



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20210305

Approval Date: June 16, 2016

Modification Date: March 24, 2017

Modification Date: March 12, 2021

RENOVO ENERGY CENTER LLC

**Surface Water Withdrawal (Peak Day) of up to 0.612 mgd
from the West Branch Susquehanna River,
and Consumptive Use (Peak Day) of up to 0.217 mgd
from the West Branch Susquehanna River and Public Water Supply**

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. This modified docket completely replaces and supersedes Commission Docket Nos. 20160608 and 20160608-1.

The project is proposing to develop, construct, and operate a combined-cycle natural gas power plant using air-cooled condensers (dry cooling). The Commission formally encouraged the use of dry cooling technology in Commission Resolution No. 2015-02 for the conservation of the waters of the Susquehanna River Basin. Consistent with Commission Resolution No. 2015-02, the technical review of the withdrawal and consumptive use applications was prioritized by Commission staff. The project will utilize the West Branch Susquehanna River to meet its consumptive use demand. During construction, the project will consumptively use water supplied by the Renovo Borough Water Authority. Once the project is operational, the project will have potable water supplied by the Renovo Borough Water Authority for domestic use only.

This approval is a modification of Commission Docket No. 20160608 that was approved June 16, 2016, and modified March 24, 2017, as Commission Docket No. 20160608-1. The project sponsor has requested a further extension to commence the withdrawal and consumptive use until the end of 2024. Commission staff recommended the project sponsor's request for modification be approved.

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

Project Information	
Project Sponsor:	Renovo Energy Center LLC
Approval Types:	Surface Water Withdrawal and Consumptive Use
Past Docket Nos.:	20160608 and 20160608-1
Authorized Water Use Purpose:	Construction and Operation of a Thermoelectric Power Generation Facility and Related Incidental Uses
Municipality:	Renovo Borough
County:	Clinton County
State:	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.

Source Information	
Approved Source:	West Branch Susquehanna River
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020302 (Upper West Branch Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.324189 N Long: 77.755474 W
Site Flow Statistics (cfs):	Q7-10 = 238; Average Daily Flow = 4,990
Impairment:	Abandoned Mine Drainage
Drainage Area (square miles):	2,974
Aquatic Resource Class*:	5
Special Flow Protection Required:	No
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

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.

Approved Withdrawal Quantities and Limitations	
Peak Day Withdrawal Amount (mgd):	0.612 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	425 (Not to Exceed)
mgd – million gallons per day gpm – gallons per minute	

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

Section 5. 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:	1. West Branch Susquehanna River 2. Public Water Supply – Renovo Borough Water Authority*
Peak Day Consumptive Use Amount (mgd):	0.217 (Not to Exceed)
Authorized Project Consumptive Uses:	1. Construction and operation of a thermoelectric power generation facility 2. Related incidental uses
Consumptive Use Mitigation Type:	Payment of consumptive use mitigation fee
* Authorized consumptive uses from the public water supply shall be limited to construction, commissioning, and related incidental uses.	

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

Section 6. 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 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 consumptive uses, 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.

3. The project sponsor shall keep daily records of the project’s withdrawal and consumptive use 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 requested by the project sponsor 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.

4. The project's consumptive use is subject to mitigation requirements, as per 18 CFR § 806.22(b). To satisfy the Commission's current mitigation requirements for consumptive use, the project sponsor shall make quarterly payments to the Commission at the rate specified in the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission. Payments shall be made quarterly and shall be calculated by applying this rate to the total 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.

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 location for the duration of the approval.

10. The project sponsor shall register with the appropriate agency all surface water 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. 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 5.

Section 7. Special Conditions

17. Prior to supplying water for any use not authorized pursuant to Sections 2 or 5 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.

18. The project sponsor shall adhere to the interim metering plan reviewed and approved by Commission staff that accounts for all withdrawals and consumptive use incidental to construction-related and commissioning activities undertaken by the facility. Any modifications proposed for the interim 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.

19. Prior to the initiation of the supply of water from public water supply, for use in construction, commissioning, and related incidental uses, the project sponsor shall install and maintain metering on the withdrawal in accordance with 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit photographs of the meter(s) when installed, provide the serial number of the meter(s), and certify the accuracy of the measuring device(s) to within five (5) percent of actual flow.

20. Prior to the initiation of any withdrawal for the interim period of construction and commissioning of the facility, the project sponsor shall install and maintain metering on the

withdrawal in accordance with 18 CFR § 806.30 and the approved plan. The project sponsor shall notify the Commission, in writing, and submit photographs of the meter(s) when installed, provide the serial number of the meter(s), and certify the accuracy of the measuring device(s) to within five (5) percent of actual flow.

21. Upon final design, and no less than ninety (90) days prior to initiation of construction of the intake, the project sponsor shall submit an intake design for review and approval by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to construction of the intake. The project sponsor shall provide the Commission with a copy of the approved 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 a revised intake design for review and, if appropriate, approval by Commission staff prior to permit issuance by the permitting agency. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with 18 CFR § 806.21 and § 806.23 prior to undertaking such modification(s).

22. Prior to initiation of construction, the project sponsor shall submit evidence of finalized legal site access.

23. No less than six (6) months prior to the initiation of consumptive use for operation of the facility for electric generation, the project sponsor shall submit a metering and accounting plan for review and, if appropriate, approval by Commission staff that accounts for all withdrawals and consumptive use during operation of the facility. The metering and accounting plan shall address operations and procedures during outages and maintenance periods.

24. Prior to initiation of the operation of the facility for electric generation, the project sponsor shall install and maintain metering on the withdrawal from the source listed in Section 3 or consumptive use from the sources listed in Section 5, in accordance with 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit photographs of the meter(s) when installed, provide the serial number of the meter(s), and certify the accuracy of the measuring device(s) to within five (5) percent of actual flow. Consumptive use during operation of the facility shall not commence until Commission staff has approved the implementation of the metering and accounting plan, and notified the project sponsor of such approval.

25. The project sponsor shall provide the Commission with fifteen (15) days advance notice of its commencement of the withdrawal of water from the West Branch Susquehanna River for operational purposes.

26. The commencement of the receipt of water from the West Branch Susquehanna River and commercial operations at the project shall result in the concurrent and automatic rescission of the approval to consumptively use water from the Renovo Borough Water Authority. Receipt of water from the Renovo Borough Water Authority for potable use is not subject to Commission approval.

Section 8. Term

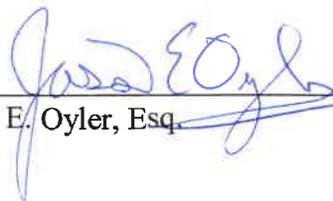
27. The project sponsor shall commence the withdrawal or consumptive use by December 31, 2024, or this approval will automatically expire, unless an extension is requested, in writing, by the project sponsor no later than one hundred twenty (120) days prior to such expiration and approved by the Commission as provided in 18 CFR § 806.31(b).

28. This modified approval shall be effective April 1, 2021, and shall remain effective until June 15, 2031. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 15, 2030, 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.

29. Commission Docket Nos. 20160608 and 20160608-1 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 March 12, 2021.

Dated: March 15, 2021



Jason E. Oyler, Esq.