



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20230306

Approval Date: March 16, 2023

HELIX IRONWOOD, LLC

FACILITY: IRONWOOD GENERATING STATION

**Surface Water Withdrawal (Peak Day) of up to 4.500 mgd
from Pennsy Supply Quarry SG-2, and
Consumptive Use and Out-of-Basin Diversion (Peak Day) of up to 4.500 mgd
from Pennsy Supply Quarry SG-2 and the
City of Lebanon Authority Treated Wastewater 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. 19980502 on May 21, 1998. Subsequent modifications to the original approval include Commission Docket Nos. 19980502-1 to increase the withdrawal, consumptive use, and diversion quantity and rate, and 19980502-2 to change the consumptive use mitigation method consistent with "Fee Incentive Three" of Commission Policy No. 2021-04. The second modification superseded the first modification. The project sponsor has not requested, and Commission staff did not recommend, any changes to the project.

Treated effluent that is not supplied to the facility from the City of Lebanon Authority Wastewater Treatment Plant discharges to Quittapahilla Creek in the Susquehanna River Basin. Water for dewatering from the quarry that is not supplied to the facility discharges to Tulpehocken Creek in the Delaware River Basin. The project also utilizes public water supply from the City of Lebanon Authority for potable/sanitary water uses. Water from the public water supply will not be used consumptively.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), the Pennsylvania Fish and Boat Commission (PFBC), and the Delaware River Basin Commission (DRBC) during review of this project. The project currently holds an approval from DRBC by Docket No. D-1997-045-3 for withdrawal and consumptive use.

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:	Helix Ironwood, LLC
Facility:	Ironwood Generating Station
Approval Types:	Surface Water Withdrawal, Consumptive Use, and Out-of-Basin Diversion
Previous Docket Nos:	19980502 and 19980502-2
Authorized Water Use Purpose:	Cooling Tower Makeup, Boiler Water Makeup, Routine Plant Maintenance, and Related Incidental Uses
Municipality:	South Lebanon Township
County:	Lebanon 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. The facility's physical withdrawal is located approximately one mile east of the Susquehanna River Basin boundary within the Delaware River Basin, Tulpehocken Creek Watershed. Previous studies determined that 62 percent of the withdrawn quarry water originates in the Susquehanna River Basin.

Source Information	
Approved Source:	Pennsy Supply Quarry SG-2
Subbasin:	Lower Susquehanna*
Watershed Boundary Dataset (WBD):	0205030508 (Quittapahilla Creek)*
Water Use Designation:	Trout Stocked Fishery (TSF)*
Withdrawal Location (degrees):	Lat: 40.358166 N Long: 76.355461 W
Impairment:	Flow Regime; Habitat Alterations; Pathogens*
Drainage Area (square miles):	<1*
Aquatic Resource Class*:	1*
Special Flow Protection Required:	No
* Refers to the point of impact of the quarry water originating within the Susquehanna River Basin.	

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):	4.500 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	3,125 (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. Pennsy Supply Quarry SG-2 2. Treated Wastewater Effluent – City of Lebanon Authority
Peak Day Consumptive Use Amount – Routine Operations (mgd):	3.6108 (Not to Exceed)
Peak Day Consumptive Use Amount – Emergency or Maintenance Operations (mgd)*:	4.500 (Not to Exceed)*
Authorized Project Consumptive Uses:	1. Cooling Tower Makeup 2. Boiler Water Makeup 3. Routine Plant Maintenance 4. Related Incidental Uses
Consumptive Use Mitigation Type:	Payment of consumptive use mitigation fee (see Special Condition 17)
* In accordance with Special Condition 18.	

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

Section 6. Approved Out-of-Basin Diversion Quantities and Limitations

The out-of-basin diversion approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Out-of-Basin Diversion Quantities and Limitations	
Peak Day Amount – Routine Operations (mgd):	3.6108 (Not to Exceed)
Peak Day Amount – Emergency or Maintenance Operations (mgd)*:	4.500 mgd (Not to Exceed)
* In accordance with Special Condition 18.	

The out-of-basin diversion is also subject to all other conditions set forth in this docket approval.

Section 7. Grandfathering Determination – Withdrawals, Consumptive Use, and Diversions

All withdrawals, consumptive use, and diversions by the project have Commission approval.

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, consumptive uses, and out-of-basin diversion, 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, consumptive use, and out-of-basin diversion by source 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.

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, consumptive use, or diversion 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. 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, consumptive use, or diversion that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Section 5.

Section 9. Special Conditions

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 62 percent of the total amount of water consumptively used from the Pennsy Supply Quarry SG-2 source 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 water from the City of Lebanon Authority treated wastewater 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. Water may be provided to the project from the approved sources as follows:

- a. When the generating facility water demands are 3.600 mgd or less, no more than 1.440 mgd of water may be diverted from the City of Lebanon Authority Wastewater Treatment Plant, with the remaining 2.160 mgd (1.3392 mgd or 62 percent from the Susquehanna River Basin and 0.8208 mgd from the Delaware River Basin) coming from the Pennsy Supply Quarry SG-2, except as outlined in Special Condition 18(c). Under this operating condition, the peak diverted quantity shall be no more than 2.7792 mgd.
- b. When the generating facility water demands are greater than 3.600 mgd, up to 2.160 mgd of water may be diverted from the City of Lebanon Authority Wastewater Treatment Plant, with the remaining 2.340 mgd (1.4508 mgd or 62 percent from the Susquehanna River Basin and 0.8892 mgd from the Delaware River Basin) coming from the Pennsy Supply Quarry SG-2, except as outlined in Special Condition 18(c). Under this operating condition, the peak diverted quantity shall be no more than 3.6108 mgd.
- c. During times of emergency or required maintenance, either the City of Lebanon Authority Wastewater Treatment Plant or the Pennsy Supply Quarry SG-2 may be used exclusively as the project's source of water for a period not to exceed 24 hours, provided the Commission is notified within twelve (12) hours if the exclusive use occurs on a business day or on the next business day if the use occurs on a nonbusiness day. If the exclusive use is needed during a weekend, holiday, or other time when the next business day is more than 24 hours in the future, up to 4.500 mgd may be used from an exclusive source for the initial 24-hour period, and the maximum rates of 2.160 mgd from the City of Lebanon Authority Wastewater Treatment Plant and 2.340 mgd from the Pennsy Supply Quarry SG-2 shall be used after 24 hours until a written approval for a greater amount is obtained from Commission staff. Under this emergency operating

condition, the peak diverted quantity shall be no more than 4.500 mgd on a limited basis as allowed.

19. The date of the last meter certification was May 20, 2019; therefore, the next meter certification is due no later than May 20, 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.

20. 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 minor modification application 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.

21. 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.

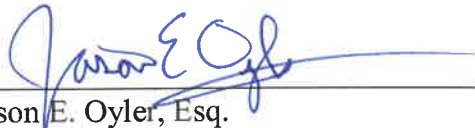
Section 10. Term

22. This approval shall be effective April 1, 2023, and shall remain effective until June 30, 2038. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2037, 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.

23. Commission Docket Nos. 19980502 and 19980502-2 shall remain effective through March 31, 2023, whereupon they shall be 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 16, 2023.

Dated: March 17, 2023



Jason E. Oyler, Esq.