



## GP-01 GROUNDWATER REMEDIATION PROJECTS FACT SHEET

### Purpose

The purpose of this fact sheet is to define a General Permit (GP-01) and explain the scope, conditions, and administrative processes associated with obtaining coverage.

In compliance with the provisions of the Susquehanna River Basin Compact, and its regulations at 18 C.F.R. § 806.17, the Susquehanna River Basin Commission (Commission) has approved the withdrawal of groundwater for groundwater remediation projects and the consumptive use of that same water under GP-01.

### What is a General Permit?

A General Permit is a permit issued by the Commission in lieu of an individual approval for a specific category of projects that the Commission regulates. A General Permit covers a type of activity that can operate under the same conditions and will result in minimal adverse impacts to the water resources of the Basin.

The General Permit process has several benefits for the regulated community:

- Established criteria for qualification to operate under the General Permit.
- Established conditions of operation under the General Permit.
- Streamlined application and review process, resulting in quicker permit decisions.
- Lower application fees.

### Scope of General Permit GP-01

In general, groundwater remediation projects are overseen by federal and state agencies, and follow federal and state regulations for cleanup standards. GP-01 is designed to avoid duplication of those authorities and standards, and covers only the small role that Commission regulations require for the use of water for groundwater remediation. GP-01 addresses three water-related activities for existing or new groundwater remediation projects that have been directed, ordered, or overseen, by state or federal environmental regulatory agencies and regulations:

1. The withdrawal of  $\geq 100,000$  gallons per day (gpd) (consecutive 30-day average) of groundwater for a groundwater remediation project;
2. The consumptive use of water, of an average of 20,000 gpd or more in any consecutive 30-day period, from the groundwater remediation project. To qualify for

this General Permit, the groundwater remediation project must be the sole water source for the consumptive use.

3. Any groundwater remediation project withdrawal that is used as a source of water for a regulated consumptive use as described in Item 2 above.

GP-01 applies only to groundwater withdrawals associated with a groundwater remediation system and consumptive use, if any, solely supplied by the remedial system. Other withdrawals for a project, as well as consumptive use if other sources are used, must be approved separately and are not within the scope of GP-01.

If a groundwater remediation project includes a surface water source, that surface water source must move through the individual permitting process, and is not included in coverage by GP-01. Coverage by GP-01 would apply to groundwater source(s) for the project.

### **Administrative Process**

After the Commission has issued a General Permit, a project sponsor can review it and decide if their activity fits within the three activities covered by GP-01. If the project does, the project sponsor may request permission to operate under GP-01 by filing a Notice of Intent (NOI) to the Commission at least 60 days prior to water withdrawal or use for the project. The NOI is a short application form that the project sponsor fills out with basic project information, and can be found on the Commission's website. The Commission will publish every NOI on its website. There is a 30-day public comment period for every NOI published on the Commission's website. Public comments may be submitted in writing or via <https://www.srbc.net/regulatory/public-comment/>.

Once they have submitted a NOI to the Commission, a project sponsor must also provide notice to the state's environmental protection agency, and each municipality and county planning agency where the project is located. Commission staff reviews the NOI for completeness and upon close of the public comment period and review of comments received, the Executive Director of the Commission then determines if an approval of coverage to operate under GP-01 may be issued to the project sponsor. Notice of approval or denial of coverage will be published in the Federal Register (<https://www.govinfo.gov/app/collection/FR/>).

### **Fee**

The NOI fee for coverage under GP-01 is \$2,000, which includes review of the project's consumptive use, if applicable, and withdrawal from the project's remediation recovery wells. This fee may change with annual updates to the Commission's Regulatory Program Fee Schedule (<https://www.srbc.net/regulatory/fee-schedules/docs/regulatory-program-fee-schedule.pdf>).

Each facility shall also pay a single Annual Compliance and Monitoring fee as specified in the fee schedule. Groundwater remediation projects developed under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, 42 U.S.C.

Chapter 103, are exempt from application fees and the Annual Compliance and Monitoring fee pursuant to federal law.

## **Term**

GP-01 has a term of thirty (30) years because of the long-term nature of groundwater remediation projects that can take years to achieve cleanup standards. GP-01 is effective January 01, 2021 and the term ends on December 31, 2050.

## **Activities Not Approved By GP-01**

The following activities are **examples** of projects that are not approved under GP-01:

- Withdrawal from surface water sources.
- Quarry or mining withdrawals for dewatering mine workings.
- Abandoned mine pump and treat projects.
- Groundwater remediation projects that do not have state or federal environmental regulatory agency oversight.
- Bulk supply water sales of withdrawn water.

## **Conditions**

GP-01 contains General Conditions for the withdrawal of groundwater for groundwater remediation projects, and a set of Specific Conditions for the consumptive use of that water for ancillary activities.

The General Conditions are outlined in GP-01, and **examples** of those conditions are:

- An approved project will be included in the Commission's Comprehensive Plan.
- The NOI must include a metering plan. A template metering plan is included as Attachment 1 in the NOI application.
- The project shall adhere to its metering plan.
- Commission staff shall have project site access for inspection and monitoring activities without advance notice.
- The project sponsor must file a Notice of Termination when the project is completed.
- The project sponsor must report violations within 5 days of the violation.
- Daily withdrawal data shall be recorded and then reported to the Commission quarterly.
- The project sponsor may reactivate existing recovery wells or add new recovery wells to the remediation system by providing notice to the Commission within thirty (30) days.
- The project sponsor shall provide to the Commission copies of any annual report(s) provided to overseeing state or federal environmental regulatory agencies.

The Specific Conditions for Consumptive Use are outlined in GP-01, and **examples** of those conditions are:

- Daily consumptive use data shall be kept and then reported to the Commission quarterly.
- Consumptive use shall be limited to no more than the withdrawal amount, and rate of withdrawal, required to achieve the groundwater remediation project.
- Consumptive use outside of the groundwater remediation or treatment process is subject to mitigation requirements by making quarterly payments to the Commission at the rate specified in the Regulatory Program Fee Schedule.

### **Where to Find GP-01 and How to Comment**

GP-01 can be found on the Commission's website at <https://www.srbc.net/regulatory/policies-guidance/>.

A 30-day public comment period for GP-01 begins when the draft of the Permit and this fact sheet are published in the Federal Register (<https://www.govinfo.gov/app/collection/FR/>) and the administrative registers of Maryland (<http://www.dsd.state.md.us/MDR/mdregister.html>), New York (<https://www.dos.ny.gov/info/register.htm>), and Pennsylvania (<https://www.pabulletin.com/index.asp>). Public comments can be submitted at <https://www.srbc.net/regulatory/public-comment/>. The Commission will consider all public comments prior to action on the proposed GP-01.