



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20190304**

**Approval Date: March 15, 2019**

## **CORNING INCORPORATED – CORNING INNOVATION SUPPORT CENTER**

**Groundwater Withdrawals (30-Day Averages)  
of 0.540 mgd from Carpenter Road Well 1,  
0.540 mgd from Carpenter Road Well 2, and  
Wellfield Withdrawal Limit of 0.540 mgd  
from Carpenter Road Wells 1 and 2 (Combined)**

### **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 significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

The project sponsor operates two production wells (Carpenter Road Wells 1 and 2) at the Corning Innovation Support Center (CISC) located on Carpenter Road in the Town of Big Flats, New York. The project did not have prior Commission approval because the quantity of the withdrawals from Carpenter Road Wells 1 and 2 did not exceed the Commission's regulatory thresholds.

On September 14, 2018, the project sponsor submitted groundwater withdrawal applications requesting approval to withdraw up to 0.540 million gallons per day (mgd) from Carpenter Road Well 1, 0.540 mgd from Carpenter Road Well 2, and 0.540 mgd from Carpenter Road Wells 1 and 2 combined to support planned changes and increased water demands at the CISC facility. This approval authorizes the use of Carpenter Road Wells 1 and 2 at the requested withdrawal rates.

Commission staff has coordinated with the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) 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	
<b>Project Sponsor:</b>	Corning Incorporated
<b>Approval Type:</b>	Groundwater Withdrawal
<b>Authorized Water Use Purpose:</b>	Research and Development and Manufacturing of Glass Products
<b>Municipality:</b>	Town of Big Flats
<b>County:</b>	Chemung County
<b>State:</b>	New York

### Section 3. Source Information

Information concerning the source of water from which the withdrawals will be made is set forth in the table below.

Source Information		
<b>Withdrawal Type:</b>	Groundwater	
<b>Approved Sources:</b>	Carpenter Road Wells 1 and 2	
<b>Subbasin:</b>	Chemung	
<b>Watershed Boundary Dataset (WBD):</b>	0205010504 (Upper Chemung River)	
<b>Withdrawal Location (degrees):</b>		
Carpenter Road Well 1	Lat: 42.124576 N	Long: 76.930121 W
Carpenter Road Well 2	Lat: 42.125160 N	Long: 76.929523 W
<b>Special Flow Protection Required:</b>	No	

### Section 4. Aquifer Testing

The constant-rate aquifer testing required by 18 CFR § 806.12 for groundwater withdrawals was completed with prior Commission approval. A 72-hour, constant-rate aquifer test of Carpenter Road Well 1 was conducted on August 28 through 31, 2017, pumping at an average rate of 450 gallons per minute (gpm). A 74-hour, constant-rate aquifer test of Carpenter Road Well 2 was conducted on September 5 through 8, 2017, pumping at an average rate of 453 gpm.

Commission staff determined that the withdrawals from Carpenter Road Wells 1 and 2, both individually and combined, at the requested withdrawal rates should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below.

### Section 5. Approved Withdrawal Quantities and Limitations

The withdrawals approved hereunder are subject to the quantitative limits and restrictions set forth in the table below.

<b>Approved Withdrawal Quantities and Limitations</b>		
	<b>Carpenter Road Well 1</b>	<b>Carpenter Road Well 2</b>
<b>30-Day Average Withdrawal (mgd):</b>	0.540	0.540
<b>Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):</b>	450	450
<b>Wellfield Withdrawal Limit – Carpenter Road Wells 1 and 2 (30-Day Average) (mgd):</b>	0.540	

The withdrawals are also subject to all other conditions set forth in this docket approval.

### **Section 6. Existing Approved Withdrawals**

The project does not have existing approved withdrawals.

### **Section 7. Grandfathering Determination – Withdrawals and Consumptive Use**

The project did not utilize surface water withdrawals prior to November 11, 1995.

Withdrawals from Carpenter Road Wells 1 and 2 did not previously require approval as the project’s withdrawals were below the Commission’s groundwater withdrawal thresholds. With this approval, all withdrawals for this facility have Commission approval.

The project did not consumptively use water prior to January 23, 1971.

### **Section 8. 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 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 the totalizing meter and other flow and volume 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.

4. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the sources listed in Section 3. The project

sponsor shall maintain and monitor the accuracy of the measuring devices in accordance with the manufacturer's specifications.

5. The project sponsor shall keep daily records of the project's withdrawals and groundwater elevations for the sources listed in Section 3, 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, and any modifications proposed for the groundwater elevation monitoring plan, shall be submitted for review and approval by Commission staff in accordance with 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 18 CFR § 808.12.

7. In accordance with 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

8. In accordance with 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

9. The project sponsor shall comply with the water conservation requirements specified in 18 CFR § 806.25.

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal locations for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all groundwater sources described herein, as may be required by regulations of the member jurisdiction. The project sponsor shall also satisfy annual usage, capacity, and conservation reporting requirements in the form and manner prescribed by NYSDEC's Division of Water.

12. 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 18 CFR Part 808.

13. 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. The foregoing shall include, but not be limited to, any applicable permitting requirements of NYSDEC. All such permits and/or approvals shall be obtained prior to the withdrawal 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. Furthermore, no water withdrawn by this project may be used in natural gas well development using High Volume Hydraulic Fracturing in New York State.

14. 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 18 CFR § 806.32.

15. 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.

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

17. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

18. If the Commission determines that the operation of the project's groundwater withdrawals adversely affect any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

## **Section 9. Special Conditions**

19. The project sponsor is required to apply for and obtain approval prior to any increase in the wellfield withdrawal that would exceed the approved wellfield withdrawal limits listed herein.

20. The date of the last meter certifications for Carpenter Road Wells 1 and 2 was February 25, 2019; therefore, the next meter certifications are due no later than February 25, 2024. 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.

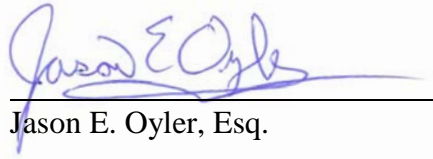
21. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for minor modification under 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

**Section 10. Term**

22. This approval is effective until March 14, 2034. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 14, 2033, 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.

**CERTIFICATION:** I, Jason E. Oyler, 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, 2019.

Dated: March 18, 2019



Jason E. Oyler, Esq.