



SUSQUEHANNA RIVER
BASIN COMMISSION

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NY ■ PA ■ MD ■ USA

September 25, 2020

Mr. Matthew C. Whitman, M Eng, CSP, CHMM
EHS Director
Centre Concrete Northeast LLC
629 East Rolling Ridge Drive
Bellefonte, PA 16823

Re: Reissuance Due to Name Change;
from Coon Industries, LLC to Centre Concrete Northeast LLC;
Pittston Township, Luzerne County, Pennsylvania;
Commission Docket No. 20021202

Dear Mr. Whitman:

The Susquehanna River Basin Commission (Commission) received a Request for Reissuance of Approval (Commission Form #86) on August 12, 2020, for Commission Docket No. 20021202. This request indicated that effective August 3, 2020, Coon Industries, LLC had changed its name to Centre Concrete Northeast LLC (Centre Concrete). Upon review of the project and the submitted request for reissuance, it was determined that the request is in compliance with the regulations and consistent with 18 CFR § 806.6(c). Therefore, the approval listed above is hereby reissued effective September 25, 2020.

A copy of the above-referenced approval is available on the Commission's Water Application and Approval Viewer (WAAV) at www.srbc.net/waav.

In accordance with the Commission's Regulatory Program Fee Schedule, the facility continues to be subject to the Annual Compliance and Monitoring fee (ACMF). The ACMF is contained in the Regulatory Program Fee Schedule, which may be modified over the term of the approval. The ACMF will be invoiced separately.

Please be advised that, under 18 CFR § 808.11, you have a duty to comply with all provisions of the Susquehanna River Basin Compact (Compact), as well as the Commission's rules, regulations, orders, approvals, conditions of approval, and any other requirements of the Commission. It is your obligation to fulfill all conditions of this approval within the specified time limits and provide written notification to the Commission, as appropriate, and comply with all conditions set forth therein. Failure to meet any term or condition within the specified time may subject you to enforcement action and imposition of civil penalties pursuant to 18 CFR Part 808, Subpart B, and Section 15.17 of the Compact. Penalties range from \$50 to \$1,000 per

day, per condition (which includes exceeding approved quantities), with every day being a separate offense.

Pursuant to 18 CFR § 808.2 relating to administrative appeals, any appeal to this action must be made to the Commission within 30 days of receipt of this notice. All appeals must be made in writing on the Commission's Notice of Appeal form and conform to the requirements of 18 CFR § 808.2. Pursuant to 18 CFR § 808.2(i), an appeal made under this section stays the commencement of the 90-day appeal period to Federal Court contained in Section 3.10(6) of the Compact.

Should you have any questions, please contact Todd Eaby, Manager of Project Review, at (717) 238-0423, extension 1234, or via e-mail at teaby@srbc.net.

Sincerely,



Andrew D. Dehoff
Executive Director

cc: Tasha A. Williams – Centre Concrete Northeast LLC



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NY ■ PA ■ MD ■ USA

October 11, 2018

Mr. Matthew C. Whitman, EHS Director
Coon Industries, LLC
629 East Rolling Ridge Drive
Bellefonte, PA 16823

Re: Notice of Transfer of Approval;
from Coon Industries, Inc. to Coon Industries, LLC;
Pittston Township, Luzerne County, Pennsylvania;
Commission Docket No. 20021202

Dear Mr. Whitman:

The Susquehanna River Basin Commission (Commission) received a Request for Transfer of Approval (Commission Form #86) on June 7, 2018, for Commission Docket No. 20021202. Commission Form #86 indicated the change in ownership was effective April 20, 2018, from Coon Industries, Inc. to Coon Industries, LLC. Upon review of the project and the submitted request for transfer, it was determined that the request is in compliance with the regulations and consistent with 18 CFR § 806.6(a). Therefore, the approval listed above is hereby transferred effective October 11, 2018.

A copy of the above-referenced approval is available on the Commission's Water Application and Approval Viewer (WAAV) at mdw.srbc.net/waav.

Please note that Coon Industries, LLC may operate under the terms and conditions of the transferred approval not inconsistent with the conditions of this transfer, provided that:

1. Coon Industries, LLC submits an updated, comprehensive metering plan to the Commission for review and approval by Commission staff that accounts for all consumptive use associated with this approval by January 9, 2019.
2. In accordance with the Commission's Regulatory Program Fee Schedule, the facility is subject to the Annual Compliance and Monitoring fee (ACMF). The ACMF is contained in the Regulatory Program Fee Schedule adopted annually by the Commission. The ACMF will be invoiced separately and may be modified over the term of the transferred approval.

Please be advised that this transfer is contingent upon compliance with all provisions of the Susquehanna River Basin Compact (Compact), as well as the Commission's rules, regulations, approvals, conditions of approval, and any other requirements of the Commission. It is your obligation to fulfill all conditions of this approval within the specified time limits and provide written notification to the Commission, as appropriate, and comply with all conditions set forth therein. Failure to meet any term or condition within the specified time may subject you to enforcement action and imposition of civil penalties pursuant to 18 CFR Part 808, § 808.15, and Section 15.17 of the Compact. Penalties range from \$50 to \$1,000 per day, per condition (which includes exceeding approved quantities), with every day being a separate offense.

Pursuant to 18 CFR § 808.2 relating to administrative appeals, an appeal to this action must be made to the Commission within 30 days of receipt of this notice. All appeals must be made in writing on the Commission's Notice of Appeal form and conform to the requirements of 18 CFR § 808.2. Pursuant to 18 CFR § 808.2(i), an appeal made under this section stays the commencement of the 90-day appeal period contained in Section 3.10(6) of the Compact.

Should you have any questions, please contact Todd Eaby, Manager of Project Review, at (717) 238-0423, extension 1234, or via e-mail at teaby@srbc.net.

Sincerely,



Andrew D. Dehoff
Executive Director



SUSQUEHANNA RIVER BASIN COMMISSION

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391

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

Web <http://www.srbc.net>

Docket No. 20021202

Approval Date: December 12, 2002

COON INDUSTRIES, INC.

Consumptive Water Use of Up to 0.093 mgd,
for Manufacture of Ready-Mixed Concrete,
Pittston Township, Luzerne County, Pennsylvania

Review Authority

This project is subject to review pursuant to Article 3, Section 3.10 of the Susquehanna River Basin Compact, P.L. 91-575, and Commission Regulations §803.4, relating to projects requiring review and approval, and §803.42, relating to the consumptive use of water. The Commission received the application on July 2, 2001.

Description

Purpose. The purpose of the application is to request approval for the consumptive use of water associated with the manufacture of ready-mixed concrete.

Location. The project is located in the Middle Susquehanna Subbasin, HUC 02050107, Lackawanna River Watershed, Pittston Township, Luzerne County, Pennsylvania.

Project Features. The project sponsor originally requested approval for the consumptive use of water of up to 0.033 million gallons per day (mgd), and subsequently, modified its request to 0.093 mgd. Operations at the facility began in 1987. Currently, the facility consists of an office building, a concrete batch plant, and a maintenance building.

Water is supplied to the facility by the Pennsylvania-American Water Company—Spring Brook Division (PAWC) public water supply system. Water enters through two incoming water lines, 6 inches and 1 inch in diameter, and each source is metered prior to being distributed to the office and maintenance buildings, and concrete production area. The project sponsor also maintains a meter in the concrete batch plant to measure the quantity of water incorporated into each batch of concrete produced.

The water supplied by the 1-inch water line is used only for sanitary purposes in the office building. The water supplied by the 6-inch water line is primarily used for the manufacture of concrete and equipment washing. The remainder is used for sanitary purposes. In the summer, the project sponsor sprays cooling water onto the aggregate stockpiles to maintain acceptable temperatures when manufacturing state-approved concrete mixes. In the

winter, water is used to produce steam to heat the aggregate stockpiles. This prevents the material from freezing so production of concrete can be maintained.

Based on monthly metered water use data submitted by the project sponsor, Commission staff calculates the project's maximum average 30-day consumptive water use to be approximately 0.034 mgd, and current peak-day consumptive water use to be approximately 0.093 mgd.

All of the wastewater resulting from the facility's sanitary uses is discharged to the Wyoming Valley Sewer Authority's sanitary sewer system. Effluent from the facility currently is not metered.

Wastewater resulting from equipment washing is discharged to the ground surface or to a filtering pit.

Findings

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

All water used in the concrete manufacturing process, including water incorporated into cement, aggregate washing, evaporative losses associated with equipment washing, spraying and heating of aggregate stockpiles, and dust control is considered to be used consumptively.

The project sponsor obtains all of its water from a public supplier (PAWC). The water from two incoming waterlines is metered, and those meters currently are read monthly by PAWC. The project sponsor also measures and records the quantity of water incorporated into each batch of concrete manufactured. Sanitary wastewater discharged from the facility is not metered.

Commission staff recommends that the project's total daily consumptive water use be calculated as the quantity of water entering the facility through the 6-inch water line, minus the quantity of water discharged to the sanitary sewer system from the maintenance building and concrete production area. Staff recommends that the project sponsor record the total quantity of water supplied to the facility through the 6-inch water line on a daily basis to compute the project's daily consumptive water use. Commission staff estimates a sanitary sewer discharge of 500 gallons per day during facility operations; however, the project sponsor could propose alternative monitoring to the Commission for staff review and approval to quantify daily consumptive water use.

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

The project sponsor has requested a consumptive water use approval of up to 0.033 mgd. Based on an analysis of water use records supplied by the project sponsor and consideration of

all of the processes that comprise the facility's consumptive water use, Commission staff is recommending approval of up to 0.093 mgd, which represents the estimated peak-day use. The project sponsor concurs with this estimate. Should the project's future consumptive water use exceed or be expected to exceed 0.093 mgd, the project sponsor must apply for a modification to this docket at that time.

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

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

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

Compliance Incentive Program

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

Decision

The project's consumptive water use of up to 0.093 mgd is approved pursuant to Article 3, Section 3.10 of the Compact subject to the following conditions:

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

b. The project sponsor shall keep daily records of the project's consumptive water use, and shall report the data to the Commission quarterly, and as otherwise required. The daily quantity of water consumptively used shall be the quantity used in the concrete manufacturing process, including water incorporated into cement, aggregate washing, the quantity evaporated by equipment washing, spraying and heating of aggregate stockpiles, and dust control. The project sponsor shall calculate consumptive water use by subtracting the total estimated quantity of wastewater (500 gpd) discharged from the maintenance building and concrete production area to Wyoming Valley Sewer Authority's sanitary sewer system from the total quantity of metered water provided to the facility through the 6-inch water line by the PAWC. The project sponsor shall maintain the existing meter, accurate to within five (5) percent, to compute the consumptive water use. The project sponsor may propose alternative monitoring of the effluent discharge to the Commission for staff's review and approval.

c. To satisfy the Commission's current compensation requirements for consumptive water use set forth in Commission Regulation §803.42, the project sponsor shall make quarterly payments to the Commission based on the rate of \$0.14 per 1,000 gallons of water consumptively used by the project. The daily quantity of water consumptively used shall be the quantity used in the concrete manufacturing process, including water incorporated into cement, aggregate washing, the quantity evaporated by equipment washing, spraying and heating of aggregate stockpiles, and dust control. Payments shall be made quarterly and shall be calculated by applying this rate to the daily amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within thirty (30) days after the close of the preceding quarter. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

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

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

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

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

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

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

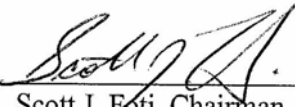
j. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

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

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

By the Commission:

Dated: December 12, 2002



Scott J. Foti, Chairman
New York Alternate Commissioner