

RESOLUTION NO. 2015-06

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") delegating authority to the Executive Director to take certain administrative actions on behalf of the Commission.

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, through the enactment of Resolution 2013-11, determined that, to improve the efficiency and timeliness of certain administrative actions relating to the implementation of the project review regulations (18 CFR Part 806), authority should be delegated to the Executive Director to take such actions on behalf of the Commission; and

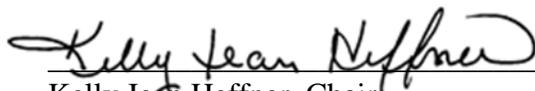
WHEREAS, the Exhibit A attached to Resolution 2013-11 contained errors that the Commission desires to correct.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby supersedes and replaces Exhibit A to Resolution 2013-11 with Exhibit A-1, which is attached hereto and made a part of this resolution. All other aspects of the delegation authorized under Resolution 2013-11 remain in effect and are unchanged by this Resolution.

2. This resolution shall be effective immediately.

Dated: September 10, 2015



Kelly Jean Heffner, Chair
Pennsylvania

Resolution No. 2015-06
Exhibit A-1
(Replaces Exhibit A to Resolution 2013-11)

18 CFR Part 806 – Review and Approval of Projects

ADMINISTRATIVE AUTHORIZATIONS

*Delegation of Authority to the Executive Director to Take Certain
Administrative Actions on Behalf of the Commission*

The following authorizations are delegated to the Executive Director as per the foregoing resolution:

- **§ 806.4** – Authorization to modify any of the following conditions of a project approval previously issued under this section:
 - Monitoring, metering or reporting requirements established pursuant to § 806.30.
 - Deadlines associated with the development or implementation of plans or designs associated with metering, monitoring, reporting, mitigation or water resource development conditions or requirements.
 - To make corrective modifications to address errors or omissions in the approval.
- **§ 806.8** – Authorization to waive the following requirements, subject to advance notification to the host member jurisdiction:
 - Constant-rate aquifer testing requirements of § 806.12, provided such waiver is consistent with the provisions of Policy No. 2007-1, the Commission’s Aquifer Testing Guidance.
 - Specific notice requirements of § 806.15, provided the essential purposes of providing notice and an opportunity to be heard are met.
- **§ 806.8** – Authorization to deny, subject to advance notification to the host member jurisdiction, a request to waive the constant-rate aquifer testing requirements of § 806.12, where such request is inconsistent with the provisions of Policy No. 2007-1, the Commission’s Aquifer Testing Guidance.
- **§ 806.16** – Authorization to make determinations concerning the completeness of applications pending before the Commission for review, including the authority to

terminate review pursuant to § 806.16(c) where the applicant fails to respond to Commission requests for additional information or fails to tender the appropriate application fee.

- **§ 806.21** – Authorization to take the following actions:
 - Suspend review of an application, at the request of the applicant or the host member jurisdiction, provided such suspension serves the best interests of the Commission.

- **§ 806.21** – Authorization to take the following actions, subject to advance notification to the host member jurisdiction:
 - Pursuant to § 806.21(c)(1), suspend or terminate review of an application where another governmental agency with lawful jurisdiction over the project has issued a denial.
 - Pursuant to § 806.21(c)(2), modify, suspend or revoke an approval if the project sponsor fails to obtain or maintain the approval of a member jurisdiction or political subdivision thereof having lawful jurisdiction over the project.

- **§ 806.31** – Authorization to take the following actions, subject to advance notification to the host member jurisdiction:
 - Pursuant to § 806.31(b), grant extensions not to exceed two years, to the expiration for failure to commence operations within three years rule, where the delay was caused by circumstances beyond the control of the project sponsor and there is a likelihood of project implementation within the timeframe of the extension.
 - Pursuant to § 806.31 (d), rescind an approval where abandonment can be inferred from evidence of non-use and under such circumstances that support such a determination.
 - Pursuant to § 806.31(d), rescind an approval at the request of the project sponsor.