N Long: 77.124651 W
Site Flow Statistics (cfs):	Q7-10 = 29.7; Average Daily Flow = 570
Impairment:	Mercury
Drainage Area (square miles):	455
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):	0.750 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	925 (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 01518700; Tioga River at Tioga Junction, 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	124	122
February	--	--
March	--	--
April	--	--
May	--	--
June	79	79

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	51	51
August	41	42
September	39	40
October	52	52
November	63	63
December	127	125
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 Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

21. Effective July 1, 2018, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow is equal to or exceeds such flow protection threshold.

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

23. The date of the last meter certification was October 20, 2016; therefore, the next meter certification is due no later than October 20, 2021. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

24. Except as authorized pursuant to Special Condition 26, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered or received approval pursuant to Commission Regulation 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 Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

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


Section 7. Term

28. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

29. Commission Docket No. 20140604 shall remain effective through June 30, 2018, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180604

Approval Date: June 15, 2018

LYCOMING ENGINES, A DIVISION OF AVCO CORPORATION

Groundwater Withdrawal (30-Day Average) of 1.440 mgd from Avco Corporation – Groundwater Remediation System

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 operates a groundwater remediation system at the Lycoming Engines division facility of Avco Corporation in Lycoming County, Pennsylvania. The ongoing remediation efforts are being conducted under the oversight of the U.S. Environmental Protection Agency (USEPA) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (Superfund) and the Pennsylvania Department of Environmental Protection (PADEP). This site was listed on the Federal National Priorities List in 1990.

The Commission originally approved the project sponsor's request for the groundwater withdrawals related to operation of the groundwater remediation system on February 11, 1988 (Commission Docket No. 19880203). In order to maintain control of the contaminant plume, the project sponsor has added or removed recovery wells at the direction or under the oversight of PADEP and USEPA, and currently includes 27 recovery wells.

Commission staff has coordinated with 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:	Lycoming Engines, a Division of Avco Corporation
Approval Type:	Groundwater Withdrawal
Past Docket No.:	19880203
Authorized Water Use Purpose:	Groundwater Remediation
Municipality:	City of Williamsport
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	
Withdrawal Type:	Groundwater
Approved Source:	Avco Corporation – Groundwater Remediation System
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020606 (West Branch Susquehanna River)
Withdrawal Location (degrees)*:	Lat: 41.236814 N Long: 77.040266 W
Special Flow Protection Required:	No
* Coordinates provided are for the Third Street Recovery Well.	

Section 4. Aquifer Testing

Consistent with Commission Regulation 18 CFR § 806.14(d)(6), available reports and studies completed under the direction of and submitted to PADEP and USEPA provide sufficient information for Commission staff to review the potential impacts of the withdrawals for the groundwater remediation system without separate aquifer testing.

Commission staff determined that the withdrawals from the groundwater remediation system 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):	1.440 million gallons per day (mgd)

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

Section 6. 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.

All withdrawals from sources utilized by the project for the groundwater remediation system are approved.

Section 7. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 8. Special Conditions

18. The date of the last meter certifications was March 22, 2018; therefore, the next meter certifications are due no later than March 22, 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.

19. The recovery wells shall not be used as supply production wells or for any other non-remediation purposes at the site.

20. The project sponsor shall have the option of reactivating existing recovery wells in the future, or adding new recovery wells to the existing remediation system, provided the total withdrawal from all recovery wells does not exceed the 1.440 mgd (30-day average) system limit. Any changes in the status of the recovery wells (reactivated or deactivated), or the installation of any new recovery wells, should be addressed in a written notice to the Commission within thirty (30) days of the change.

Section 9. Term

21. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2048. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2047, 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.

22. Commission Docket No. 19880203 shall remain effective through June 30, 2018, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018



Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180605

Approval Date: June 15, 2018

MOUNTAIN ENERGY SERVICES, INC.

**Surface Water Withdrawal (Peak Day) of up to 1.498 mgd
from Tunkhannock 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. 20140606 that was approved June 5, 2014, with a peak day withdrawal rate of 1.498 million gallons per day (mgd) and 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:	Mountain Energy Services, Inc.
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20140606
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development, Natural Gas Pipeline (Midstream) Operations, Wind Energy Operations, Quarry Operations, and Related Incidental Uses
Municipality:	Tunkhannock Township
County:	Wyoming County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Tunkhannock Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010612 (Tunkhannock Creek)
Water Use Designation:	Trout Stocked Fishery (TSF)
Withdrawal Location (degrees):	Lat: 41.556886 N Long: 75.894750 W
Site Flow Statistics (cfs):	Q7-10 = 17.3; Average Daily Flow = 559
Impairment:	Mercury
Drainage Area (square miles):	393
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):	1.498 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,500 (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	--	--
February	--	--
March	--	--
April	--	--
May	--	--
June	80	84

July	45	49
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	33	37
September	32	36
October	43	47
November	82	86
December	--	--
1 cfs = 448.8 gallons per minute (gpm) * Flow Protection Threshold		USGS – U.S. Geological Survey -- – 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 Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

21. Effective July 1, 2018, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow is equal to or exceeds such flow protection threshold.

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

23. The date of the last meter certification was May 2, 2018; therefore, the next meter certification is 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.

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 Commission Regulation 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 Section 2 and Special Condition 26, including daily quantities supplied.

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

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


Section 7. Term

28. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

29. Commission Docket No. 20140606 shall remain effective through June 30, 2018, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20180606

Approval Date: June 15, 2018

NIAGARA H2O COMPANY

**Surface Water Withdrawal (Peak Day) of up to 1.500 mgd
from the Susquehanna River**

Section 1. Approval

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

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

Section 2. Project Information

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

Project Information	
Project Sponsor:	Niagara H2O Company
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Towanda Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Susquehanna River
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010605 (Upper Susquehanna)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.749162 N Long: 76.428812 W
Site Flow Statistics (cfs):	Q7-10 = 592; Average Daily Flow = 10,900
Impairment:	Metals; Polychlorinated Biphenyls (PCB); Mercury
Drainage Area (square miles):	7,788
Aquatic Resource Class*:	6
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	1.500 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,042 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01531500; Susquehanna River at Towanda, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	--	--
February	--	--
March	--	--
April	--	--
May	--	--
June	--	--
July	884	887
August	670	673
September	615	618
October	777	780

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>
November	--	--
December	--	--
mgd – million gallons per day 1 cfs = 448.8 gallons per minute (gpm) * Flow Protection Threshold		USGS – U.S. Geological Survey -- – 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 Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

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

21. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within

thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered or received approval pursuant to Commission Regulation 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 Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

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

Section 7. Term

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

27. This approval is effective until June 14, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 14, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson

SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180607

Approval Date: June 15, 2018

NORTHEAST MARCELLUS AQUA MIDSTREAM I, LLC

**Surface Water Withdrawal (Peak Day) of up to 5.000 mgd
from the Susquehanna River**

Section 1. Approval

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

The project sponsor's initial project design included pipeline transport to existing impoundments several miles from the withdrawal, in addition to on-site storage and on-site truck loadout facilities in close proximity to the withdrawal location. The application and project design was revised during the application review, eliminating the on-site storage and on-site truck loadout facilities. The final proposed project design only included pipeline transport to off-site impoundments several miles from the point of withdrawal. The inclusion of pipeline transport as a part of the project supports the finding 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:	Northeast Marcellus Aqua Midstream I, LLC
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Tunkhannock Township
County:	Wyoming County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Susquehanna River
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010714 (Lower Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.534797 N Long: 75.946239 W
Site Flow Statistics (cfs):	Q7-10 = 691; Average Daily Flow = 13,700
Impairment:	Polychlorinated Biphenyl (PCB); Mercury
Drainage Area (square miles):	9,306
Aquatic Resource Class*:	6
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	5.000 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	3,473 (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 01533400; Susquehanna River at Meshoppen, 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	--	--
July	1,190	1,130

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	877	831
September	839	795
October	1,100	1,040
November	--	--
December	--	--
mgd – million gallons per day		USGS – U.S. Geological Survey
1 cfs = 448.8 gallons per minute (gpm)		-- – No special flow protection required
* Flow Protection Threshold		

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

Section 5. Standard Conditions

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

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

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

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

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the permit prior to operating the withdrawal. If subsequent design

review by the permitting agency requires modification to the intake design, the project sponsor shall submit to the Commission a revised intake design for review and, if appropriate, approval by Commission staff prior to permit issuance by the permitting agency. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

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

21. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the

Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered or received approval pursuant to Commission Regulation 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 Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

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

26. Prior to initiation of the withdrawal, the project sponsor shall submit a certification to the Commission including photographs documenting the installation and placement of the intake at a location below the confluence with Tunkhannock Creek. Withdrawals shall not commence until Commission staff has approved the certification of the withdrawal location and notified the project sponsor of such approval.

27. The final proposed project design only included pipeline transport to existing impoundments several miles from the point of withdrawal. The project sponsor shall submit an application for major modification to the Commission for review and, if appropriate, approval prior to any changes to the project's approved method of water transport from the withdrawal (waterline to off-site storage impoundment facilities).

Section 7. Term

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

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

29. This approval is effective until June 14, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 14, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20180608

Approval Date: June 15, 2018

PENNSYLVANIA GENERAL ENERGY COMPANY, L.L.C.

**Surface Water Withdrawal (Peak Day) of up to 0.918 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. 20140609 that was approved June 5, 2014, with a peak day withdrawal rate of 0.918 million gallons per day (mgd) and 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:	Pennsylvania General Energy Company, L.L.C.
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20140609
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: 41.254782 N Long: 77.330834 W
Site Flow Statistics (cfs):	Q7-10 = 37.3; Average Daily Flow = 1,420
Drainage Area (square miles):	950
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):	0.918 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	638 (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 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	95	97
February	110	112
March	271	272
April	626	626
May	319	320
June	276	277
July	116	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	71	73
September	69	71
October	85	87
November	164	165
December	401	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 Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

21. Effective July 1, 2018, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow is equal to or exceeds such flow protection threshold.

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

23. The date of the last meter certification was March 3, 2017; therefore, the next meter certification is due no later than March 3, 2022. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

24. 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.

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

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

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

Section 7. Term

28. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

29. Commission Docket No. 20140609 shall remain effective through June 30, 2018, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018



Stephanie L. Richardson



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Docket No. 20180609

Approval Date: June 15, 2018

PRO-ENVIRONMENTAL, LLC

**Surface Water Withdrawal (Peak Day), Variable, of up to 0.999 mgd
from Martins 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. 20140610 that was approved June 5, 2014, and modified April 27, 2018, as Commission Docket No. 20140610-1, with a variable peak day withdrawal rate of up to 0.999 million gallons per day (mgd) and 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:	Pro-Environmental, LLC
Approval Type:	Surface Water Withdrawal
Past Docket Nos.:	20140610 and 20140610-1
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development, Hydro Excavation, Hydrostatic Testing, Horizontal Directional Drilling (HDD), Conventional Bores, Natural Gas Pipeline (Midstream) Operations, Wind Energy Operations, Quarry Operations, Dust Suppression, and Related Incidental Uses

Project Information (continued)	
Municipality:	Lathrop 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:	Martins Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010612 (Tunkhannock Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.670242 N Long: 75.781161 W
Site Flow Statistics (cfs):	Q7-10 = 2.1; Average Daily Flow = 69.0
Drainage Area (square miles):	48.5
Aquatic Resource Class*:	2
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations				
Peak Day Withdrawal Amount (mgd):	Not to Exceed Values Contained in the “Withdrawal and Passby Schedule,” When Available			
Maximum Instantaneous Withdrawal Rate (gpm):	Not to Exceed Values Contained in the “Withdrawal and Passby Schedule,” When Available			
Flow Protection Type:	Seasonal passby expressed as monthly values			
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania			
Withdrawal and Passby Schedule:				
<i>Month</i>	<i>Peak Day Withdrawal (mgd)</i>	<i>Maximum Instantaneous Withdrawal (gpm)</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	0.999	1,150	21	189
February	0.999	1,150	25	219

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>
March	0.999	1,150	54	454
April	0.999	1,150	58	490
May	0.999	1,150	30	266
June	0.999	1,150	13	126
July	0.972	695	7.4	71
August	0.732	513	5.4	53
September	0.705	490	5.2	50
October	0.974	677	7.2	69
November	0.999	1,150	16	152
December	0.999	1,150	25	224
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm) * Flow Protection Threshold				

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

Section 5. Standard Conditions

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

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

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

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

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in

accordance with Commission Regulations 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

21. Effective July 1, 2018, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours.

22. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by

Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

23. Within sixty (60) days of the date of this approval, the project sponsor shall notify the Commission, in writing, and certify the accuracy of the measuring device to within five (5) percent of actual flow.

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 Commission Regulation 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 Section 2 or Special Condition 26, including daily quantities supplied.

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

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

Section 7. Term

28. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

29. Commission Docket Nos. 20140610 and 20140610-1 shall remain effective through June 30, 2018, whereupon they shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson

SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180610

Approval Date: June 15, 2018

REPSOL OIL & GAS USA, LLC

**Surface Water Withdrawal (Peak Day), Variable, of up to 0.176 mgd
from Fall Brook**

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. 20140615 that was approved June 5, 2014, with special flow protection requirements, issued to Talisman Energy USA Inc., which underwent a name change to Repsol Oil & Gas USA, LLC, effective December 30, 2016. 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.:	20140615
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Troy 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:	Fall Brook
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010601 (Sugar Creek)
Water Use Designation:	Trout Stocked Fishery (TSF)
Withdrawal Location (degrees):	Lat: 41.774340 N Long: 76.804762 W
Site Flow Statistics (cfs):	Q7-10 = 0; Average Daily Flow = 1.6
Drainage Area (square miles):	1.7
Aquatic Resource Class*:	1
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 01531250; North Branch Sugar Creek Tributary near Columbia Cross Roads, 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	0.072	50	0.45	2.9
February	0.072	50	0.45	2.9
March	0.163	113	1.3	8.3
April	0.176	123	1.1	7.2
May	0.092	64	0.62	4.0

Approved Withdrawal Quantities and Limitations (continued)				
Withdrawal and Passby Schedule:				
<i>Month</i>	<i>Peak Day Withdrawal (mgd)</i>	<i>Maximum Instantaneous Withdrawal (gpm)</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
June	0.072	50	0.45	2.9
July	0.072	50	0.45	2.9
August	0.072	50	0.45	2.9
September	0.072	50	0.45	2.9
October	0.072	50	0.45	2.9
November	0.072	50	0.45	2.9
December	0.072	50	0.45	2.9
mgd – million gallons per day		USGS – U.S. Geological Survey		
1 cfs = 448.8 gallons per minute (gpm)		* Flow Protection Threshold		

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

Section 5. Standard Conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

21. Effective July 1, 2018, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours.

22. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within

thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

23. The date of the last meter certification was August 16, 2016; therefore, the next meter certification is due no later than August 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.

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 Commission Regulation 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 Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

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


Section 7. Term

28. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

29. Commission Docket No. 20140615 shall remain effective through June 30, 2018, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180611

Approval Date: June 15, 2018

REPSOL OIL & GAS USA, LLC

**Surface Water Withdrawal (Peak Day), Variable, of up to 0.926 mgd
from the Unnamed Tributary to North Branch Sugar Creek**

Section 1. Approval

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

This approval is a renewal of Commission Docket No. 20140616 that was approved June 5, 2014, issued to Talisman Energy USA Inc., which underwent a name change to Repsol Oil & Gas USA, LLC, effective December 30, 2016, with a peak day withdrawal rate of 0.926 million gallons per day (mgd) and special flow protection requirements. The project sponsor has requested changes to certain variable (monthly) peak day withdrawal rates but is maintaining the maximum (monthly) peak day withdrawal rate at the previously approved 0.926 mgd. Commission staff recommended approval of the requested changed rates and 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.:	20140616
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses

Project Information (continued)	
Municipality:	Columbia 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:	Unnamed Tributary to North Branch Sugar Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010601 (Sugar Creek)
Water Use Designation:	Trout Stocked Fishery (TSF)
Withdrawal Location (degrees):	Lat: 41.841111 N Long: 76.827369 W
Site Flow Statistics (cfs):	Q7-10 = 0; Average Daily Flow = 8.3
Drainage Area (square miles):	8.8
Aquatic Resource Class*:	1
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 01531250; North Branch Sugar Creek Tributary near Columbia Cross Roads, Pennsylvania

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>
January	0.225	156	1.4	1.5
February	0.385	267	2.4	2.4
March	0.926	644	6.9	7.0
April	0.807	560	5.0	5.1
May	0.516	358	3.2	3.3
June	0.161	112	1.0	1.1
July	0.072	50	0.45	0.45
August	0.072	50	0.45	0.45
September	0.072	50	0.45	0.45
October	0.072	50	0.45	0.45
November	0.161	112	1.0	1.1
December	0.354	246	2.2	2.3
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm) * Flow Protection Threshold				

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

Section 5. Standard Conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

21. Effective July 1, 2018, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4,

and shall not reinstate withdrawals until the streamflow is equal to or exceeds such flow protection threshold

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

23. The date of the last meter certification was January 2, 2018; therefore, the next meter certification is due no later than January 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.

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 Commission Regulation 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 Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

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

Section 7. Term

28. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

29. Commission Docket No. 20140616 shall remain effective through June 30, 2018, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018



Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180612

Approval Date: June 15, 2018

SUGAR HOLLOW WATER SERVICES LLC

**Surface Water Withdrawal (Peak Day) of up to 0.249 mgd
from Bowman 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. 20140612 that was approved June 5, 2014, and modified March 30, 2018, as Commission Docket No. 20140612-1, with a peak day withdrawal rate of 0.249 million gallons per day (mgd) and 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:	Sugar Hollow Water Services LLC
Approval Type:	Surface Water Withdrawal
Past Docket Nos.:	20140612 and 20140612-1
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development, Hydrostatic Testing, Horizontal Directional Drilling (HDD), Conventional Bores, Natural Gas Pipeline (Midstream) Operations, Wind Energy Operations, Quarry Operations, and Related Incidental Uses

Project Information (continued)	
Municipality:	Eaton Township
County:	Wyoming County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Bowman Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010613 (Bowman Creek)
Water Use Designation:	High Quality Cold Water Fishery (HQ-CWF)
Withdrawal Location (degrees):	Lat: 41.506131 N Long: 75.984706 W
Site Flow Statistics (cfs):	Q7-10 = 4.7; Average Daily Flow = 152
Wild Trout Classification:	Naturally Reproducing Wild Trout
Drainage Area (square miles):	107
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):	0.249 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	190 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	--	--
February	--	--

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>
March	--	--
April	--	--
May	60	221
June	--	--
July	14	55
August	10	40
September	10	39
October	14	54
November	--	--
December	49	182
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 Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

21. Effective July 1, 2018, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours.

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

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

24. Within sixty (60) days of the date of this approval, the project sponsor shall install and maintain the intake as reviewed and approved by Commission staff. The project sponsor shall notify the Commission, in writing, and submit photographs of the intake when it has been installed.

25. If intake changes are proposed or maintenance requires instream work, excluding launch and retrieval of the floating intake from the bank, the project sponsor shall adhere to recommendations provided by PFBC for avoiding adverse impact to documented occurrences of a naturally reproducing wild trout population. 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.

26. Except as authorized pursuant to Special Condition 28, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered or received approval pursuant to Commission Regulation 18 CFR § 806.22(f), as applicable.

27. 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 and Special Condition 28, including daily quantities supplied.

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

29. 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

30. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

31. Commission Docket Nos. 20140612 and 20140612-1 shall remain effective through June 30, 2018, whereupon they shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018



Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20180613

Approval Date: June 15, 2018

SUSQUEHANNA GAS FIELD SERVICES, LLC

Groundwater Withdrawal (30-Day Average) of 0.216 mgd from the Meshoppen Pizza Well

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.

This approval is a renewal of Commission Docket No. 20140613 that was approved on June 5, 2014. The project sponsor did not request, and Commission staff did not recommend, any changes to the project.

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:	Susquehanna Gas Field Services, LLC
Approval Type:	Groundwater Withdrawal
Past Docket No.:	20140613
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses, Hydrostatic Pipeline Testing, Dust Suppression by Wind Energy Construction Companies, and Use by Quarrying Operations
Municipality:	Meshoppen Borough
County:	Wyoming County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Withdrawal Type:	Groundwater
Approved Source:	Meshoppen Pizza Well
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010608 (Meshoppen Creek Watershed)
Withdrawal Location (degrees):	Lat: 41.615117 N Long: 76.048033 W
Special Flow Protection Required:	No

Section 4. Aquifer Testing

The constant-rate aquifer testing required by Commission Regulation 18 CFR § 806.12 for groundwater withdrawals was completed with prior Commission approval. A 72-hour, constant-rate aquifer test of the Meshoppen Pizza Well was conducted from October 5 through 8, 2009, pumping at an average rate of 150 gallons per minute (gpm). In addition to the historical testing data, the project sponsor provided an evaluation of historical withdrawal data demonstrating use at the requested rate and groundwater elevation data collected during operation of the well under previous Commission approvals.

Commission staff determined that the withdrawal from the Meshoppen Pizza Well 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, subject to the conditions set forth below.

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):	0.216
Maximum Instantaneous Withdrawal Rate (gpm):	150 (Not to Exceed)
Peak Day Withdrawal (mgd):	0.216
mgd – million gallons per day	

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

Section 6. Existing Approved Withdrawals

The project does not have existing approved withdrawals.

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

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

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

5. The project sponsor shall adhere to the 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.

6. The project sponsor shall keep daily records of the project's withdrawal 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 Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

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

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

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

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

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

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

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

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

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

may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

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

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

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

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

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

21. 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

22. The date of the last meter certification was June 28, 2017; therefore, the next meter certification is due no later than June 30, 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.

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 Commission Regulation 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 Section 2 and 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 Commission Regulation 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

Section 10. Term

26. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2033. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2032, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

27. Commission Docket No. 20140613 shall remain effective through June 30, 2018, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018



Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180614

Approval Date: June 15, 2018

SUSQUEHANNA GAS FIELD SERVICES, LLC

**Surface Water Withdrawal (Peak Day) of up to 1.650 mgd
from the Susquehanna River**

Section 1. Approval

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

This approval is a renewal and modification of Commission Docket No. 20140614 that was approved June 5, 2014, with a peak day withdrawal rate of 1.650 million gallons per day (mgd) and no special flow protection requirements. The project sponsor has requested changes to the authorized water uses. 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:	Susquehanna Gas Field Services, LLC
Approval Type:	Surface Water Withdrawal
Past Docket No.:	20140614
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development, Hydrostatic Testing, Dust Suppression, Quarrying Operations, and Related Incidental Uses
Municipality:	Meshoppen Township
County:	Wyoming County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Susquehanna River
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010614 (Lower Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.609889 N Long: 76.107500 W
Site Flow Statistics (cfs):	Q7-10 = 639; Average Daily Flow = 12,700
Impairment:	Polychlorinated Biphenyl (PCB); Mercury
Drainage Area (square miles):	8,607
Aquatic Resource Class*:	6
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	1.650 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,389 (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 01533400; Susquehanna River at Meshoppen, 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	--	--
July	--	--

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	811	824
September	776	788
October	1,020	1,040
November	--	--
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 Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Special Conditions

21. Effective July 1, 2018, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow is equal to or exceeds such flow protection threshold.

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

23. Within sixty (60) days of the date of this approval, the project sponsor shall notify the Commission, in writing, and certify the accuracy of the measuring device to within five (5) percent of actual flow.

24. The project is fully constructed and no changes are proposed. However, if changes are proposed or maintenance requires instream work, the project sponsor should adhere to recommendations provided by DCNR and PFBC in the November 16, 2017, Pennsylvania Natural Diversity Inventory (PNDI) response for avoiding adverse impact to documented occurrences of rare species at or in proximity to the project location. The documented species are the eastern sand cherry (*Prunus pumila var. depressa*) and the green floater (*Lasmigona subviridis*).

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

26. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Section 2 and Special Condition 27, including daily quantities supplied.

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

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

Section 7. Term

29. This approval shall be effective July 1, 2018, and shall remain effective until June 30, 2023. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2022, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

30. Commission Docket No. 20140614 shall remain effective through June 30, 2018, whereupon it shall expire.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180615

Approval Date: June 15, 2018

TOWN OF VESTAL

Groundwater Withdrawal (30-Day Average) of 1.440 mgd from Well 4-4, and Total System Withdrawal Limit (30-Day Average) of 2.800 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 Town of Vestal supplies water to the Town of Vestal, and maintains and operates a public water supply system in Broome County, New York. The Town of Vestal also may provide water to the Village of Endicott for emergency supply through an interconnection. The Town of Vestal's public water supply system includes six sources for Water Districts 1, 4, and 5 (Wells 1-2A, 1-3, 4-2, 4-3, 4-4, and 5-1) and an emergency interconnect with the City of Binghamton. Based on information provided by the Town of Vestal, no other sources are operated by the project.

On May 14, 1981, the Commission approved the groundwater withdrawal (consecutive 30-day average) of 1.400 million gallons per day (mgd) from Well 4-4 under Commission Docket No. 19810508, which expired on May 14, 2011. On August 1, 2011, a groundwater withdrawal application was received requesting approval for withdrawal from Well 4-4. This approval authorizes withdrawal from Well 4-4 at the requested rate, and establishes a total system withdrawal limit for withdrawals from Wells 1-2A, 1-3, 4-2, 4-3, 4-4, and 5-1.

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

Commission staff has coordinated with the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) 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:	Town of Vestal
Approval Type:	Groundwater Withdrawal
Past Docket No.:	19810508
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Town of Vestal
County:	Broome County
State:	New York

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:	Well 4-4
Subbasin:	Upper Susquehanna
Watershed Boundary Dataset (WBD):	0205010302 (Choconut Creek/Susquehanna River)
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 constant-rate aquifer testing required by Commission Regulation 18 CFR § 806.12 for groundwater withdrawals was completed with prior Commission approval. An 84-hour, constant-rate aquifer test of Well 4-4 was conducted from August 14 through 17, 2017, pumping at an average rate of 1,003 gallons per minute (gpm).

Commission staff determined that the withdrawal from Well 4-4 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, subject to the conditions set forth below.

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):	1.440
Maximum Instantaneous Withdrawal Rate (gpm):	1,000 (Not to Exceed)
Peak Day Withdrawal (mgd):	1.440
Total System Withdrawal Limit – Wells 1-2A, 1-3, 4-2, 4-3, 4-4, and 5-1 (30-Day Average) (mgd):	2.800

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 1-2A	1.300	19950503	May 11, 2025

Section 7. Unapproved Sources

On May 15, 2018, pursuant to Subpart E to Commission Regulation 18 CFR § 806, the project submitted application for registration of Wells 1-3, 4-2, 4-3, and 5-1.

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. 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 listed in Sections 3, 6, and 7 of this approval.

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

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

5. Within sixty (60) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with Commission Regulation 18 CFR

§ 806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Sections 3, 6, and 7. Following approval, the project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented.

6. The project sponsor shall keep daily records of the project's withdrawals and groundwater elevations for the sources listed in Sections 3, 6, and 7, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure, and any modifications proposed for the groundwater elevation monitoring plan, shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

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

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

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

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

11. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal 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. The

project sponsor shall also satisfy annual usage, capacity, and conservation reporting requirements in the form and manner prescribed by NYSDEC's Division of Water.

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

14. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The foregoing shall include, but not be limited to, any applicable permitting requirements of NYSDEC. 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. Furthermore, no water withdrawn by this project may be used in natural gas well development using High Volume Hydraulic Fracturing in New York State.

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

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

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

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

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

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

21. If the Commission determines that the operation of the project's groundwater 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

22. Within ninety (90) days from the date of this approval, the project sponsor shall install and maintain metering on the source(s) of the project's unapproved withdrawals listed in Section 7, in accordance with Commission Regulation 18 CFR § 806.30(a)(1). The project sponsor shall notify the Commission, in writing, and submit photographs of the meter(s) when installed and certify the accuracy of the measuring device(s) to within five (5) percent of actual flow.

23. The date of the last meter certification for all system wells was December 10, 2014; therefore, the next meter certification is due no later than December 10, 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.

24. The project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered or received approval pursuant to Commission Regulation 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 records, and shall report the same to the Commission upon request, of all persons supplied water from the project that maintain a permanent connection to the public water supply system. The project sponsor shall also keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project that do not maintain a permanent connection to the public water supply system for uses other than hydrocarbon development, including daily quantities supplied.

Section 10. Term

26. This approval is effective until June 14, 2033. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 14, 2032, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 15, 2018.

Dated: June 18, 2018


Stephanie L. Richardson