



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20140906

Approval Date: September 4, 2014

LANCASTER COUNTY SOLID WASTE MANAGEMENT AUTHORITY

Consumptive Water Use (Peak Day) of up to 0.700 mgd from Stormwater, Treated Effluent, and Public Water Supply at the Susquehanna Resource Management Complex

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined 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 Commission hereby approves the project described herein in accordance with the conditions set forth below.

On February 11, 1988, the Commission approved the City of Harrisburg for the consumptive use of 0.267 million gallons per day (mgd) under Commission Docket No. 19880201. On December 12, 2002, the Commission approved a modification, Commission Docket No. 19880201-1, increasing the consumptive use to 0.700 mgd (peak day). The modified docket was issued to The Harrisburg Authority for water use at the Harrisburg Materials, Energy, Recycling and Recovery Facility (Facility), which consisted of a refuse incinerator and a steam and electric generation facility.

On February 7, 2014, Lancaster County Solid Waste Management Authority (LCSWMA) notified the Commission via written correspondence that it had purchased the Facility (now referred to as the Susquehanna Resource Management Complex [SRMC]) on December 23, 2013. On March 18, 2014, the Commission approved and processed the conditional transfer of Commission Docket Nos. 19880201 and 19880201-1, pursuant to Commission Regulation 18 CFR §806.6(d). LCSWMA was authorized to continue operations under the terms and conditions of the conditionally transferred approval provided that a new consumptive water use application was submitted to the Commission within ninety (90) days from the date of the change of ownership. The required consumptive use application was received by the Commission on March 18, 2014.

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

Project Information	
Project Sponsor:	Lancaster County Solid Waste Management Authority
Approval Type:	Consumptive Water Use
Original Docket No.:	19880201
Authorized Water Use Purpose:	Electric Power Generation, Steam Generation, and Related Process Uses
Municipality:	City of Harrisburg
County:	Dauphin County
State:	Pennsylvania

Section 3. Approved Consumptive Water Use Quantities and Limitations

The consumptive water use approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Consumptive Water Use Quantities and Limitations	
Sources for Project Consumptive Water Use:	<ol style="list-style-type: none"> 1. Treated effluent from Harrisburg's advanced wastewater treatment facility (AWTF) 2. Public water supply 3. Stormwater collected at air pollution control pad
Peak Day Consumptive Water Use Amount (mgd):	0.700 (Not to Exceed)
Project Consumptive Water Uses:	<ol style="list-style-type: none"> 1. Evaporation from a cooling tower 2. System and boiler steam losses 3. Evaporative loss and moisture content from ash 4. Other incidental use related to the process of electric power generation, steam generation, and waste resource recovery
Consumptive Water Use Mitigation Type:	Conservation release from the Dehart Reservoir and/or payment of consumptive use mitigation fees as provided in Special Condition 20

The consumptive use of water is also subject to all other conditions set forth in this docket approval.

Section 4. 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. 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 consumptive use. Following approval, the project sponsor shall execute the plan and complete any installation of meters or other means of measuring consumptive use in accordance with the approved schedule. Any modifications proposed for the metering plan 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. The project sponsor shall notify the Commission, in writing, when the meters are installed and certify the accuracy of the measuring devices to within five (5) percent of actual flow. The project sponsor shall notify the Commission when the metering plan has been implemented.

3. The project sponsor shall maintain metering in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meters and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of consumptive water use, 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 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.

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

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

8. 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 reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

9. 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.

10. 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.

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

12. 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 unless a renewal is requested by the project sponsor and approved by the Commission.

13. Should the project's anticipated consumptive use be expected to exceed the amount listed herein, the project sponsor is required to make application for modification to this approval.

Section 5. Special Conditions

14. This approval shall be effective October 1, 2014, and shall remain effective until September 30, 2029. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 31, 2029, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

15. Commission Docket Nos. 19880201 and 19880201-1 shall remain effective through September 30, 2014, whereupon they shall expire.

16. Until the metering plan required by Standard Condition 2 is approved and implemented in accordance with the schedule provided in the metering plan, the project sponsor shall maintain metering in accordance with Commission Regulation 18 CFR §806.30 and consistent with the methodology previously approved for the conditionally transferred Commission Docket Nos. 19880201 and 19880201-1.

17. The next meter accuracy certification is due within sixty (60) days from the date of the metering plan approval, and every five (5) years thereafter.

18. 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, in the form and manner as prescribed by Commission staff. The daily quantity of water consumptively used shall be calculated in accordance with the approved metering plan as required by Standard Condition 2. Until the metering plan is approved and implemented in accordance with the schedule provided in the metering plan, consumptive water use shall be calculated and reported

in accordance and consistent with the methodology previously approved for the conditionally transferred Commission Docket Nos. 19880201 and 19880201-1. 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, if appropriate, approved by Commission staff.

19. 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 quantity withdrawn and dates of use of the Susquehanna River intake by the public water supplier and the daily conservation releases from the Dehart Reservoir. 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 following Commonwealth of Pennsylvania review and reissuance of the water allocation permit to the water supplier for the operation of the withdrawals from the Susquehanna River and the Dehart Dam, or any other time deemed appropriate by the Commission.

20. 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 SRMC are outlined below:

- a. The Commission's consumptive use compensation requirements are satisfied by the conservation release from the Dehart Reservoir, except as provided in Special Conditions 20(b) and 20(d).
- b. If the public water supply system supplying water to the Facility utilizes its Susquehanna River intake during low flow periods (as defined by the Commission) or during any period when the Commission is making a release from storage, or if the conservation release from the Dehart Reservoir is not maintained by the public water supplier, the project sponsor's method of consumptive use compensation described in Special Condition 20(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 19, 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.
- c. Consumptive use compensation as provided by Special Condition 20(a) shall not be acceptable for stormwater and/or water that is sourced from the AWTF and consumptively used at the Facility, and the project sponsor shall make payment for consumptive use mitigation fees for water use from these sources. To satisfy the Commission's current mitigation fee requirements for consumptive water use,

the project sponsor shall make quarterly payments to the Commission at the rate specified in the effective Regulatory Program Fee Schedule to the total applicable amount of water consumptively used by the project from these sources 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 Commission expects that the water allocation permit issued by the Commonwealth of Pennsylvania for operation of the Dehart Reservoir will be renewed or modified during the term of this approval. The adequacy of the mitigation method will be reevaluated during the Commission coordination and review of the water allocation permit for the reservoir, and any other time deemed appropriate by the Commission. The Commission may reopen this approval to revise the consumptive use mitigation compensation or require that the project sponsor provide a revised mitigation plan (and methods) if Commission staff finds that the conservation release provided in the water allocation permit does not adequately mitigate the project's water use. The Commission shall notify the project sponsor if a revised mitigation plan is needed.

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 September 4, 2014.

Dated: September 5, 2014


Stephanie L. Richardson