

# SUSQUEHANNA RIVER BASIN COMMISSION

## STANDARD DOCKET CONDITIONS CONTAINED IN GAS WELL CONSUMPTIVE WATER USE DOCKETS

1. The project's consumptive use of water of up to x.xxx mgd from listed public water suppliers and other approved sources is approved pursuant to Article 3, Section 3.10, of the Compact.
2. The foregoing findings are hereby adopted and shall be incorporated into and made a part of this decision.
3. The project sponsor shall comply with all Commission regulations, including reporting requirements, as per Commission Regulation §806.30.
4. The project sponsor shall keep daily records of the consumptive water use and shall provide the results to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line within thirty (30) days after the close of the preceding quarter. The daily quantity of water consumptively used shall be the quantity of water used per drilling pad, per day, for well drilling and construction, fracture stimulation, and various well completion processes and appurtenances; used in hydrostatic, geophysical, and other testing; incorporated into products, byproducts, and wastes; evaporated from any holding ponds; and used for dust control. Total consumptive water use for the project shall be calculated as the sum of the daily metered water used at all drilling pad sites.
5. The project sponsor shall submit a metering plan to account for its consumptively used water for review and approval by Commission staff prior to any use of water consumptively. The project sponsor may propose alternative metering for Commission staff review and approval.
6. The quantity of water utilized from (list public water supplier[s]) shall not exceed the daily quantity each public water supplier has agreed to provide, as demonstrated by means of an updated commitment letter or other documentation acceptable to the Commission.
7. The project sponsor shall keep daily records of metered water obtained from each public water supplier as it is delivered to each drilling pad, and shall provide the results to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted via hard copy or electronically, as required by the Commission, within thirty (30) days after the close of the preceding quarter.
8. **Any produced flow-back fluids or brines utilized by the project sponsor for hydrofracture stimulation undertaken at the project shall be separately accounted for, but shall not be included in the daily consumptive use amount calculated for the project, nor be subject to the mitigation requirements of Commission Regulation §806.22(b).**
9. **The project sponsor shall demonstrate to the satisfaction of the Commission that all flow-back and produced fluids, including brines, have been treated and disposed of in accordance with applicable state and federal law.**
10. **Any unused (surplus) water shall not be discharged back to the waters of the basin without appropriate controls and treatment to prevent the spread of aquatic nuisance species.**
11. To satisfy the Commission's current mitigation requirements for consumptive water use set forth in Commission Regulation §806.22, the project sponsor shall make quarterly payments to the Commission based on the rate of \$0.14 per 1,000 gallons of the water consumptively used by the project. The daily quantity of water consumptively used shall be the quantity of water used per drilling pad, per day, for well drilling and construction, fracture stimulation, and various well completion processes and appurtenances; used in hydrostatic, geophysical, and other testing; incorporated into products, byproducts, and wastes; evaporated from any holding ponds; and used for dust control. 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.

12. **Within thirty (30) days of well completion, the project sponsor shall submit to the Commission well completion reports for each well within the area of consumptive use authorized by this approval.**
13. The project sponsor shall maintain any meters or other measuring devices approved by the Commission, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and uses, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.
14. **The project sponsor shall provide the Commission with the planned schedule for drilling and hydrofracing wells covered by this approval at least four (4) weeks prior to the commencement of these activities, which notice may be provided in the form of a quarterly or monthly schedule.**
15. The project sponsor shall demonstrate to the Commission annually, by means of an updated commitment letter or other documentation acceptable to the Commission, that an approved public water supplier intends to continue to supply water to the project sponsor. The project sponsor shall notify the Commission, in writing, within two (2) weeks of termination.
16. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation §806.25(b).
17. To satisfy the Commission's registration requirement, the project sponsor shall register with the Pennsylvania Department of Environmental Protection all surface water and groundwater sources described in this docket in accordance with the Pennsylvania Water Resources Planning Act (Pennsylvania Act 220).
18. **The project sponsor shall obtain all necessary permits or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke any approval if the project sponsor fails to obtain or maintain such approvals.**
19. If the project sponsor fails to comply with the provisions of the Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project is subject to enforcement actions pursuant to Commission Regulation §808.
20. Commission approval shall not be construed to exempt the project sponsor from obtaining 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 reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.
21. The Commission reserves the right to reopen any project docket 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.
22. 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.
23. **This approval is effective until September 11, 2012. As specified in Commission Regulation §806.31(e), the project sponsor shall submit a renewal application by March 11, 2012, and obtain Commission approval prior to continuing operation beyond September 11, 2012.**
24. The project sponsor has a period of three (3) years from the date of this approval to initiate the project or this approval will automatically expire, unless an extension is requested by the project sponsor and approved by the Commission. Likewise, if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.