



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

(717) 238-0423 Phone • (717) 238-2436 Fax

www.srbc.net

Docket No. 20220303

Approval Date: March 17, 2022

COMMONWEALTH ENVIRONMENTAL SYSTEMS L.P.

**Consumptive Use (30-Day Average) of up to 0.150 mgd
from Well 1 and Reverse Osmosis Effluent**

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

This approval is a renewal of the project which was previously approved by Commission Docket No. 20070304 on March 14, 2007, and modified June 12, 2008, as Commission Docket No. 20070304-1. The Commission previously approved the groundwater withdrawals of 0.090 million gallons per day (mgd) from Well 1, 0.010 mgd from Well 2, and the consumptive use of 0.150 mgd under Commission Docket No. 20070304-1. The project sponsor submitted renewal applications for groundwater withdrawals from Wells 1 and 2, and consumptive use. Commission staff reviewed reported withdrawals from the previous approval term and found the combined withdrawal from Wells 1 and 2 has been maintained below the Commission's regulatory threshold of 0.100 mgd (30-day average), and continued operation below the withdrawal threshold does not require Commission review or approval. This renewal approves continued consumptive use up to the requested rate of 0.150 mgd (30-day average).

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:	Commonwealth Environmental Systems L.P.
Approval Type:	Consumptive Use
Previous Docket Nos.:	20070304 and 20070304-1
Authorized Water Use Purpose:	Landfill Operations, Truck Washing, Dust Suppression, and Related Incidental Uses
Municipality:	Foster, Frailey, and Reilly Townships
County:	Schuylkill County
State:	Pennsylvania

Section 3. 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. Well 1 2. Leachate Treatment – Reverse Osmosis Effluent
30-Day Average Consumptive Use Amount (mgd):	0.150 (Not to Exceed)
Authorized Project Consumptive Uses:	1. Landfill Operations 2. Truck Washing 3. Dust Suppression 4. Related Incidental Uses
Consumptive Use Mitigation Type:	Payment of consumptive use mitigation fee

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

Section 4. Under Threshold Withdrawals

The existing groundwater withdrawals from Wells 1 and 2, previously approved by Commission Docket Nos. 20070304 and 20070304-1, have been operated below the Commission's regulatory threshold through the previous approval term. The project sponsor has indicated continued use will remain below the regulatory threshold and therefore, the withdrawals no longer require Commission review and approval if combined and individual withdrawals remain below 0.100 mgd (consecutive 30-day average). The project may continue withdrawals from Wells 1 and 2 below 0.100 mgd, maximum consecutive 30-day average, in support of uses identified in Section 3, without Commission review and approval. Operation of all withdrawals above 0.100 mgd (consecutive 30-day average) individually or in combination will require prior review and approval in accordance with Special Condition 16.

Well 2 is located near to and provides water to the leachate collection facility. Water from Well 2 is not used consumptively and is used for non-potable sanitary service uses only.

Because your project has groundwater wells, the Commission also strongly encourages the collection of daily groundwater elevation data to ensure sustainable operating conditions. These data will prove invaluable in the course of future regulatory reviews, should they arise.

Section 5. 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 keep daily records of the project's 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 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.

5. 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.

6. 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.

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

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

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

10. 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.

11. 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.

12. 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.

13. 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.

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

15. The project sponsor is required to apply for and obtain approval prior to any increase in consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Section 3.

Section 6. Special Conditions

16. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawals that would be equal to or exceed 0.100 mgd (consecutive 30-day average) individually or in combination.

17. 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 from Well 1 by the project during the preceding calendar quarter. In accordance with Commission Policy No. 2021-04, 100 percent of the consumptive use mitigation fee for use of reverse osmosis effluent is waived. 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.

18. Prior to supplying water for any use not authorized pursuant to Sections 2 or 3 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 7. Term

19. This approval shall be effective April 1, 2022, and shall remain effective until March 31, 2037. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 30, 2036, 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.

20. Commission Docket Nos. 20070304 and 20070304-1 shall remain effective through March 31, 2022, whereupon they shall expire.

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 17, 2022.

Dated: March 18, 2022



Jason E. Oyler, Esq.