



SUSQUEHANNA RIVER BASIN COMMISSION

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CONSUMPTIVE USE APPROVAL BY RULE 18 CFR § 806.22(e)

Project Approval: ABR-201703001 MT. CARMEL COGEN, INC.

A. Project Information

Project Sponsor: Mt. Carmel Cogen, Inc.

Facility: Mt. Carmel Cogen, Inc.

Municipality, County, State: Mt. Carmel Township, Northumberland County, Pennsylvania

B. Source Information and Approved Consumptive Use Quantities and Limitations

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

Source for Project Consumptive Use: Aqua Pennsylvania, Inc. – Roaring Creek Division
(PWSID No. 4490024)

Peak Day Consumptive Use Amount: 1.370 million gallons per day (mgd)

Authorized Project Consumptive Uses: Operation of a waste to energy facility and related incidental uses (including evaporation, process cooling, blowdown, and discharge to mine pool) and supply to neighboring greenhouse

Consumptive Use Mitigation Type: Conservation release from Bear Gap Reservoir No. 1 and/or payment of consumptive use mitigation fees as provided in Special Condition 18

AUTHORIZATION

After review of the record, including the technical findings, Susquehanna River Basin Commission (Commission) staff has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, and that the project is physically feasible and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, pursuant to Commission Regulation 18 CFR § 806.22(e) and in consultation with technical staff, the Executive Director hereby approves the project described herein in accordance with the conditions set forth below.

This approval is subject to the conditions attached hereto and incorporated herein by reference.

STANDARD CONDITIONS

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.
2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.
3. The project sponsor shall maintain metering on the consumptive use in accordance with Commission Regulation 18 CFR § 806.30.
4. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of consumptive uses, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.
5. The project sponsor shall keep daily records of the project's consumptive use and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.
6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.
7. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR § 806.25.
8. 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

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

9. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the consumptive use 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.
10. 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.
11. 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.
12. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.
13. 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.
14. The project sponsor is required to apply for and obtain approval prior to any increase in consumptive use that would exceed the amounts listed herein or to add a source (public water supply or other) used for consumptive use that is not listed herein.

SPECIAL CONDITIONS

15. The date of the last meter certification was April 1, 2015; therefore, the next meter certification is due no later than April 1, 2020. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.
16. Prior to supplying water for any use not authorized pursuant to Section B 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.
17. The project sponsor shall make reasonable efforts to obtain records from the public water supply system and provide an annual report to the Commission summarizing the daily

quantity withdrawn and the daily conservation releases from the Bear Gap Reservoir No. 1. The annual report shall be due ninety (90) days after the close of the calendar year. This reporting requirement will be evaluated and may be changed at any time deemed appropriate by Commission staff.

18. The project's consumptive water use from the public water supply system is subject to mitigation requirements, as per Commission Regulation 18 CFR § 806.22(b). Mitigation requirements for consumptive use of water at the project are outlined below:
 - a. The Commission's consumptive use compensation requirements are satisfied by the conservation release from the Bear Gap Reservoir No. 1, except as provided in Special Condition 18(b).
 - b. If the public water supply system supplying the water to the project fails to maintain the conservation release from the Bear Gap Reservoir No. 1, the project sponsor's method of consumptive use compensation described in Special Condition 18(a) shall not be acceptable during that calendar year and the project sponsor shall make payment for consumptive use mitigation fees for all water used by the project during that calendar year. The payment shall be calculated by applying the rate from the effective Regulatory Program Fee Schedule to the amount of water consumptively used from the public water supply system during the entire calendar year in which the foregoing were to occur. The Commission will review the annual report required by Special Condition 17, or other available reporting, and process an invoice for the consumptive use mitigation fees, if appropriate. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

TERM

19. This approval is effective April 1, 2017, and shall remain effective until March 31, 2032.
20. Commission Docket Nos. 19860605, 19860605-1, 19860605-2, 19860605-3, and 19860605-4 shall remain effective through March 31, 2017, whereupon they shall expire.

This approval is issued by the Executive Director pursuant to the authority set forth in Commission Regulation 18 CFR § 806.22(e).

Dated: March 7, 2017



Andrew D. Dehoff, Executive Director