



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20210909**

**Approval Date: September 17, 2021**

## **TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC**

**Surface Water Withdrawal (Peak Day) of up to 5.760 mgd  
from the Susquehanna River, and  
Consumptive Use (Peak Day) of up to 0.100 mgd  
from the Susquehanna River**

### **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.

This project is temporary and therefore the associated withdrawal infrastructure does not include permanent installation. Additionally, this approval has a reduced term of 5 years from the date of approval.

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.

<b>Project Information</b>	
<b>Project Sponsor:</b>	Transcontinental Gas Pipe Line Company, LLC
<b>Approval Types:</b>	Surface Water Withdrawal and Consumptive Use
<b>Authorized Water Use Purpose:</b>	Construction and Hydrostatic Testing of a Gas Pipeline and Related Incidental Uses
<b>Municipality:</b>	Wyoming Borough (See Condition 21)
<b>County:</b>	Luzerne 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>	Susquehanna River
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010702 (Upper Susquehanna River)
<b>Water Use Designation:</b>	Warm Water Fishery (WWF)
<b>Withdrawal Location (degrees):</b>	Lat: 41.307025 N          Long: 75.826389 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 867; Average Daily Flow = 13,700
<b>Impairment:</b>	Acid Mine Drainage (AMD), Polychlorinated Biphenyls (PCBs), and Mercury
<b>Drainage Area (square miles):</b>	9,906
<b>Aquatic Resource Class*:</b>	6
<b>Special Flow Protection Required:</b>	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.

<b>Approved Withdrawal Quantities and Limitations</b>	
<b>Peak Day Withdrawal Amount (mgd):</b>	5.760 (Not to Exceed)
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	4,000 (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.

<b>Approved Consumptive Use Quantities and Limitations</b>	
<b>Source for Project Consumptive Use:</b>	Susquehanna River
<b>Peak Day Consumptive Use Amount (mgd):</b>	0.100 (Not to Exceed)
<b>Authorized Project Consumptive Uses:</b>	1. Construction of a Gas Pipeline 2. Related Incidental Uses
<b>Consumptive Use Mitigation Type:</b>	Payment of consumptive use mitigation fee

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 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. Prior to any withdrawal from the source listed in Section 3 or consumptive use from the source listed in Section 5, the project sponsor shall install and maintain metering in accordance with 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit photographs of the meters when installed, provide the serial numbers of the meters, and certify the accuracy of the measuring devices to within five (5) percent of actual flow. Withdrawals or consumptive use 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 maintain the totalizing meters 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.

5. The project sponsor shall adhere to the intake designs reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intakes. The project sponsor shall provide the Commission with a copy of the permits prior to operating the withdrawal. If subsequent design review by the permitting agency requires modification to the intake designs, the project sponsor shall submit to the Commission a revised intake designs 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 structures 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).

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

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

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

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

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

19. 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**

20. The project sponsor shall provide notice to Commission staff a minimum of two (2) weeks prior to initiating construction operations for withdrawal.

21. This approval includes authorization to consumptively use water for the project within the following municipalities in Luzerne County, Pennsylvania, along the route of the pipeline construction:

- a. Bear Creek Township
- b. Dallas Township
- c. Jenkins Township
- d. Kingston Township
- e. Laflin Borough
- f. Plains Township
- g. West Wyoming Borough
- h. Wyoming Borough

22. Prior to initiation of the withdrawal, the project sponsor shall post a sign 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)), along with example sign templates for reference. Additionally, the sign shall state: "Approved for a temporary, short-duration withdrawal for construction and hydrostatic testing of a natural gas pipeline." The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the withdrawal 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 sponsor shall submit photographs as proof of sign installation prior to initiation of the withdrawal.

23. 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.

24. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall submit an aquatic nuisance species control plan to the Commission for review and approval by Commission staff that details equipment decontamination procedures.

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

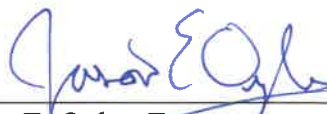
**Section 8. Term**

26. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawal 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).

27. This approval is effective until September 16, 2026. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 16, 2026, 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 September 17, 2021.

Dated: September 20, 2021

  
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Jason E. Oyler, Esq.