



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20191203

Approval Date: March 29, 2005

Modification Date: December 5, 2007

Modification Date: July 6, 2018

Modification Date: December 5, 2019

GRAYMONT (PA) INC. PLEASANT GAP FACILITY

**Groundwater Withdrawal (30-Day Average) of
0.099 mgd from Wash Plant 11 Well, and
Consumptive Use (30-Day Average) of up to 0.720 mgd
from Wash Plant 11 Well, Plant Make-Up Well,
Public Water Supply, and Mine Water**

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 modification of the project described herein in accordance with the conditions set forth below.

The Commission originally approved the Graymont (PA) Inc. (Graymont) facility for consumptive use on March 29, 2005, under Commission Docket No. 20050306. Subsequent modifications to the original approval include Commission Docket Nos. 20050306-1 and 20050306-2 to approve the Wash Plant 11 Well and the Walker Township Water Association (WTWA) public water supply system as sources of consumptive use. This approval supersedes Commission Docket Nos. 20050306 and 20050306-2, and approves the requested increase in consumptive use from 0.622 million gallons per day (mgd) (peak day) to 0.720 mgd (30-day average). This approval has been updated to include previous conditions that continue to be applicable.

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: Background

The Graymont facility is part of a complex of open-pit and deep mines that exists in the area to the northeast of Pleasant Gap, which is collectively referred to as the Pleasant Gap Mine

Complex. Historically, this assemblage of mines had a number of owners and operators. Adjoining the Graymont facility to the southwest are two quarries, Brooks and White Rock, and the associated mineral processing facilities owned by Glenn O. Hawbaker, Inc. (Hawbaker). Recent cooperative agreements between Graymont and Hawbaker developed an improved water handling system and a cooperative mining arrangement in the Pleasant Gap Mining Complex. Those negotiations also resulted in the transfer of the Wash Plant 11 Well to Graymont.

Water for production at the facility primarily comes from surface and underground mine dewatering, but also includes the Wash Plant 11 Well, the Plant Make-Up Well, and the WTWA public water supply system. Since 2004, water from the underground workings is pumped through a series of intermediate sumps to the surface and directed either to Gentzel Quarry for storage or to a 1-million-gallon holding tank (the mine tank). Water in Gentzel Quarry also can be pumped to the mine tank. From the mine tank, water can be used for production at the facility or discharged as necessary to Logan Branch approximately 3 miles downgradient from the mining operation through the Whiterock Sinkhole, a 26-inch-diameter pipeline, or other discharge locations approved by the PADEP. Water that is discharged via the Whiterock Sinkhole travels through natural conduits to the Blue and East Springs, at the headwaters of Logan Branch. Water discharged through the 26-inch-diameter pipeline discharges to the headwaters of Logan Branch, which can be diverted to a fish hatchery operated by PFBC at Pleasant Gap.

The first docket modification (Commission Docket No. 20050306-1) added a groundwater withdrawal from the Wash Plant 11 Well as an additional water source for dust suppression and other uses associated with limestone mining and processing operations. The project sponsor did not request any modification to the approved maximum daily consumptive use for the project. The second modification added public water supply from WTWA as a source for consumptive use and superseded Commission Docket No. 20050306-1.

Section 3. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Graymont (PA) Inc.
Approval Types:	Groundwater Withdrawal and Consumptive Use
Past Docket Nos.:	20050306 and 20050306-2
Authorized Water Use Purpose:	Consumptive Use Supporting Underground and Surface Mining and Materials Processing Activities
Municipality:	Spring Township
County:	Centre County
State:	Pennsylvania

Section 4. Source Information

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

Source Information	
Withdrawal Type:	Groundwater
Approved Source:	Wash Plant 11 Well
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020401 (Spring Creek)
Withdrawal Location (degrees):	Lat: 40.893608 N Long: 77.717077 W
Special Flow Protection Required:	No

Section 5. Aquifer Testing

The constant-rate aquifer testing required by 18 CFR § 806.12 for groundwater withdrawals was waived on December 5, 2007. The well is operated at less than 0.100 mgd, and has been used historically by Hawbaker and Graymont without any reported well interference. It is also located within an area highly influenced by the existing underground mining operations.

Section 6. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations	
30-Day Average Withdrawal (mgd):	0.099
Maximum Instantaneous Withdrawal Rate (gpm):	120 (Not to Exceed)
Flow Protection Type:	None
gpm – gallons per minute	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 7. Approved Consumptive Use Quantities and Limitations

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

Approved Consumptive Use Quantities and Limitations	
Sources for Project Consumptive Use:	<ol style="list-style-type: none"> 1. Wash Plant 11 Well 2. Plant Make-Up Well 3. Public Water Supply – Walker Township Water Association 4. Underground and Surface Mine Dewatering
30-Day Average Consumptive Use Amount (mgd):	0.720
Authorized Project Consumptive Uses:	<ol style="list-style-type: none"> 1. Manufacturing and Incorporation into Product 2. Non-Contact Cooling 3. Dust and Emissions Control 4. Evaporative Loss
Consumptive Use Mitigation Type:	Conservation Release

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

Section 8. Existing Approved Withdrawals and Consumptive Uses

Quantities applicable to the existing approved withdrawals and consumptive uses are listed in the table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Plant Make-Up Well	0.050	20100307	March 17, 2025

Section 9. Grandfathering Determination –Consumptive Use and Withdrawals

All consumptive use and withdrawals are approved for this project.

Section 10. 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 all meters and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, discharges and consumptive 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.

4. The project sponsor shall keep daily records of the project's withdrawal and consumptive use for the sources listed in Sections 4, 7, and 8, 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 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.

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 18 CFR § 808.12.

6. 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.

7. 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 all approvals to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

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

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

10. The project sponsor shall register with the appropriate agency all groundwater sources described herein, as may be required by regulations of the member jurisdiction.

11. 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.

12. 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 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.

13. 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.

14. 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.

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

16. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal or consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Section 7.

17. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects 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 11. Special Conditions

18. The project sponsor shall adhere to the Conservation Release Operations Plan (CROP) reviewed and approved by Commission staff designed to establish a conservation release for the project. The project sponsor shall make the release at all times when a flow equal to, or less than, the 41 percent average daily flow of 8.24 cubic feet per second (cfs) or 3,700 gpm is recorded at the stream gage located on Logan Branch downstream from the PFBC fish hatchery. Any modifications proposed for the CROP shall be submitted for review and, if appropriate, approval by Commission staff. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

19. The project's consumptive use is subject to mitigation requirements, as per 18 CFR § 806.22(b). For the purposes of this project, 0.092 mgd was determined to be the project's pre-1971 consumptive use and is considered to be exempt from consumptive use mitigation requirements. To satisfy the project's mitigation requirements for consumptive use or upon notice from the Commission during periods of low flow, the project sponsor shall release water in accordance with the approved CROP. The project sponsor shall make the release at all times when a flow equal to, or less than, the 41 percent average daily flow of 8.24 cfs or 3,700 gpm is

recorded at the stream gage located on Logan Branch downstream from the PFBC fish hatchery. The project sponsor shall monitor this stream gage, make the release, as necessary, and report these data to the Commission quarterly, and as otherwise required.

20. The project sponsor shall, on a daily basis, collect and record all discharge flows at all discharge locations identified in the approved metering plan and CROP. The project sponsor 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.

21. The project sponsor shall adhere to the Groundwater Monitoring Plan, reviewed and approved by Commission staff, designed to evaluate the cone of depression related to mine dewatering to the northeast of the facility. Any modifications proposed for the Groundwater Monitoring 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. The project sponsor shall prepare an analytical report and a map of the seasonally low water table with a delineation of mining-related drawdown annually for the project area based on groundwater monitoring data and submit it to the Commission within sixty (60) days after the close of the preceding year, and as otherwise required.

22. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and practices have been employed to ensure that discharge at the PADEP-approved National Pollutant Discharge Elimination System (NPDES) locations is completed in a manner preventing significant adverse impacts to downstream users of Logan Branch. The project sponsor shall notify the Commission when changes to the controls and practices are made.

23. In accordance with 18 CFR § 806.4(a)(1)(iv) and § 806.4(a)(2)(v), a change of ownership of the facility or project will forfeit the exempt status of the pre-regulation consumptive use from the consumptive use mitigation requirement.

24. The date of the last meter certification was November 27, 2017; therefore, the next meter certification is due no later than November 27, 2022. 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.

25. Prior to supplying water for any use not authorized pursuant to Section 7 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 12. Term

26. This approval shall be effective January 1, 2020, and shall remain effective until March 29, 2030. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 29, 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.

27. Commission Docket Nos. 20050306 and 20050306-2 are hereby superseded.

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 December 5, 2019.

Dated: December 6, 2019



Jason E. Oyler, Esq.