

April 24, 2018

Mr. Thomas F. Rafferty, Manager  
Aqua-ETC Water Solutions, LLC  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Re: Reissuance Due to Name Change;  
from Aqua-PVR Water Services, LLC  
to Aqua-ETC Water Solutions, LLC;  
Commission Docket Nos. 20120302, 20120604, and 20120604.1

Dear Mr. Rafferty:

The Susquehanna River Basin Commission (Commission) received a Request for Reissuance of Approval (Commission Form #86) on January 22, 2018, for Commission Docket Nos. 20120302, 20120604, and 20120604.1. Commission Form #86 indicated that effective January 1, 2018, Aqua-PVR Water Services, LLC had changed its name to Aqua-ETC Water Solutions, LLC (Aqua-ETC). Upon review of the projects and the submitted request for reissuance, it was determined that the request is in compliance with the regulations and consistent with Commission Regulation 18 CFR § 806.6(c). Therefore, the approvals listed above are hereby reissued effective April 24, 2018.

Copies of the above-referenced approvals are available on the Commission's Water Application and Approval Viewer (WAAV) at [mdw.srbc.net/waav](http://mdw.srbc.net/waav).

Please note that Aqua-ETC may operate under the terms and conditions of the reissued approvals not inconsistent with the conditions of the reissuance, provided that:

1. Within 120 days from approval of this reissuance request, Aqua-ETC shall post updated signage that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), under "Forms & Applications," along with example sign templates for reference. The signage shall be maintained for the duration of the approvals. Such signs 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 Aqua-ETC 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. Aqua-ETC shall submit photographs as proof of installation of the updated signage.
2. In accordance with the Commission's Regulatory Program Fee Schedule, these projects continue to be 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 reissued approvals.

Please be advised that this reissuance 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 Commission Regulation 18 CFR Section 808, Subpart B, § 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 Commission Regulation 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 Commission Regulation 18 CFR § 808.2. Pursuant to Commission Regulation 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.

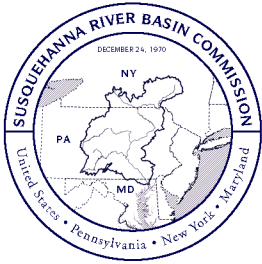
Should you have any questions, please contact Todd Eaby, Manager, Project Review, at (717) 238-0423, extension 1234 or via email at [teaby@srbc.net](mailto:teaby@srbc.net).

Sincerely,



Andrew D. Dehoff  
Executive Director

cc: Daniel J. Schuller – Aqua America, Inc./Aqua-ETC Water Solutions, LLC  
Andrew Klinger – PADEP-Williamsport, PA



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20120302**

**Approval Date: March 15, 2012**

## **AQUA INFRASTRUCTURE, LLC**

### **Surface Water Withdrawal of up to 3.000 mgd from the West Branch Susquehanna River**

#### **Section 1. Approval**

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission determines that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the application of the project sponsor requesting a withdrawal in support of the project and water use purpose identified in Section 2, from the source and location identified in Section 3, is hereby approved by the Commission in accordance with the conditions set forth below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), 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.

<b>Project Information</b>	
<b>Project Sponsor:</b>	Aqua Infrastructure, LLC
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Authorized Water Use Purpose:</b>	Bulk Supply for Development of Natural Gas Wells
<b>Municipality:</b>	Piatt Township
<b>County:</b>	Lycoming County
<b>State:</b>	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.

<b>Source Information</b>	
<b>Approved Source:</b>	West Branch Susquehanna River
<b>Subbasin:</b>	West Branch Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205020606 (West Branch Susquehanna River)
<b>Water Use Designation:</b>	Warm Water Fishery (WWF)
<b>Withdrawal Location (degrees)*:</b>	Lat: 41.214201 N      Long: 77.232103 W
<b>Flow Statistics (cfs):</b>	Q7-10 = 532.4; Average Daily Flow = 8,511
<b>Drainage Area (square miles):</b>	5,234
<b>Special Flow Protection Required:</b>	Yes
cfs – cubic feet per second * Withdrawal location coordinates listed are the proposed surface water access point (streambank). The final withdrawal location for the intake structure will be determined after review from the jurisdictional permitting agency.	

### 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.

<b>Approved Withdrawal Quantities and Limitations</b>	
<b>Peak Day Withdrawal Amount (mgd):</b>	3.000 (Not to Exceed, When Available)
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	2,085 (Not to Exceed)
<b>Flow Protection Type:</b>	Passby: 20% Average Daily Flow, December 1 through July 31; 10% Average Daily Flow, August 1 through November 30
<b>Flow Protection Rate (cfs):</b>	1,702 – December 1 through July 31; 851 – August 1 through November 30
<b>Flow Protection Rate (gpm):</b>	764,000 – December 1 through July 31; 382,000 – August 1 through November 30
<b>Method for Flow Protection Monitoring:</b>	USGS Real-Time Gage 01551500; West Branch Susquehanna River at Williamsport, Pennsylvania
<b>Flow Protection Trigger Flow (cfs):</b>	1,848 – December 1 through July 31; 924 – August 1 through November 30
mgd – million gallons per day gpm – gallons per minute	USGS – U.S. Geological Survey

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, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30.

2. Within sixty (60) days from the date of this approval, the project sponsor shall submit a metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals. Following approval and prior to withdrawal, the project sponsor shall execute the plan and complete any installation of meters in accordance with the approved schedule.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital 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 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 an approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23.

5. The project sponsor or any other person 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.

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. Quarterly monitoring reports shall be submitted on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

7. The project sponsor shall maintain the totalizing meter and other 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.

8. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

9. To satisfy the Commission's registration requirement, the project sponsor shall register with the PADEP all surface water sources described in this docket in accordance with 25 PA Code §110.201, Pennsylvania Water Resources Planning Act, Act 220 of 2002.

10. 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 is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

11. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

12. 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, pursuant to Commission Regulation 18 CFR §806.32.

13. 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.

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

15. The project sponsor has a period of three (3) years from the date of this approval to initiate the withdrawal or this approval will automatically expire, unless an extension is requested by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). Likewise, 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 unless a renewal is requested by the project sponsor and approved by the Commission.

16. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval at that time.

17. This approval is effective until March 14, 2027. As specified in Commission Regulation 18 CFR §806.31(e), the project sponsor shall submit an application by September 14, 2026, and obtain Commission approval prior to continuing operation beyond March 14, 2027.

## Section 6. Special Conditions

18. 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 flow protection trigger flow specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection trigger flow for 48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

19. Prior to the withdrawal of water, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. 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 description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The sign shall be installed prior to any withdrawal of water and be maintained for the duration of the approval. The project sponsor shall submit digital photographs as proof of sign installation prior to the initiation of the withdrawal.

20. The project sponsor shall maintain legal access to the withdrawal location for the duration of the approval.

21. The project sponsor shall also keep daily records of any other person and the well sites or companies receiving the water withdrawn under this approval for natural gas development and shall report the data to the Commission as required. The project sponsor shall only supply water withdrawn hereunder to persons who have properly registered this docket approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

22. The project sponsor shall demonstrate to the satisfaction of the Commission that all water withdrawn from surface water sources, while under control of or on a facility owned or operated by the project sponsor, is transported, stored, injected into a well, or discharged with appropriate controls and treatment to prevent the spread of aquatic nuisance species.

**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 March 15, 2012.

Dated: March 16, 2012

  
Stephanie L. Richardson