

Susquehanna River Basin Commission

a water management agency serving the Susquehanna River Watershed



August 28, 2013

TO ALL CONCERNED:

At the June 20, 2013, Commission meeting, the draft minutes of the March 21, 2013, Commission meeting were approved as written. Please attach this notice to your copy of the March 21, 2013, minutes.

- DRAFT -

SUSQUEHANNA RIVER BASIN COMMISSION
1721 N. FRONT ST.
HARRISBURG, PA 17102

**MINUTES OF THE
SUSQUEHANNA RIVER BASIN COMMISSION
June 20, 2013
#2013-02**

The meeting was held at the North Office Building, Pennsylvania Capitol Complex, Harrisburg, Pennsylvania. Chairman Summers called the meeting to order at 1:30 p.m.

ROLL CALL

Commissioners Present

Dr. Robert M. Summers, Secretary, Maryland Dept. of the Environment (MDE)
Col. J. Richard Jordan, III, District Engineer, U.S. Army Corps of Engineers (USACE), Balt. Dist.
Mr. Kenneth P. Lynch, Director, Region 7, New York State Dept. of Environmental Conservation (NYSDEC)
Ms. Kelly Jean Heffner, Deputy Secretary for Water Management, Pennsylvania Dept. of Environmental Protection (PADEP)

**Alternate Commissioners
and Advisors Present**

Staff Present

Mr. Paul O. Swartz, Executive Director
Mr. Thomas W. Beauduy, Deputy Executive Director
Mr. Jim Richenderfer, Director, Technical Programs
Ms. Marcia Rynearson, Director, Administration & Finance
Ms. Stephanie L. Richardson, Secretary to the Commission

Mr. Richard A. Cairo, General Counsel
Mr. John W. Balay, Manager, Planning & Operations
Ms. Paula B. Ballaron, Manager, Policy Implementation & Outreach
Mr. Andrew D. Dehoff, Manager, Project Review
Mr. Andrew J. Gavin, Manager, Monitoring & Protection
Ms. Kim Dagen, Environmental Scientist

Also Present

Mr. Daniel Bierly, USACE, Balt. Dist.
Ms. Heather Cisar, USACE, Balt. Dist.

Mr. Hank Gruber, USACE, North Atlantic Division
Mr. Ned Wehler, PADEP Advisor

1. Opening Remarks from the Chair

Chairman Summers provided an opening statement outlining the rules of conduct for the meeting and introduced the other commissioners. Each of the commissioners added brief opening remarks.

2. Recognition of Thomas W. Beauduy and Susan S. Obleski

The Commission adopted resolutions (Exhibits A & B) recognizing and honoring Thomas W. Beauduy, Deputy Executive Director, and Susan S. Obleski, Director of Communications, on the occasion of their retirement from the Commission. The Commission members thanked Mr. Beauduy and Ms. Obleski for their many contributions to the Commission during their respective 17 and 18 year terms of service.

3. Presentation: Upgrades to the Susquehanna Early Warning System

SRBC staff member Kim Dagen presented information on upgrades to the Susquehanna Early Warning System (EWS) that improve its capabilities. The system was established for Pennsylvania water suppliers with intakes on the Susquehanna River in 2003 and was expanded into the New York portion of the basin in 2006. The goal of the system is to monitor the river for changes in water chemistry and the presence of contaminants. The data collected at the nine monitoring stations help to minimize the effect of contamination events and improve day-to-day treatment operations.

The Commission thanked Ms. Dagen for her very informative presentation.

4. Minutes of March 21, 2013, Commission Meeting

On a motion by Commissioner Jordan, seconded by Commissioner Heffner, the minutes of the regular business meeting of March 21, 2013, were unanimously approved as written.

5. Election of Officers

Commissioner Heffner moved to elect the member representing the federal government as the Chair of the Commission, and the member representing New York State as the Vice Chair of the Commission, for the period July 1, 2013, to June 30, 2014. This motion was seconded by Chairman Summers and unanimously adopted by the Commission.

6. FY-2014/2015 Water Resources Program

Director of Technical Programs Dr. Jim Richenderfer presented a resolution (Exhibit C) providing for the adoption of the proposed FY-2014/2015 Water Resources Program. Section 14.2 of the Susquehanna River Basin Compact states that “the Commission shall annually adopt a water resources program based upon the comprehensive plan...” The Water Resources Program sets forth the projects and facilities that the Commission proposes be undertaken by the Commission and by other authorized governmental and private agencies and organizations to implement the comprehensive plan. In this regard, the Commission sought and received input

from 12 federal agencies and a variety of state and local agencies on their projects and programs being carried out pursuant to the comprehensive plan.

On a motion by Commissioner Lynch, seconded by Commissioner Heffner, the Commission unanimously adopted the resolution.

7. 2013 Update of Comprehensive Plan

John Balay, Manager of Planning and Operations, requested approval of the Commission to release for public review and comment the proposed 2013 Update of the Comprehensive Plan for the Water Resources of the Susquehanna River Basin. When the last major revision of the Comprehensive Plan occurred in 2008, a commitment was made to update it every five years “to help ensure that the Plan is current and of long-term value and usefulness.” In connection with the release of the plan, which would be publicly noticed, a public hearing would be scheduled for August 15, 2013, and a written comment period would be held open until August 26, 2013.

Commissioner Jordan moved that the Commission authorize the release of a draft version of the 2013 Update of the Comprehensive Plan for the Water Resources of the Susquehanna River Basin for public review and comment, establish a comment deadline of August 26, 2013, and hold a public hearing on the 2013 Update on August 15, 2013. This motion was seconded by Commissioner Lynch and unanimously adopted by the Commission.

8. FY-2015 Budget

Director of Administration and Finance Marcia Rynearson presented a resolution (Exhibit D) providing for the adoption of the FY-2015 Budget covering the period July 1, 2014, to June 30, 2015. Ms. Rynearson highlighted the major details of the budget and pointed out that, as always, the budget requests are expressly subject to the executive and legislative branch prerogatives of each member jurisdiction.

On a motion by Commissioner Heffner, seconded by Commissioner Jordan, the Commission unanimously adopted the resolution.

9. Amendments to the Regulatory Program Fee Schedule

The Director of Administration & Finance presented a resolution (Exhibit E) containing amendments to the current Regulatory Program Fee Schedule. She then reviewed the major changes, including the usual adjustments based on the Consumer Price Index and the U.S. Army Corps of Engineers Civil Engineering Cost Index. She also mentioned a 10 percent increase in groundwater application fees as provided in an earlier resolution, the creation of separate fees for into basin and out of basin diversions, an increase of 10 percent in aquifer test plan fees based on a staff cost analysis, an increase in the surface water withdrawal renewal application fee, and the inclusion of a pre-drilling site fee to cover the cost associated with consulting with applicants on a proposed drilling site.

The amended fee schedule had been posted for public review and comment on April 30, 2013, with publication of Federal Register, state notice publication, and newspaper notices of a

public hearing held on a May 23, 2013. A written comment period was held open until June 3, 2013, but no comments were received.

On a motion by Commissioner Lynch, seconded by Commissioner Heffner, the Commission unanimously adopted the resolution presented by Ms. Rynearson.

10. Contracts and Grants – Ratification/Approval

Director of Administration and Finance Marcia Rynearson presented the following grants approvals:

a. Grant Approval – Sandy Run AMD Restoration Project (from Pennsylvania Department of Environmental Protection)

Under this grant, staff will assist with the design, permitting, and construction of an oxic limestone drain for treatment of mine drainage into Sandy Run, the second largest tributary in Drury Run, and a tributary to the West Branch Susquehanna River. Successful implementation of this project will result in the removal of 5.19 stream miles currently listed as impaired on Pennsylvania’s 303(d) List of Impaired Waters. PADEP will provide \$148,104 and the Commission will provide \$26,137.

b. Grant Approval – Birch Island Run Mine Drainage Restoration Project (from Pennsylvania Department of Environmental Protection)

Under this grant, staff will assist with the design, permitting, and construction of two mine drainage treatment systems that will restore Little Birch Island and Birch Island Run from abandoned mine drainage impacts. Successful implementation of this project will result in the removal of 6.02 stream miles currently listed as impaired on Pennsylvania’s 303(d) List of Impaired Waters. PADEP will provide \$403,437 and the Commission will provide \$72,744.

c. Grant Approval – Bear Run AMD Project (from Indiana County Conservation District)

Funding for Phase I and part of Phase II of this project was provided under a separate grant. This second Bear Run Grant provides funding for the remainder of Phase II of the project and for all remaining phases. Throughout the remaining phases of the project, staff will continue to assist the Indiana County Conservation District with project coordination, pre- and post-construction monitoring, and report writing. Specific tasks will include any remaining project coordination surrounding the installation of treatment systems, post construction water quality and biological monitoring, lab analysis of the post construction water quality samples, and the layout and printing of the final glossy technical report. The Indiana County Conservation District is providing all \$31,200 of this grant.

d. Grant Approval – Enhanced Nutrient Monitoring of Chesapeake Bay Non-Tidal Sites and Comprehensive Analysis Non-Tidal Tributary Water Quality Nutrient and Suspended Sediment Trends (U.S. Environmental Protection Agency)

This grant agreement provides partial funding for Year 4 of the project. Staff will continue to provide sample collection and data analysis that supports the assessment of the effectiveness of management actions in the Bay watershed. The USEPA will provide \$83,000 in funding and the Commission will provide \$14,584.

e. Grant Approval Resolution – Abandoned Mine Drainage Abatement and Treatment Program Grant (Pennsylvania Commonwealth Financing Authority)

This project involves an Abandoned Mine Drainage Abatement and Treatment Program Grant under PA Act 13 of 2012. The grant is for a maximum amount not to exceed \$1,000,000. Under the grant, staff will develop an implementation plan and preliminary design for upgrades to the Rausch Creek Abandoned Mine Drainage Treatment Plant located in Hegins Township, Schuylkill County, Pennsylvania. The Pennsylvania Commonwealth Financing Authority (PaCFA) will provide \$1,000,000 and the Commission will provide \$150,000.

f. Grant Approval Resolution – Watershed Restoration and Protection Program Grant (Pennsylvania Commonwealth Financing Authority)

This project involves a Watershed Restoration and Protection Grant under PA Act 13 of 2012. The grant is for a maximum amount not to exceed \$300,000. Under the grant, staff will design and implement several urban stormwater bioretention retrofits in Hampden and Lower Allen Townships, Cumberland County, Pennsylvania within the Cedar Run Watershed. PaCFA will provide \$300,000 and the Commission will provide \$45,000.

Ms. Ryneason requested Commission approval by motion of items a. through d, and further requested approval of two separate resolutions (Exhibits F & G) that she presented covering items e. and f. On a motion by Commissioner Jordan, seconded by Commissioner Heffner, the Commission unanimously approved the recommendations of Ms. Ryneason for items a. through d., and adopted the two resolutions pertaining to items e. and f. respectively.

11. Regulatory Program Actions

a. Compliance Actions

The General Counsel presented settlement in lieu of penalty agreements for Furman Foods, Inc. and Carrizo (Marcellus) LLC.

Furman Foods, Inc. operated a project at its Point Township, Northumberland County, Pa. facility involving the consumptive use of water in excess of the threshold amount requiring Commission approval, beginning in February 2001. The facts indicate that this violation did not cause environmental harm and did not interfere with other users. The violations were not willful in nature and Furman Foods, Inc. is now fully cooperating with the Commission to bring its facility into compliance. Taking into account these factors, the staff recommended that the Commission accept a settlement in the amount of \$52,150.

In the case of Carrizo (Marcellus) LLC, beginning in May 2012, staff became aware of a trend of administrative violations at numerous Carrizo projects located in Pennsylvania. Staff investigations revealed a total of 2,490 violation days, subjecting the company to a potential civil penalty of \$249,000. The violations seem to have stemmed not so much from willful intent, but from mismanaged compliance efforts. The company is now fully cooperating with the Commission to bring itself into compliance. The staff recommended a settlement in the amount of \$90,000.

b. & c. Docket Rescissions/Docket Actions

The Commission had before it a staff memorandum containing the following list of project applications:

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| <ul style="list-style-type: none"> 1. Aqua Infrastructure, LLC (Clearfield Creek), Boggs Township, Clearfield County, Pa. (Exhibit H1) 2. Aqua Infrastructure, LLC (Tioga River), Hamilton Township, Tioga County, Pa. 3. Michael and Sandra Buhler (Bennett Branch Sinnemahoning Creek), Huston Township, Clearfield County, Pa. (Exhibit H2) 4. Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, Pa. 5-8. Chobani, Inc., South Edmeston, Town of Columbus, Chenango County, N.Y. (Exhibit H3) 9-11. Delta Borough Municipal Authority, Delta Borough Water System, Peach Bottom Township, York County, Pa. (Exhibit H4) 12. Equipment Transport, LLC (Pine Creek), Gaines Township, Tioga County, Pa. (Exhibit H5) 13. Equipment Transport, LLC (Susquehanna River), Great Bend Township, Susquehanna County, Pa. (Exhibit H6) 14. Furman Foods, Inc., Point Township, Northumberland County, Pa. (Exhibit H7) 15. LDG Innovation, LLC (Tioga River), Lawrenceville Borough, Tioga County, Pa. (Exhibit H8) 16. Municipal Authority of the Borough of Mansfield, Richmond Township, Tioga County, Pa. (Exhibit H9) | <ul style="list-style-type: none"> 17. Martinsburg Municipal Authority, North Woodbury Township, Blair County, Pa. (Exhibit H10) 18. Navitus, LLC (North Spring, Logan Branch Watershed), Spring Township, Centre County, Pa. (Exhibit H11) 19. New Morgan Landfill Company, Inc., Conestoga Landfill, New Morgan Borough, Berks County, Pa. (Exhibit H12) 20. New Oxford Municipal Authority, Oxen Country Meadows, Oxford Township, Adams County, Pa. 21. Somerset Regional Water Resources, LLC (Salt Lick Creek), New Milford Township, Susquehanna County, Pa. (Exhibit H13) 22. Southwestern Energy Production Company (Middle Lake), New Milford Township, Susquehanna County, Pa. (Exhibit H14) 23-25. State College Borough Water Authority, Ferguson Township, Centre County, Pa. 26. SWEPI LP (Tioga River), Richmond Township, Tioga County, Pa. 27. WPX Energy Appalachia, LLC (Susquehanna River), Great Bend Township, Susquehanna County, Pa. (Exhibit H15) 28. York County Solid Waste and Refuse Authority, Hopewell Township, York County, Pa. (Exhibit H16) |
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- Highlight = Staff recommending tabling.

The memo also contained staff’s recommendations with respect to the rescission of approvals for Chevron Appalachia, LLC (Chest Creek), Chest Township, Clearfield County, Pa., Docket No. 20100603, and Albemarle Corporation, Borough of Tyrone, Blair County, Pa., Docket Nos. 20010203 and 20010203-1. All projects on the above list were recommended for approval with the exception of Nos. 1, 4, 20, 23-25, and 26, which was recommended for tabling.

Commissioner Heffner moved that the Commission adopt the recommendations of staff for the 28 project applications, the rescission of 2 project approvals, and the 2 settlements in lieu of penalty. This motion was seconded by Commissioner Lynch and unanimously adopted by the Commission.

9. Adjournment

Chairman Summers opened the meeting to public comments, but none was offered. There being no further business before the Commission, and on a motion by Commissioner Jordan, seconded by Commissioner Lynch, Chairman Summers adjourned the meeting at 2:40 p.m. The next regular meeting of the Commission is tentatively scheduled for September 19, 2013, in Binghamton, New York.

Date Adopted

Stephanie L. Richardson

RESOLUTION NO. 2013-02

A RESOLUTION of the Susquehanna River Basin Commission recognizing and honoring Thomas W. Beauduy upon the occasion of his retirement from full-time service with the Susquehanna River Basin Commission.

WHEREAS, Thomas W. Beauduy, Deputy Executive Director and Counsel, will retire from full-time service with the Susquehanna River Basin Commission (the "Commission"), effective July 4, 2013; and

WHEREAS, Mr. Beauduy, during his 17-year tenure with the Commission as its first Deputy Executive Director, rendered outstanding service and wise counsel to the Commission; and

WHEREAS, Mr. Beauduy has distinguished himself among his peers through the creation and promotion of innovative and practical approaches to the management of water resources, most notably in the regulation of water use by the natural gas development industry; and

WHEREAS, Mr. Beauduy has provided leadership on water resource issues at the national level, having represented the Commission on the Interstate Council on Water Policy, served as the President of that organization, and also on its Board of Directors; and

WHEREAS, Mr. Beauduy has demonstrated extraordinary legal and administrative skills in a host of important Commission matters, including settlement negotiations with the City of Baltimore and numerous other project sponsors, the revision and implementation of the Commission's project review regulations, and the internal reorganization and operation of the Commission; and

WHEREAS, Mr. Beauduy possessed a broad appreciation for the purposes of the Susquehanna River Basin Compact and has worked tirelessly to achieve those purposes in every task he has undertaken on behalf of the Commission.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission recognizes and honors Thomas W. Beauduy for his outstanding service to the Commission, his deep devotion to the purposes of the Susquehanna River Basin Compact, and his valuable contributions to the field of water resource management.

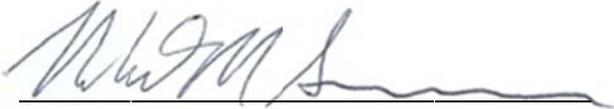
2. The Commission conveys its best wishes to Mr. Beauduy for a happy and fulfilling retirement and looks forward to a continuing association with him on future water resource management matters.

3. The Executive Director is directed to present an originally signed copy of this resolution to Mr. Beauduy.

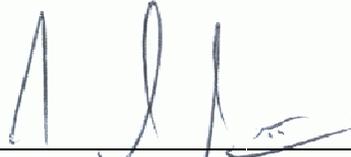
4. This resolution shall be effective immediately.

June 20, 2013

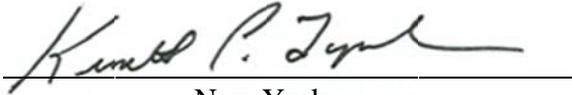
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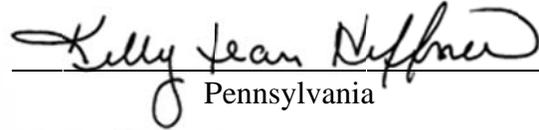
Maryland



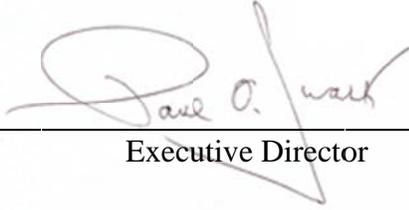
United States



New York



Pennsylvania



Executive Director

RESOLUTION NO. 2013-03

A RESOLUTION of the Susquehanna River Basin Commission recognizing and honoring Susan S. Obleski upon the occasion of her retirement.

WHEREAS, Susan S. Obleski faithfully served as the Director of Communications of the Susquehanna River Basin Commission (the "Commission") for 18 years; and

WHEREAS, during her tenure with the Commission, Ms. Obleski played a crucial role as its first Director of Communications in establishing an effective and responsive public information program; and

WHEREAS, Ms. Obleski also participated in a host of other valuable activities for the Commission, including the production of high-quality reports and publications, the establishment of a Commission website, and the organization of various meetings, conferences, panel sessions, and events; and

WHEREAS, as the Commission's official spokesperson, Ms. Obleski skillfully developed working relationships with the media throughout the basin and was extremely responsive to requests from the media on various matters related to the Commission; and

WHEREAS, Ms. Obleski consistently demonstrated a genuine commitment to the Commission's mission and the protection and sustainable use of the basin's water resources.

NOW THEREFORE BE IT RESOLVED THAT:

1. On the occasion of her retirement, the Commission hereby recognizes Susan S. Obleski for her 18 years of dedicated service and extends its best wishes for a happy and fulfilling retirement; and
2. The Executive Director is directed to present an originally signed copy of this resolution to Ms. Obleski.
3. This resolution shall be effective immediately.

June 20, 2013

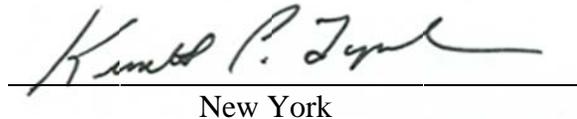
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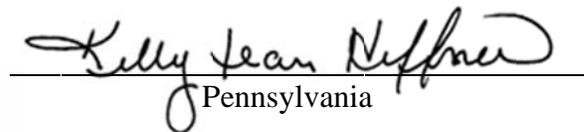
Maryland



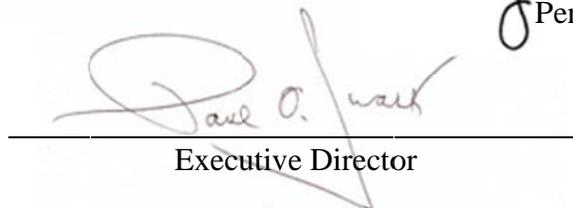
United States



New York



Pennsylvania



Executive Director

RESOLUTION NO. 2013-04

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") adopting a Water Resources Program for Fiscal Years 2014-2015.

WHEREAS, Section 14.2 of the Susquehanna River Basin Compact, P.L. 91-575, provides: "The Commission shall annually adopt a Water Resources Program, based upon the comprehensive plan, consisting of the projects and facilities which the Commission proposes to be undertaken by the Commission and by other authorized governmental and private agencies, organizations, and persons during the ensuing six years or such other reasonably foreseeable period as the Commission may determine;" and

WHEREAS, in December 2008, the Commission adopted an extensively revised Comprehensive Plan, directing that the actions called for therein be implemented through its Water Resources Program; and

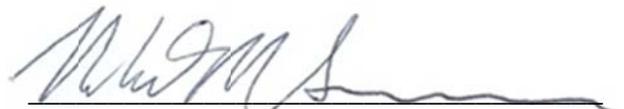
WHEREAS, the Commission annually requests input to the Water Resources Program from member jurisdictions and many other governmental and non-governmental interests; and

WHEREAS, the Commission has formulated an updated Water Resources Program, based on the goals and actions contained in the Comprehensive Plan, which lists the projects and programs proposed to be undertaken by the Commission, member jurisdictions, and other governmental agencies and non-governmental interests during Fiscal Years 2014-2015.

NOW THEREFORE BE IT RESOLVED THAT:

1. The accompanying document titled "Water Resources Program, Susquehanna River Basin Commission (Fiscal Years 2014-2015)" is hereby adopted by the Commission in accordance with Section 14.2 of the Compact and shall be considered for incorporation into the Comprehensive Plan by separate action of the Commission.
2. Staff is instructed to make the Water Resources Program available to legislators, policy makers, and the public as a clear statement of Susquehanna River Basin needs and priorities, and as a mechanism for coordinating the efforts of water managers at all levels.
3. This resolution shall be effective immediately.

Dated: June 20, 2013


Dr. Robert M. Summers, Chair
Maryland

RESOLUTION NO. 2013-05

A RESOLUTION by the Susquehanna River Basin Commission (the “Commission”) to adopt a proposed budget for the fiscal year beginning July 1, 2014, and ending June 30, 2015, and to apportion among the Commission's member jurisdictions a proposed amount required for the support of the budget.

WHEREAS, pursuant to Section 14.3 of the Susquehanna River Basin Compact (the “Compact”), the Commission desires to adopt a budget for the fiscal year beginning July 1, 2014.

NOW THEREFORE BE IT RESOLVED THAT:

1. A proposed budget for the fiscal year beginning July 1, 2014, for expenditures from the General Fund and the Water Resources Management Fund, in the amount of \$13,894,000, is hereby approved and adopted for submission to the member jurisdictions for their review and approval.

2. Pursuant to Section 14.3 of the Compact, there is hereby requested from each member jurisdiction the following apportioned amounts that are required, together with other funds as may be available to the Commission, for the support of the budget, as proposed, for the fiscal year beginning July 1, 2014.

<u>Member Jurisdictions</u>	<u>Apportionment</u>
New York	\$ 372,000
Pennsylvania	\$ 785,000
Maryland	\$ 400,000
United States	\$1,000,000

3. In accordance with the Compact, Section 14.3(c), the respective member jurisdictions agree to include the apportioned amounts set forth in Paragraph 2 in their respective budgets next to be adopted, subject to such review and approval as may be required by their respective budgetary processes. All requested contributions are expressly subject to the executive branch prerogatives of each member jurisdiction in formulating annual budgets, and this Commission Resolution is not intended to be an endorsement of any appropriation request to the extent that it is inconsistent with such executive branch priorities or policies.

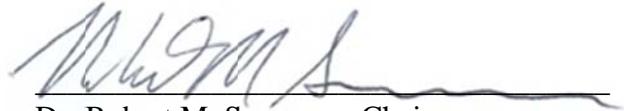
4. The Executive Director is authorized and directed to transmit certified copies of the proposed budget to the principal budget officers of the respective member jurisdictions together with a certified statement of the amount hereby apportioned to each member jurisdiction in accordance with the requirement of the Compact.

Exhibit D

5. To the extent that actual revenues received are less than amounts stipulated in this budget, and are insufficient to cover actual expenditures incurred, the Executive Director is authorized to transfer such amounts as are necessary from the Fiscal Stabilization and Reserve Fund to the General Fund to cover such revenue shortfall.

6. This resolution shall be effective immediately.

Dated: June 20, 2013



Dr. Robert M. Summers, Chair
Maryland

RESOLUTION NO. 2013-06

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) revising the Regulatory Program Fee Schedule for FY 2014.

WHEREAS, pursuant to Article 3, Section 3.9 of the Susquehanna River Basin Compact (the “Compact”), the Commission’s regulations, 18 CFR Parts 801, 806-808, and previously adopted resolutions of the Commission, the most recent of which is Resolution No. 2012-06 of June 7, 2012, the Commission imposes certain fees to help defray the cost of its Regulatory Program for water resource projects; and

WHEREAS, Resolve No. 3 of Resolution 2005-03 provided that the Regulatory Program Fee Schedule be adjusted annually in accordance with changes in the U.S. Consumer Price Index; and

WHEREAS, Resolve No. 2 of Resolution No. 2008-03 provided that the Consumptive Use Mitigation Fee be adjusted annually based on the U.S. Army Corps of Engineers Civil Works Construction Cost Index System average for the immediately previous four quarters for which indexing data are available; and

WHEREAS, Resolve No. 4 of Resolution No. 2012-06 provided that, beginning with the adoption of a Regulatory Program Fee Schedule for FY 2013 and then continuing for four successive fiscal years thereafter, the fees associated with groundwater withdrawal applications, in addition to being adjusted in accordance with the Consumer Price Index, shall also be increased 10 percent per year; and

WHEREAS, in addition to the said adjustments, certain other revisions to the Regulatory Program Fee Schedule are needed, including a 10 percent increase in fees for aquifer testing plans and aquifer waiver requests, and increases for renewal applications for surface water withdrawals; and

WHEREAS, the Commission has actively sought public comment on the proposed Regulatory Program Fee Schedule by posting it on its web site, and by holding a public hearing covering the proposed fee schedule for FY 2014 on May 23, 2013, with an open written comment period to June 3, 2013.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby adopts a Regulatory Program Fee Schedule for FY 2014 implementing the above-referenced revisions, which is attached hereto and made a part of this Resolution.

2. Resolve No. 3 of Resolution No. 2005-03 providing that the Regulatory Program Fee Schedule be adjusted annually in accordance with changes in the U.S. Consumer Price Index, is incorporated herein and made a part of this Resolution, and shall remain in full force and effect.

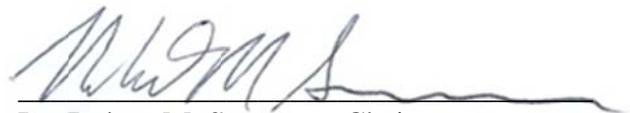
Exhibit E

3. Resolve No. 2 of Resolution No. 2008-03 providing that the Consumptive Use Mitigation Fee shall be adjusted annually based on the U.S. Army Corps of Engineers Civil Works Construction Cost Index System average for the immediately previous four quarters for which indexing data are available, is incorporated herein and made a part of this Resolution, and shall remain in full force and effect.

4. Resolve No. 4 of Resolution No. 2012-06 providing that, with the adoption of a Regulatory Program Fee Schedule for FY 2013 and then continuing for four successive fiscal years thereafter, the fees associated with groundwater withdrawal applications, in addition to being adjusted in accordance with the Consumer Price Index, shall also be increased 10 percent per year, is incorporated herein and made a part of this Resolution, and shall remain in full force and effect.

5. The fees set forth in the attached Regulatory Program Fee Schedule shall become effective July 1, 2013.

Dated: June 20, 2013



Dr. Robert M. Summers, Chair
Maryland

RESOLUTION NO. 2013-07

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") requesting an Abandoned Mine Drainage Abatement and Treatment Program Grant from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania.

WHEREAS, under Article 3, Section 3.4 of the Susquehanna River Basin Compact, Pub. L. 91-575 (the "compact"), relating to "powers," the Commission may negotiate loans, grants, gifts, services, and other aids as may be lawfully available from public or private sources to finance or assist in effectuating any of the purposes of the compact, and receive and accept them upon terms and conditions, and subject to provisions as may be required by Federal or state law or as the Commission may deem necessary or desirable; and

WHEREAS, under Article 5, Section 5.1 of the compact relating to water quality management and control powers, the Commission may acquire, construct, operate, and maintain projects and facilities for the management and control of water quality in the basin whenever the Commission deems necessary to activate or effectuate any of the provisions of this compact; and

WHEREAS, certain grant monies are available to the Commission from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania for the purpose of Abandoned Mine Drainage Abatement and Treatment under PA Act 13 of 2012.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby requests an Abandoned Mine Drainage Abatement and Treatment Program Grant not to exceed \$1,000,000 from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for an implementation plan and preliminary design for upgrades to the Rausch Creek Abandoned Mine Drainage Treatment Plant located in Hegins Township, Schuylkill County, Pennsylvania.

2. The Commission hereby designates Paul O. Swartz, Executive Director, or Marcia E. Rynearson, Director of Administration and Finance, as the officials to execute all documents and agreements between the Commission and the Commonwealth Financing Authority to facilitate and assist the requested grant.

3. This resolution shall be effective immediately.

Dated: June 20, 2013

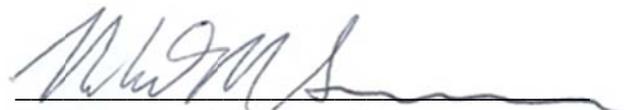
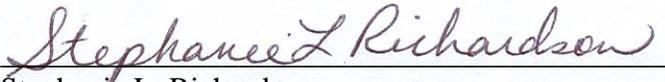

Dr. Robert M. Summers, Chair
Maryland

Exhibit F

I, Stephanie L. Richardson, the below signed Secretary to the Commission, do hereby certify that the foregoing resolution is a true and correct copy of a resolution duly adopted by a majority vote of the Susquehanna River Basin Commission at a regular meeting of the Commission held on June 20, 2013, and said resolution has been recorded in the minutes of the Commission and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the Susquehanna River Basin Commission, this 20th day of June, 2013

seal


Stephanie L. Richardson
Secretary to the Commission

RESOLUTION NO. 2013-08

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) requesting a Watershed Restoration and Protection Program Grant from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania.

WHEREAS, under Article 3, Section 3.4 of the Susquehanna River Basin Compact, Pub. L. 91-575 (the “compact”), relating to “powers,” the Commission may negotiate loans, grants, gifts, services, and other aids as may be lawfully available from public or private sources to finance or assist in effectuating any of the purposes of the compact, and receive and accept them upon terms and conditions, and subject to provisions as may be required by Federal or state law or as the Commission may deem necessary or desirable; and

WHEREAS, under Article 6, Section 6.1 of the compact relating to flood protection, the Commission may plan, design, construct, operate, and maintain projects and facilities it deems necessary or desirable for flood plain development and flood damage reduction; and

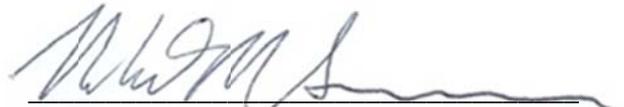
WHEREAS, under Article 7, Section 7.1 of the compact relating to Watershed Management, the Commission is charged with the promotion of sound practices of watershed management in the basin, including projects and facilities to reduce runoff and water flow and prevent erosion; and

WHEREAS, certain grant monies are available to the Commission from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania for the purpose of restoring degraded stream reaches impaired by the uncontrolled discharge of nonpoint source polluted runoff under PA Act 13 of 2012.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby requests an Watershed Restoration and Protection Program Grant of \$300,000 from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the final design and implementation of several urban stormwater bioretention retrofits within Hampden and Lower Allen Townships, Cumberland County, Pennsylvania.
2. The Commission hereby designates Paul O. Swartz, Executive Director, or Marcia E. Rynearson, Director of Administration and Finance, as the officials to execute all documents and agreements between the Commission and the Commonwealth Financing Authority to facilitate and assist the requested grant.
3. This resolution shall be effective immediately.

Dated: June 20, 2013



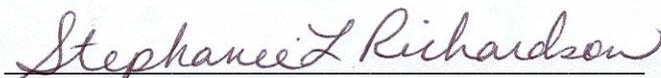
Dr. Robert M. Summers, Chair
Maryland

Exhibit G

I, Stephanie L. Richardson, the below signed Secretary to the Commission, do hereby certify that the foregoing resolution is a true and correct copy of a resolution duly adopted by a majority vote of the Susquehanna River Basin Commission at a regular meeting of the Commission held on June 20, 2013, and said resolution has been recorded in the minutes of the Commission and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the Susquehanna River Basin Commission, this 20th day of June, 2013

seal



Stephanie L. Richardson
Secretary to the Commission



SUSQUEHANNA RIVER BASIN COMMISSION

Exhibit H1

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391
(717) 238-0423 Phone • (717) 238-2436 Fax
www.srbc.net

Docket No. 20130601
Approval Date: June 20, 2013

AQUA INFRASTRUCTURE, LLC

**Surface Water Withdrawal (Peak Day) of up to 1.500 mgd
from Clearfield Creek**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. 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 Commission Docket No. 20081202 that was approved December 4, 2008, with a peak day withdrawal rate of 2.000 million gallons per day (mgd) and with special flow protection requirements. Upon request, the Commission transferred the approval from Chevron Appalachia, LLC to Aqua Infrastructure, LLC on November 28, 2012. In its renewal application, Aqua Infrastructure, LLC requested the same withdrawal rate from an intake located approximately 800 feet downstream from the location approved in 2008. In consideration of the reasonably foreseeable need for water, as demonstrated by water supply agreements and the physical layout of the site, Commission staff recommended that the approved peak day withdrawal rate be reduced to 1.500 mgd, herein referred to as the modified rate. Commission staff also recommended that the special flow protection requirements be modified to reflect current policy.

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:	Aqua Infrastructure, LLC
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20081202
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Boggs Township
County:	Clearfield 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:	Clearfield Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020103 (Clearfield Creek)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 40.914482 N Long: 78.435503 W
Site Flow Statistics (cfs):	Q7-10 = 33.9; Average Daily Flow = 473.8
Impairment:	Mine Drainage
Drainage Area (square miles):	300
Aquatic Resource Class*:	4
Special Flow Protection Required:	Yes
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):	1.500 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	1,388 (Not to Exceed)
Flow Protection Type:	Seasonal passby expressed as monthly values
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01541500; Clearfield Creek at Dimeling, Pennsylvania

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	137	174
February	170	214
March	--	--
April	--	--
May	--	--
June	97.5	124
July	61.5	80
August	46.1	61
September	37.2	50
October	40.4	54
November	60.7	79
December	113	144
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm) -- – Cumulative upstream water use, including the proposed withdrawal, is less than de minimis threshold. No special flow protection is required		

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

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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 approval by Commission staff in accordance with Commission Regulation 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, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals 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 meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the 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 the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Prior to the withdrawal of water, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Such sign shall be posted at the point of entry or access to the 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 description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, modified rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The sign shall be installed prior to any withdrawal of water and be maintained for the duration of the approval. The project sponsor shall submit digital photographs as proof of sign installation prior to the initiation of the withdrawal.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

11. 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.

12. 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 Commission Regulation 18 CFR §808.

13. 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.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

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

17. In accordance with Commission Regulation 18 CFR §806.31(d), 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.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until June 30, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 30, 2016, 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.

Section 6. Special Conditions

20. This project shall be effective July 1, 2013. The terms and conditions of Commission Docket No. 20081202 shall remain effective through June 30, 2013, and thereafter shall be deemed to be expired.

21. Effective upon notice of this approval, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow exceeds such flow protection threshold. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for determination of authorized 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.

25. 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.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

Exhibit H2

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391
(717) 238-0423 Phone • (717) 238-2436 Fax
www.srbc.net

Docket No. 20130603
Approval Date: June 20, 2013

MICHAEL AND SANDRA BUHLER

**Surface Water Withdrawal (Peak Day) of up to 1.000 mgd
from Bennett Branch Sinnemahoning Creek**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

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:	Michael and Sandra Buhler
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Huston Township
County:	Clearfield 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:	Bennett Branch Sinnemahoning Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020203 (Bennett Branch Sinnemahoning Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.218785 N Long: 78.556229 W
Site Flow Statistics (cfs):	Q7-10 = 1.0; Average Daily Flow = 74.9
Impairment:	Mine Drainage
Drainage Area (square miles):	44.6
Aquatic Resource Class*:	2
Special Flow Protection Required:	Yes
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):	1.000 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	695 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01543500; Sinnemahoning Creek at Sinnemahoning, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	26.7	434
February	28.0	454
March	64.0	1,007
April	67.1	1,054
May	38.9	621
June	15.6	263

Approved Withdrawal Quantities and Limitations (continued)		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
July	6.8	128
August	6.8	128
September	6.8	128
October	6.8	128
November	13.8	236
December	31.3	504
mgd – million gallons per day		USGS – U.S. Geological Survey
1 cfs = 448.8 gallons per minute (gpm)		

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

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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 approval by Commission staff in accordance with Commission Regulation 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, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals 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 meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the 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 the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Prior to the withdrawal of water, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Such sign shall be posted at the point of entry or access to the 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 description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The sign shall be installed prior to any withdrawal of water and be maintained for the duration of the approval. The project sponsor shall submit digital photographs as proof of sign installation prior to the initiation of the withdrawal.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

11. 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.

12. 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 Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

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

17. 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 by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). 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.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until June 19, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 19, 2016, 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.

Section 6. Special Conditions

20. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for

48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

21. Except as authorized pursuant to Special Condition 23, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

22. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 23, including daily quantities supplied.

23. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for determination of authorized 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.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391
(717) 238-0423 Phone • (717) 238-2436 Fax
www.srbc.net

Docket No. 20130604
Approval Date: June 20, 2013

CHOBANI, INC.

**Groundwater Withdrawals (30-Day Averages) of 0.641 mgd from Well 1,
0.641 mgd from Well 2, and 0.662 mgd from Well 3;
Total System Withdrawal Limit (30-Day Average) of 1.300 mgd;
and Consumptive Water Use of up to 0.283 mgd from Wells 1, 2, and 3**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

In 2005, Chobani, Inc. (Chobani), formerly Agro Farma, Inc., purchased an existing dairy processing facility in the Town of Columbus, New York, from Kraft Foods. On or about January 1, 2006, without prior approval by the Commission, Chobani began operating a project involving the withdrawal and consumptive use of water in excess of the threshold amounts that require Commission review and approval in accordance with Commission Regulations 18 CFR §§806.4(a)(1) and 806.4(a)(2). On August 18, 2011, Chobani met with Commission staff to resolve potential open compliance issues at the facility. Chobani has since executed a settlement and consent order and agreement with the Commission, and submitted the required withdrawal and consumptive use applications.

Commission staff has coordinated with the New York State Department of Environmental Conservation (NYSDEC) and U.S. Army Corps of Engineers (USACE) 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:	Chobani, Inc.
Approval Types:	Groundwater Withdrawal and Consumptive Water Use
Authorized Water Use Purpose:	Potable Water, Plant Production Uses, Fire Protection, in support of Yogurt Production
Municipality:	Town of Columbus
County:	Chenango County
State:	New York

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			
Withdrawal Type:	Groundwater		
Approved Sources:	Wells 1, 2, and 3		
Subbasin:	Upper Susquehanna		
Watershed Boundary Dataset (WBD):	0205010109 (Unadilla River)		
Withdrawal Location (degrees):	Well 1	Lat: 42.684976 N	Long: 75.323493 W
	Well 2	Lat: 42.685195 N	Long: 75.324240 W
	Well 3	Lat: 42.683893 N	Long: 75.324464 W

Section 4. Aquifer Testing

On September 12, 2011, the Commission received a request from the project sponsor that the constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals be waived. On December 29, 2011, Commission staff issued a letter denying the waiver request. Throughout 2012, Commission staff worked with Chobani personnel, their consultants, and members of the local community to design an appropriate aquifer test.

An Aquifer Test Plan was received by Commission staff on July 19, 2012, with follow-up comments received on October 29, 2012. The aquifer testing plan was approved with conditions by Commission staff on December 12, 2012. The approved plan required rigorous monitoring at 45 locations, including 18 private residential wells.

The constant-rate aquifer testing was completed with prior Commission approval between December 13, 2012 and December 16, 2012. The 73-hour, combined constant-rate aquifer test of Wells 1, 2 and 3 was conducted at a combined average withdrawal rate of 1,330 gallons per minute (gpm).

Commission staff recommended the maximum instantaneous rate of production for each well be reduced to the average rate of production during testing. Commission staff determined

that the withdrawal from Wells 1, 2, and 3 at the requested 30-day average withdrawal rates should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawals approved hereunder are subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations			
	Well 1	Well 2	Well 3
30-Day Average Withdrawal (mgd):	0.641	0.641	0.662
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	445	445	460
Total System Withdrawal Limit (30-Day Average) (mgd):	1.300		
mgd – million gallons per day			

The withdrawals are also subject to all other conditions set forth in this docket approval.

Section 6. Approved Consumptive Water Use Quantities and Limitations

The consumptive water use approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Consumptive Water Use Quantities and Limitations	
Sources for Project Consumptive Water Use:	1. Well 1 2. Well 2 3. Well 3
Peak Day Consumptive Water Use Amount (mgd):	0.283 (Not to Exceed)
Project Consumptive Water Use:	Evaporative losses associated with yogurt production
Consumptive Water Use Mitigation Type:	Payment of consumptive use mitigation fee

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

Section 7. Existing Approved Withdrawals

The project does not have existing approved withdrawals.

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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 approval by Commission staff in accordance with Commission Regulation 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 measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, consumptive water use, 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 adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff. Any modifications proposed for the groundwater elevation monitoring plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

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 Commission Regulation 18 CFR §808.12.

6. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

7. The project sponsor shall keep daily records of the project's consumptive water 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 on-line 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, if appropriate, approved by Commission staff.

8. The project's consumptive water use as calculated above is subject to mitigation requirements, as per Commission Regulation 18 CFR §806.22(b). To satisfy the Commission's current mitigation requirements for consumptive water 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.

9. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

10. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

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

13. 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 Commission Regulation 18 CFR §808.

14. Commission approval shall not be construed to exempt the project sponsor from fulfilling obligations for the project from other federal, state, or local government agencies having jurisdiction over the project. Pursuant to this approval, such obligations include, but are not limited to: (a) satisfaction of annual usage, capacity, and conservation reporting requirements in the form and manner prescribed by NYSDEC's Division of Water; and (b) permitting for additional stream disturbance as may be deemed necessary by NYSDEC's Region 7 Division of Environmental Permits personnel. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

15. 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, pursuant to Commission Regulation 18 CFR §806.32.

16. 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.

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

18. 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.

19. Should the project's anticipated withdrawals or consumptive uses be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

20. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

21. This approval is effective until June 19, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 19, 2027, 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.

Section 9. Special Conditions

22. Prior to the operation of Well 3, the project sponsor shall submit a plan for Commission review and approval that includes long-term monitoring of the aquifer in close proximity to the area utilized by residents of the hamlet of South Edmeston, New York. This monitoring will provide data for validation of potential influences to the aquifer during long-term operation of the withdrawals, and specifically in those areas of the aquifer being utilized for private water supply. During aquifer testing, the approved groundwater monitoring network included three wells of varying depths (86 feet, 52 feet, and 26 feet below ground surface) on the Edmeston Community Church property, located immediately across the Unadilla River from the Chobani plant on the east side of the river. The long-term monitoring plan shall incorporate these three wells. If long-term access to these monitoring points cannot be acquired, the project sponsor shall propose alternate monitoring locations for review and approval by Commission

staff. The groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter with data required by Standard Condition 4 above. Operation of Well 3 shall not commence prior to Commission approval of the long-term monitoring plan. All monitoring equipment outlined in the approved plan shall be fully functional prior to commencing withdrawal from Well 3. The water level monitoring shall continue for the full term of the approval.

23. The project sponsor shall prepare and submit an interpretive report annually providing the results and evaluations of long-term groundwater elevation monitoring required herein. The report must be submitted within sixty (60) days after the close of the preceding calendar year. The report shall be submitted in both hard copy and by electronic file. Should post-approval monitoring indicate potentially adverse pumping-induced impacts to any residential water supplies, the project docket may be reopened (as outlined in Standard Condition 15) to issue additional orders required to mitigate or avoid such impacts.

24. Prior to the operation of Well 3, the project sponsor shall submit a stream and wetland monitoring plan for Commission review and approval that includes the post-approval monitoring of an unnamed tributary (designated by NYSDEC as Tributary 39a of the Unadilla River) and a wetlands complex (designated by Chobani as Wetland A), both located immediately west of the Chobani plant. Operation of Well 3 shall not commence prior to Commission approval of the stream and wetland monitoring plan.

During aquifer testing, Tributary 39a was monitored using a stilling well and three temporary weirs installed under permit with NYSDEC. In order to prevent potential barriers to trout spawning during post-approval monitoring, permanent weirs shall not be installed in Tributary 39a. The stream monitoring plan shall instead incorporate the installation and continuous monitoring of a stream stage and a minimum of two streambank piezometers in order to assess the temporal and spatial variation of the near stream hydrology in conjunction with the operation of Wells 1, 2, and 3.

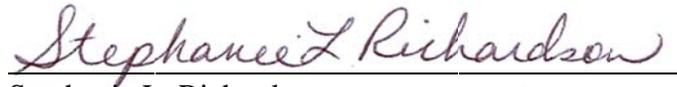
During aquifer testing, Wetland A was monitored using a pair of piezometers (shallow and deep) constructed to assess vertical hydraulic gradients in the Wetland A complex. The post-approval wetland monitoring plan shall incorporate the two existing piezometers and provide details for the installation and construction of one additional shallow piezometer in Wetland A, designed to allow assessment of the hydrology of the Wetland A root zone. The plan shall provide the details for the continuous monitoring of the three Wetland A piezometers to assess the temporal and spatial variation of the Wetland A and shallow groundwater hydrology, in conjunction with the operation of Wells 1, 2, and 3. The stream and wetland monitoring shall be implemented within ninety (90) days of Commission staff approval of the stream and wetland monitoring plan, and shall continue until further notice by the Commission.

25. The project sponsor shall prepare and submit an interpretive report annually providing the results and evaluations of stream and wetlands monitoring required herein. The report must be submitted within sixty (60) days after the close of the preceding calendar year. The report shall be submitted in both hard copy and by electronic file. Should post-approval

monitoring indicate potentially adverse pumping-induced impacts to Tributary 39a or Wetland A, the project docket may be reopened (as outlined in Standard Condition 15) to issue additional orders required to mitigate or avoid such impacts.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20130605
Approval Date: June 20, 2013

DELTA BOROUGH MUNICIPAL AUTHORITY

**Groundwater Withdrawals (30-Day Averages) of 0.073 mgd from Well 5,
0.043 mgd from Well 6, and 0.064 mgd from Well 7;
and Total System Withdrawal Limit (30-Day Average) of 0.131 mgd
from Wells 5, 6, 7, 8, DR-2, and DR-3**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Wells 5, 6, and 7 were in use prior to July 13, 1978, and did not previously require Commission approval. However, Commission Docket No. 20070306 approving the withdrawal from Well DR-3 required the submittal of applications for review and approval of Wells 5, 6, and 7. The wells were subsequently transferred to the project sponsor upon creation of the Delta Borough Municipal Authority.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) 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:	Delta Borough Municipal Authority
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Delta Borough and Peach Bottom Township
County:	York 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	
Withdrawal Type:	Groundwater
Approved Sources:	Wells 5, 6, and 7
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030613 (Muddy Creek)
Withdrawal Locations (degrees)*:	Lat: -- Long: --
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

Section 4. Aquifer Testing

The project sponsor requested that the constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals be waived. In support of the aquifer testing waiver requests, the project sponsor submitted a detailed conceptual model of the hydrogeologic setting and a summary of historical daily pumping rates and recorded water levels for each well. In addition, the project sponsor submitted the results of a historical aquifer test that was conducted on Wells 7 and 8, which are located approximately 40 feet from each other. The test results indicated a high level of interference exists between Wells 7 and 8. However, the project sponsor indicated that these wells are not operated simultaneously. Based on review of the information submitted in support of the waiver request, Commission staff determined that the continued withdrawals from Wells 5, 6, and 7, at the requested withdrawal rates, should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin. Therefore, the aquifer testing requirements for Wells 5, 6, and 7, pursuant to Commission Regulation 18 CFR §806.12, are hereby waived.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawals approved hereunder are subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations			
	Well 5	Well 6	Well 7
30-Day Average Withdrawal (mgd):	0.073	0.043	0.064
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	51	30	45
Total System Withdrawal Limit – Wells 5, 6, 7, 8, DR-2, and DR-3 (30-Day Average) (mgd):	0.131		
mgd – million gallons per day gpm – gallons per minute			

The withdrawals are also subject to all other conditions set forth in this docket approval.

Section 6. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 8	0.065	19930303	March 11, 2023
Well DR-3	0.032	20070306	March 14, 2022
Well DR-2	0.019	20090315	March 12, 2024

Section 7. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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 metering on the sources listed in Sections 3 and 6 in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall document existing meters or the installation of new meters on Wells 5, 6, and 7 to the Commission, in writing, and submit digital photographs of the meters installed and certify the accuracy of the measuring device to within five (5) percent of actual flow.

3. The project sponsor shall maintain the totalizing meters and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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. Within ninety (90) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with Commission Regulation 18 CFR §806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Sections 3 and 6. Following approval, the project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

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 Commission Regulation 18 CFR §808.12.

6. The project sponsor shall keep daily records of the project's withdrawals 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

7. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

8. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(a).

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 comply with the water conservation requirements and reduce system water losses to less than 20 percent to comply with Commission Regulation 18 CFR §806.25(a)(1). The project sponsor shall reduce system losses and achieve compliance with the requirements within five (5) years of the effective date of this docket approval (June 20, 2018) unless an extension of time is granted due to extenuating circumstances described, in writing, by the project sponsor. The project sponsor shall report to the Commission annually on the progress made pursuant to this requirement. Annual reports are due within sixty (60) days after the close of the preceding year.

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

12. 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 Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right

to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

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

17. 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.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

20. This approval is effective until June 19, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 19, 2027, 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.

Section 8. Special Conditions

21. The project sponsor shall not operate Wells 7 and 8 simultaneously.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20130606
Approval Date: June 20, 2013

EQUIPMENT TRANSPORT, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.467 mgd
from Pine Creek**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

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:	Equipment Transport, LLC
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Gaines Township
County:	Tioga 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:	Pine Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020502 (Upper Pine Creek)
Water Use Designation:	Exceptional Value (EV)
Withdrawal Location (degrees):	Lat: 41.743670 N Long: 77.600728 W
Site Flow Statistics (cfs):	Q7-10 = 7.4; Average Daily Flow = 261
Wild Trout Classification:	Naturally Reproducing Wild Trout Stream
Drainage Area (square miles):	185
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
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):	0.467 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	650 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01548500; Pine Creek at Cedar Run, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	73.6	245
February	82.8	275
March	46.0	155
April	102.0	339
May	55.2	185
June	29.0	99
July	28.5	98

Approved Withdrawal Quantities and Limitations (continued)		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
August	27.6	95
September	27.9	96
October	30.7	105
November	35.7	121
December	88.9	295
mgd – million gallons per day 1 cfs = 448.8 gallons per minute (gpm)		USGS – U.S. Geological Survey -- – No special flow protection required

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

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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 approval by Commission staff in accordance with Commission Regulation 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, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals 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 meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals 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.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the 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 the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Prior to the withdrawal of water, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Such sign shall be posted at the point of entry or access to the 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 description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The sign shall be installed prior to any withdrawal of water and be maintained for the duration of the approval. The project sponsor shall submit digital photographs as proof of sign installation prior to the initiation of the withdrawal.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

11. 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.

12. 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 Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

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

17. 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 by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). 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.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until June 19, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 19, 2016, 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.

Section 6. Special Conditions

20. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream

gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

21. Per Commission coordination with jurisdictional agency(ies), the project sponsor shall adhere to recommendations for avoiding adverse impact to rare, threatened, or endangered species known to exist in proximity to the project location. Installation of the intake shall not be permitted from August 1 through November 30 to avoid the breeding and egg incubation periods of the Eastern hellbender (*Cryptobranchus alleganiensis*). To avoid adverse impact to the stream's naturally reproducing wild trout population, instream construction shall not be permitted from October 1 through December 31.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for determination of authorized 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.

25. 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.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013

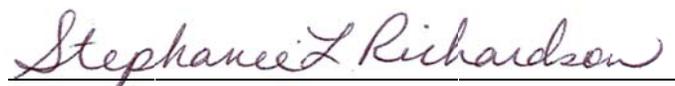

Stephanie L. Richardson



Exhibit H6 SUSQUEHANNA RIVER BASIN COMMISSION

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391
 (717) 238-0423 Phone • (717) 238-2436 Fax
 www.srbc.net

Docket No. 20130607
Approval Date: June 20, 2013

EQUIPMENT TRANSPORT, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.999 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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

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:	Equipment Transport, LLC
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Great Bend Township
County:	Susquehanna 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:	Susquehanna River
Subbasin:	Upper Susquehanna
Watershed Boundary Dataset (WBD):	0205010113(Lower Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.969109 N Long: 75.712290 W
Site Flow Statistics (cfs):	Q7-10 = 172; Average Daily Flow = 3,340
Impairment:	Mercury
Drainage Area (square miles):	2,040
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):	0.999 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	1,000 (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. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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 approval by Commission staff in accordance with Commission Regulation

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, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals 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 meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the 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 the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Prior to the withdrawal of water, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Such sign shall be posted at the point of entry or access to the 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 description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity and rate, docket expiration date, and contact information for the project sponsor and the Commission. The sign shall be installed prior to any withdrawal of water and be maintained for the duration of the approval. The project sponsor shall submit digital photographs as proof of sign installation prior to the initiation of the withdrawal.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

11. 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.

12. 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 Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

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

17. 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 by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). 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.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until June 19, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 19, 2016, 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.

Section 6. Special Conditions

20. Except as authorized pursuant to Special Condition 22, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

21. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 22, including daily quantities supplied.

22. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for determination of authorized 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.

23. 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.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

Exhibit H7

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391

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

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Docket No. 20130608

Approval Date: June 20, 2013

**FURMAN FOODS, INC.
dba FURMANO'S**

**Consumptive Water Use (Peak Day) of up to 0.900 mgd
from Wells 1, 4, 7, and 9; an Adjacent Electric Generating Facility;
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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

The project was previously approved for groundwater withdrawals on September 12, 1985 and July 14, 1994, from sources listed below for supply of production and cooling water to its food processing plant. Information provided during review of those initial groundwater withdrawal approvals indicated that consumptive uses at the facility were below the applicable regulatory thresholds. During a routine compliance inspection of the facility in May 2012, Commission staff requested the submittal of recent consumptive use data and subsequently determined that the project sponsor was operating above the 0.020 million gallons per day (mgd) consumptive use threshold. The Commission notified the project sponsor of the need to comply with Commission regulations, and the project sponsor subsequently submitted its application to the Commission, complied with application procedures, and cooperated with Commission staff during review of the project. A settlement has been offered by the project sponsor for the operation in excess of the consumptive use threshold without approval. Commission action on the proposed settlement is separate from this approval and is not included herein.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) 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:	Furman Foods, Inc., dba Furmano's
Approval Type:	Consumptive Water Use
Authorized Water Use Purpose:	Water Supply for an Industrial Food Processing Facility
Municipality:	Point Township
County:	Northumberland County
State:	Pennsylvania

Section 3. Approved Consumptive Water Use Quantities and Limitations

The consumptive water use approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Consumptive Water Use Quantities and Limitations	
Sources for Project Consumptive Water Use:	<ol style="list-style-type: none"> 1. Wells 1, 4, 7, and 9 2. Public Water Supply – Pennsylvania American Water Company 3. Steam from an adjacent electric generating facility
Peak Day Consumptive Water Use Amount (mgd):	0.900 (Not to Exceed)
Project Consumptive Water Uses:	<ol style="list-style-type: none"> 1. Cooling and utility purposes 2. Product makeup 3. Product washing
Consumptive Water Use Mitigation Type:	Payment of consumptive use mitigation fee

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

Section 4. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Wells 1, 4, and 7	0.775*	19850901	September 12, 2015
Well 9	0.288	19930908	July 14, 2024
* Indicates that the approved withdrawal is for Wells 1, 4, and 7 combined.			

Section 5. Grandfathering Determination – Consumptive Water Use

Quantities applicable to the project's grandfathering determination for existing consumptive water uses are listed in the table below.

Grandfathered Consumptive Water Use		
Consumptive Water Use	Source	Peak Day Consumptive Water Use (mgd)
Industrial Food Processing	Various Groundwater Sources	0.005

Section 6. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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. Within sixty (60) days from the date of this approval, the project sponsor shall submit a metering plan to the Commission for review and approval by Commission staff that accounts for all consumptive use.

3. The project sponsor shall maintain metering in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of all meters when installed, provide the serial number of the meters, and certify the accuracy of the measuring devices to within five (5) percent of actual flow.

4. The project sponsor shall maintain the meters and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of consumptive water use, 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. Within ninety (90) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with Commission Regulation 18 CFR §806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Section 3. Following approval, the

project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's consumptive water 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 on-line 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, if appropriate, approved by Commission staff.

8. The project's consumptive water use is subject to mitigation requirements, as per Commission Regulation 18 CFR §806.22(b). For the purposes of this project, 0.005 mgd is considered to be grandfathered and is not subject to consumptive use mitigation requirements. To satisfy the Commission's current mitigation requirements for consumptive water 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, less the grandfathered quantity. 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.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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 Commission Regulation 18 CFR §808.

11. 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. All such permits and/or

approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

12. 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, pursuant to Commission Regulation 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.

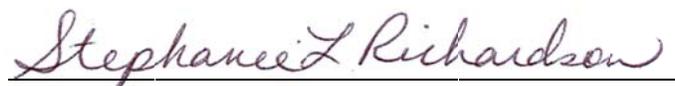
15. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

16. Should the project's anticipated withdrawals or consumptive uses be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval, or previous withdrawal approvals.

17. This approval is effective until June 19, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 19, 2027, 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, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

Exhibit H8

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391

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Docket No. 20100311-2

Approval Date: March 18, 2010

Modification Date: June 7, 2012

Modification Date: June 20, 2013

LDG INNOVATION, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.750 mgd
from the Tioga 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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the modification of the project described herein in accordance with the conditions set forth below.

This approval is a modification of Commission Docket No. 20100311 that was originally approved March 18, 2010, and modified June 7, 2012, as Commission Docket No. 20100311-1. The project sponsor has requested reconsideration of operating limitations to be consistent with Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals). Commission staff recommended the project sponsor's request for modification be approved with special flow protection requirements reflective of current policy.

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:	LDG Innovation, LLC
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Lawrenceville Borough
County:	Tioga 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:	Tioga River
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010409 (Tioga River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.991238 N Long: 77.124730 W
Site Flow Statistics (cfs):	Q7-10 = 30; Average Daily Flow = 565
Impairment:	Mercury; Abandoned Mine Drainage
Drainage Area (square miles):	456
Aquatic Resource Class*:	4
Special Flow Protection Required:	Yes
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):	0.750 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	925 (Not to Exceed)
Flow Protection Type:	Seasonal passby expressed as monthly values
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01518700; Tioga River at Tioga Junction, Pennsylvania

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	123	122
February	162	160
March	278	274
April	328	323
May	153	152
June	79	79
July	50	51
August	41	42
September	39	40
October	51	52
November	62	63
December	126	125
mgd – million gallons per day 1 cfs = 448.8 gallons per minute (gpm)		
USGS – U.S. Geological Survey		

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

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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 approval by Commission staff in accordance with Commission Regulation 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 metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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. The next meter accuracy certification is due October 23, 2014, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days of notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Such sign shall be posted at the point of entry or access to the 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 description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The sign shall be installed prior to any withdrawal at the modified rate and be maintained for the duration of the approval. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

11. 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.

12. 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 Commission Regulation 18 CFR §808.

13. 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.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

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

17. In accordance with Commission Regulation 18 CFR §806.31(d), 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.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This modified approval is effective until March 17, 2014, the term of the prior docket approvals. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before September 17, 2013, 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.

Section 6. Special Conditions

20. This approval shall be effective July 1, 2013.

21. Effective July 1, 2013, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow exceeds such flow protection threshold. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for determination of authorized 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.

25. 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.

26. All other conditions in Commission Docket Nos. 20100311 and 20100311-1 not inconsistent herewith shall remain effective.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION Exhibit H9

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391
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Docket No. 20130609
Approval Date: June 20, 2013

MUNICIPAL AUTHORITY OF THE BOROUGH OF MANSFIELD

**Groundwater Withdrawal (30-Day Average) of 0.079 mgd from Well 3,
Interconnection with Mansfield University Water System, and
Total Groundwater and Surface Water
System Withdrawal Limit (30-Day Average) of 0.494 mgd**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

The project sponsor currently relies on two existing Commission-approved wells (Well 1 and Well 2) and one surface water withdrawal (Webster Reservoir) under Pennsylvania Department of Environmental Protection (PADEP) approval. Well 3 is intended to increase the groundwater capacity and reduce seasonal reliance on surface water to improve water treatment capability and reduce associated costs. Interconnection with the Mansfield University water system is to allow for redundancy and backup water supply and, therefore, is not included in the total groundwater and surface water system withdrawal limit. Because Well 3 is supplementing the use of Webster Reservoir and the surface water withdrawal will not increase over historic quantities, the Commission is not requiring review and approval of Webster Reservoir as a condition of this approval.

Commission staff has coordinated with PADEP 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:	Municipal Authority of the Borough of Mansfield
Approval Types:	Groundwater Withdrawal and Interconnection
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Richmond Township
County:	Tioga 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 tables below.

Source Information – Well 3	
Withdrawal Type:	Groundwater
Approved Source:	Well 3
Subbasin:	Chemung River Subbasin
Watershed Boundary Dataset (WBD):	0205010409 (Tioga River)
Withdrawal Location (degrees)*:	Lat: -- Long: --
Site Flow Statistics (cfs)†:	Q7-10 = 0.07; Average Daily Flow = 3.60
Impairment†:	Attaining Designated Use
Drainage Area (square miles)†:	2.0
Aquatic Resource Class**†:	1
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	
** Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	
† Based on the anticipated point of impact to surface water.	

Source Information – Mansfield University Interconnection	
Withdrawal Type:	Interconnection
Approved Source:	Mansfield University Water System
Subbasin:	Chemung River Subbasin
Watershed Boundary Dataset (WBD):	0205010409 (Tioga River)
Withdrawal Location (degrees)*:	Lat: -- Long: --
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

Section 4. Aquifer Testing

The project sponsor requested that the prior review and approval of the constant-rate aquifer testing plan required by Commission Regulation 18 CFR §806.12(b) for groundwater withdrawals be waived. A 48-hour, constant-rate aquifer test of Well 3 was conducted on May 1 through May 3, 2000, at 87.8 gallons per minute (gpm) without prior approval by the Commission. Based on the analysis of the aquifer test results, construction of Well 3 and the understanding of the hydrogeologic setting, Commission staff determined that the withdrawal from Well 3 at the requested withdrawal rate, and in accordance with the conditions set forth herein, should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin. Therefore, the requirement for pre-approval of the aquifer testing plan for Well 3, pursuant to Commission Regulation 18 CFR §806.12, is hereby waived.

Commission staff determined that Well 3 likely draws water from the shallow unconfined aquifer that receives recharge from Lambs Creek and recommended that a passby flow be required for the protection of aquatic resources. Due to the small watershed, other upstream withdrawals, and ongoing withdrawals from a reservoir upstream of the area of influence of Well 3, Commission staff recommended that on-stream flow monitoring of Lambs Creek be developed approximately 500 feet downstream of the Well 3 location to provide real-time monitoring that is sensitive to the site-specific conditions. Commission staff recommended the maximum instantaneous rate of production from Well 3 not exceed 55 gpm.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the tables below.

Approved Withdrawal Quantities and Limitations – Well 3		
30-Day Average Withdrawal (mgd):	0.079	
Maximum Instantaneous Withdrawal Rate (gpm):	55 (Not to Exceed)	
Total System Withdrawal Limit (30-Day Average) (mgd):	0.494 (not to include Mansfield University interconnection)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Flow Protection:	On-site flow monitoring	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	0.6	Not Applicable
February	0.7	Not Applicable
March	1.8	Not Applicable
April	1.8	Not Applicable
May	0.9	Not Applicable

Approved Withdrawal Quantities and Limitations – Well 3 (continued)		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
June	0.3	Not Applicable
July	0.1	Not Applicable
August	0.1	Not Applicable
September	0.1	Not Applicable
October	0.2	Not Applicable
November	0.4	Not Applicable
December	0.8	Not Applicable
mgd – million gallons per day 1 cfs = 448.8 gpm		

Approved Withdrawal Quantities and Limitations – Mansfield University Interconnection	
Peak Day Withdrawal (mgd):	0.142*
* Quantity not included in total groundwater and surface water system limit.	

The withdrawals are also subject to all other conditions set forth in this docket approval.

Section 6. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 1	0.200	19940707	July 14, 2024
Well 2	0.252	20060901	September 13, 2031

Section 7. Grandfathering Determination – Withdrawals

Quantities applicable to the project’s grandfathering determination for existing withdrawals are listed in the table below. This source listed below is currently approved by PADEP Water Allocation Permit WA-147A, with a withdrawal limit of 0.250 mgd.

Grandfathered Surface Water Withdrawals		
Source	Peak Day Withdrawal (mgd)	30-Day Average Withdrawal (mgd)*
Webster Reservoir	0.377	0.311
* Value(s) represent maximum documented 30-day average amounts that occurred prior to applicable regulatory effective date(s).		

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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. Within sixty (60) days from the date of this approval, the project sponsor shall submit a metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals listed in Sections 3 and 7, excluding the interconnection with Mansfield University which is addressed in Special Condition 24 below.

3. Prior to any withdrawal from the sources listed in Section 3, the project sponsor shall install and maintain metering in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence from the sources listed in Section 3 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 meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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. Within ninety (90) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with Commission Regulation 18 CFR §806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Sections 3 and 6. Following approval, the project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal from the sources listed in Sections 3 and 7 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Should the project's grandfathered withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application.

9. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

10. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(a).

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

12. Annual reporting for 2011 and 2012 to PADEP indicates unaccounted for system water losses of 21 and 31 percent, respectively. The project sponsor shall comply with the water conservation requirements and reduce system water losses to less than 20 percent to comply with Commission Regulation 18 CFR §806.25(a)(1). The project sponsor shall reduce system losses and achieve compliance with the requirements within five (5) years of the effective date of this docket approval (June 20, 2018) unless an extension of time is granted due to extenuating circumstances described, in writing, by the project sponsor. The project sponsor shall report to the Commission annually on the progress made pursuant to this requirement. Annual reports are due within sixty (60) days after the close of the preceding year.

13. The project sponsor shall register with the appropriate agency all surface water and groundwater 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 Commission Regulation 18 CFR §808.

15. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

16. 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, pursuant to Commission Regulation 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 has a period of three (3) years from the date of this approval to commence the withdrawal from the sources listed in Section 3 or this approval will automatically expire, unless an extension is requested by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). 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.

20. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

21. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

22. This approval is effective until June 19, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 19, 2027, 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.

Section 9. Special Conditions

23. This approval authorizes the withdrawal of up to 0.142 mgd of water from the Mansfield University water system through the use of an interconnection, conditional upon receipt of an authorization letter and agreement between the project sponsor and Mansfield University. The quantity withdrawn through the interconnection shall not be included in the total groundwater and surface water system limit specified above. If approval is secured by Mansfield University for withdrawals in excess of the quantity specified herein, the project sponsor may seek an increase to the authorized interconnection quantity up to the newly approved quantity by submitting copies of the revised authorization letter and agreement between the project sponsor

and Mansfield University and requesting that the Commission approve such increase. Such increase shall not be effective unless and until an approval is issued by the Commission's Executive Director. This authorization is conditional upon Mansfield University obtaining and maintaining all other required approvals or permits for the duration of the agreement.

24. Within ninety (90) days from the execution of an agreement between the project sponsor and Mansfield University, a metering plan shall be submitted to the Commission for review and approval by Commission staff that measures all withdrawals through the interconnection. Following Commission approval of the plan and prior to withdrawal from the interconnection, the project sponsor shall install and maintain metering on the interconnection, in accordance with Commission Regulation 18 CFR §806.30(a)(1). The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meters when installed and certify the accuracy of the measuring devices to within five (5) percent of actual flow.

25. Within ninety (90) days from the date of the approval of the metering plan required by Standard Condition 2, the project sponsor shall install and maintain metering on withdrawals from Webster Reservoir, in accordance with Commission Regulation 18 CFR §806.30(a)(1). The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meters when installed and certify the accuracy of the measuring devices to within five (5) percent of actual flow.

26. Due to the small watershed, the presence of withdrawals from a reservoir upstream of the area of influence, and other upstream withdrawals, local on-stream flow monitoring of Lambs Creek shall be developed approximately 500 feet downstream of the Well 3 location to provide real-time monitoring that is sensitive to the site-specific conditions. The project sponsor shall submit its design and a proposed construction schedule for the on-stream flow monitoring device for Lambs Creek within ninety (90) days of the date of this approval for review and approval by Commission staff prior to any construction. The flow measurement device must include automatic recording of flow. Following approval, the project sponsor shall complete construction in accordance with the approved schedule, and shall certify to the Commission that construction has been completed in accordance with the approved design. The passby systems shall be kept fully functional and free of debris. Withdrawal from the sources listed in Section 3 shall not commence until approval of the implementation of the passby flow measurement device is received, in writing, from Commission staff. Thereafter, the passby flow data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and approval.

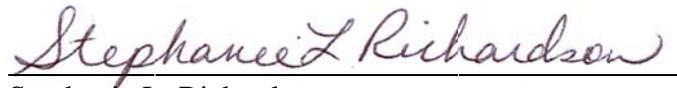
27. Effective upon notice of this approval, the project sponsor shall cease all withdrawals from Well 3 when streamflow, as measured at the approved on-stream passby flow measurement device specified in Section 5 and above, or at an approved alternate location, is less than the applicable flow protection threshold specified in Section 5, or an applicable site-specific equivalent thereof if alternate monitoring is approved, and shall not reinstate withdrawals until the streamflow exceeds such flow protection threshold. The project sponsor shall keep daily

records of the flow measured at the on-stream flow monitoring device and shall report the data to the Commission, as required.

28. The system limit established herein supersedes the total groundwater system limit established in Commission Docket No. 20060901.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

Exhibit H10

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Docket No. 20130610

Approval Date: June 20, 2013

MARTINSBURG MUNICIPAL AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.288 mgd
from Wineland Replacement Well 1, and
Total System Withdrawal Limit (30-Day Average) of 0.391 mgd**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

The project sponsor historically relied on four groundwater sources for public water supply: Wineland Well 1, Wineland Well 2, Wineland Well 3, and the Hershberger Well. The project sponsor decided to replace the deteriorating Wineland Wells 1 and 2, and to implement upgrades to other infrastructure and treatment capability. Two new wells, designated Wineland Replacement Well 1 and Wineland Replacement Well 2, were installed in July 2010. Application for Wineland Replacement Well 2 has not yet been submitted. The Pennsylvania Department of Environmental Protection (PADEP) required the project sponsor to abandon existing Wineland Well 1 by plugging and sealing within 30 days of receiving PADEP approval to use Wineland Replacement Well 1. This approval authorizes the groundwater withdrawal from Wineland Replacement Well 1 and establishes a system limit on all sources that is based on demonstrated reasonable foreseeable need for water.

Commission staff has coordinated with the PADEP 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.

Section 5. 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	
30-Day Average Withdrawal (mgd):	0.288
Maximum Instantaneous Withdrawal Rate (gpm):	200 (Not to Exceed)
Total System Withdrawal Limit (30-Day Average) (mgd):	0.391
mgd – million gallons per day	

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

Section 6. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the tables below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Wineland Well 3	0.600	19870304	March 12, 2017

Existing Approved Surface Water Withdrawals			
Source	Peak Day Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Herron and Yingling Springs*	0.150	19930305	May 3, 2018
* Withdrawal approved for emergency use only.			

Section 7. Grandfathering Determination – Withdrawals

Quantities applicable to the project’s grandfathering determination for existing withdrawals are listed in the table below.

Grandfathered Groundwater Withdrawals	
Source	30-Day Average Withdrawal (mgd)*
Hershberger Well	0.255
* Value(s) represent maximum documented 30-day average amounts that occurred prior to applicable regulatory effective date(s).	

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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. Within sixty (60) days from the date of this approval, the project sponsor shall submit a metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals from the sources listed in Sections 3, 6, and 7.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering for all sources in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of all meters when they have been installed, provide the serial number of all meters, and certify the accuracy of the measuring devices to within five (5) percent of actual flow. Withdrawal from Wineland Replacement Well 1 shall not commence until Commission staff has approved the metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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. Within ninety (90) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with Commission Regulation 18 CFR §806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Sections 3, 6, and 7. Following approval, the project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Should the project's grandfathered withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application.

9. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

10. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(a).

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

12. The project sponsor shall comply with the water conservation requirements and reduce system water losses to less than 20 percent to comply with Commission Regulation 18 CFR §806.25(a)(1). Information provided to the Commission for the operating year of 2011 indicated that the unaccounted for water from the project sponsor's system was greater than 32 percent. The project sponsor shall reduce system losses and achieve compliance with the requirements within five (5) years of the effective date of this docket approval (June 20, 2018) unless an extension of time is granted due to extenuating circumstances described, in writing, by the project sponsor. The project sponsor shall report to the Commission annually on the progress made pursuant to this requirement. Annual reports are due within sixty (60) days after the close of the preceding year.

13. The project sponsor shall register with the appropriate agency all groundwater 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 Commission Regulation 18 CFR §808.

15. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

16. 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, pursuant to Commission Regulation 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 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 by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). 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.

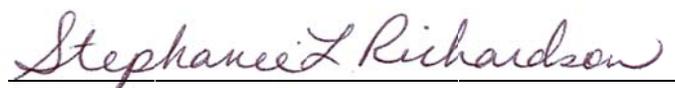
20. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

21. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

22. This approval is effective until June 19, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 19, 2027, 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, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

Exhibit H11

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Docket No. 20130611
Approval Date: June 20, 2013

NAVITUS, LLC

**Surface Water Withdrawal (Peak Day) of up to 1.000 mgd
 from North Spring (tributary to Logan Branch)**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

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:	Navitus, LLC
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Water Supply for On-site Industrial Facilities
Municipality:	Spring Township
County:	Centre 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:	North Spring (tributary to Logan Branch)
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020401 (Spring Creek)
Water Use Designation:	High Quality Cold Water Fishery (HQ-CWF)
Withdrawal Location (degrees):	Lat: 40.905112 N Long: 77.777569 W
Site Flow Statistics (cfs):	Q7-10 = 28.3; Average Daily Flow = 62.8
Wild Trout Classification:	Class A
Impairment:	Polychlorinated Biphenyls
Drainage Area (square miles):	22.2
Aquatic Resource Class**:	2
Special Flow Protection Required:	No
cfs – cubic feet per second * Source Information applies to Logan Branch of Spring Creek, the stream receiving North Spring. ** 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):	1.000 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	694 (Not to Exceed)
Flow Protection Type:	Authorized withdrawal quantities were reduced to levels deemed to pose no threat of significant adverse impact to Logan Branch
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. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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. Within sixty (60) days from the date of this approval, the project sponsor shall submit a metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals 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 meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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.

5. The project sponsor shall submit, along with the metering plan, an intake design to be reviewed by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the 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 the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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 Commission Regulation 18 CFR §808.

12. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

13. 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, pursuant to Commission Regulation 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 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 by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). 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.

17. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

18. This approval is effective until June 19, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 19, 2027, 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.

Section 6. Special Conditions

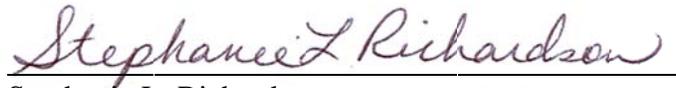
19. Due to the importance of the contribution of cool spring water to Logan Branch, and in order to allow long-term verification that the project poses no significant adverse impacts to Logan Branch, the project sponsor shall submit a plan to conduct or continue collection of streamflow and temperature data downstream of the project site on Logan Branch in Bellefonte, Pennsylvania, in the vicinity of the site designated as Lower Logan Branch (LOL). The project sponsor shall submit its proposal for data collection within ninety (90) days of the date of this approval for review and approval by Commission staff. Withdrawal from the source listed in Section 3 shall not commence until approval and implementation of the data collection plan.

20. The project sponsor shall prepare and submit an interpretive report annually providing the results and evaluations of streamflow and temperature monitoring required herein. The report must be submitted within sixty (60) days after the close of the preceding calendar year. The report shall be submitted in both hard copy and by electronic file. Should post-approval monitoring indicate potentially adverse pumping-induced impacts to Logan Branch, the project docket may be reopened (as outlined in Standard Condition 13) to issue additional orders required to mitigate or avoid such impacts.

21. The project sponsor shall only supply water to persons consumptively using in excess of 0.020 mgd of water, as a 30-day average, provided the associated project has been approved by the Commission pursuant to Commission Regulation 18 CFR §806.4(a).

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20130612

Approval Date: June 20, 2013

NEW MORGAN LANDFILL COMPANY, INC. dba CONESTOGA LANDFILL

**Groundwater Withdrawal (30-Day Average) of 0.007 mgd from Well SW-4,
and Total System Withdrawal Limit (30-Day Average) of 0.015 mgd**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

On June 11, 2010, the Commission approved the project sponsor's consumptive water use of up to 0.350 million gallons per day (mgd) for landfill operations (Commission Docket No. 20061206-1). Subsequently, this docket approves the project sponsor's request for groundwater withdrawal from Well SW-4, and identifies it as an approved source for the project's existing consumptive water use approval noted above.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) 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:	New Morgan Landfill Company, Inc. dba Conestoga Landfill
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Sanitary Use and Landfill Operations
Municipality:	New Morgan Borough
County:	Berks County

State:	Pennsylvania
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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	
Withdrawal Type:	Groundwater
Approved Source:	Well SW-4
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030611 (Conestoga River)
Withdrawal Location (degrees):	Lat: 40.175135 N Long: 75.897245 W
Special Flow Protection Required:	No

Section 4. Aquifer Testing

The project sponsor requested that the constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals be waived. As part of the ongoing PADEP permit applications related to the landfill expansion, the project sponsor developed a detailed conceptual model of the hydrogeologic setting and submitted the information in support of the aquifer testing waiver request. In addition, the project sponsor submitted the results of a 120-hour constant-rate aquifer test that was conducted on Well SW-4 as part of the PADEP public water supply permitting process. Based on review of the information submitted in support of the waiver request, Commission staff determined that the withdrawal from Well SW-4, at the requested withdrawal rate, should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below. Therefore, the aquifer testing requirements for Well SW-4, according to Commission Regulation 18 CFR §806.12, are hereby waived.

Section 5. 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	
30-Day Average Withdrawal (mgd):	0.007
Maximum Instantaneous Withdrawal Rate (gpm):	15 (Not to Exceed)
Total System Withdrawal Limit from Maintenance Shop Well, Well SW-3, and Well SW-4 (30-Day Average) (mgd):	0.015
gpm – gallons per minute	

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

Section 6. Approved Consumptive Water Use Sources

Well SW-4 is hereby approved as an additional source to the project’s consumptive water use and subject to the consumptive water use limitations and conditions in Commission Docket No. 20061206-1.

Section 7. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the tables below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Maintenance Shop Well	0.003	20100909	September 15, 2025
Well SW-3	0.008	20110619	June 22, 2026

Existing Approved Surface Water Withdrawals			
Source	Peak Day Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Quarry Pond	0.249	20100909	September 15, 2025

Section 8. Existing Approved Consumptive Water Use

The quantity applicable to the existing approved consumptive water use is listed in the table below.

Existing Approved Consumptive Water Use			
Peak Day Consumptive Water Use (mgd)	Sources	Commission Docket No.	Docket Expiration Date
0.350	Quarry Pond, Maintenance Shop Well, and Leachate Treatment System	20061206-1	December 5, 2031
	Well SW-3	20110619	June 22, 2026

Section 9. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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. Within sixty (60) days from the date of this approval, the project sponsor shall submit a metering plan to the Commission for review and approval by Commission staff that will account for the daily withdrawals and consumptive use from Well SW-4.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals 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 meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and consumptive water use, 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. Within ninety (90) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with Commission Regulation 18 CFR §806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the source listed in Section 3. Following approval, the project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

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

12. 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 Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

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

17. 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 by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). 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.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

20. This approval is effective until June 19, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 19, 2027, 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, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



Exhibit H13

SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20100905-2

Approval Date: September 16, 2010

Modification Date: March 15, 2012

Modification Date: June 20, 2013

SOMERSET REGIONAL WATER RESOURCES, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.720 mgd
from Salt Lick Creek**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the modification of the project described herein in accordance with the conditions set forth below.

This approval is a modification of Commission Docket No. 20100905 that was initially issued to Buck Ridge Stone, LLC, on September 16, 2010, and modified March 15, 2012, as Commission Docket No. 20100905-1, to increase the authorized withdrawal quantity. On November 1, 2012, the Commission transferred the approvals to the current project sponsor, which subsequently requested a modification to authorize additional project purposes not resulting in an increase to the water withdrawal. 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:	Somerset Regional Water Resources, LLC
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses; Bulk Supply for Installation and Hydrostatic Testing of Transmission Pipelines; Dust Control
Municipality:	New Milford Township
County:	Susquehanna 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:	Salt Lick Creek
Subbasin:	Upper Susquehanna
Watershed Boundary Dataset (WBD):	0205010113 (Lower Susquehanna River)
Water Use Designation:	High Quality Cold Water Fishery (HQ-CWF)
Withdrawal Location (degrees):	Lat: 41.907036 N Long: 75.731986 W
Site Flow Statistics (cfs):	Q7-10 = 1.49; Average Daily Flow = 47.7
Wild Trout Classification:	Naturally Reproducing Wild Trout Stream
Drainage Area (square miles):	32.9
Aquatic Resource Class*:	2
Special Flow Protection Required:	Yes
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):	0.720 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	500 (Not to Exceed)
Bulk Supply Rate (mgd):	<ol style="list-style-type: none"> 1. Hydrocarbon development – no limit 2. Pipeline installation – 0.020 (30-day average)* 3. Pipeline testing – no limit 4. Dust control – 0.020 (30-day average)*
Flow Protection Type:	Annual Passby; 25% Average Daily Flow
Flow Protection Rate (cfs):	11.9
Flow Protection Rate (gpm):	5,349
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania
Flow Protection Trigger Flow (cfs):	152
mgd – million gallons per day	USGS – U.S. Geological Survey
gpm – gallons per minute	
* Limitation applies to any one individual project or recipient.	

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

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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. Prior to the sale or use of water for uses other than natural gas well development, the project sponsor shall implement the approved revised metering plan and complete any installation of meters in accordance with the approved schedule.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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. The next meter accuracy certification is due August 24, 2013, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake

structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. The project sponsor shall also keep separate daily records of: (a) any other person and the well sites or companies receiving the water subject to this approval for use in natural gas development; and (b) any other person or companies receiving the water for use other than in natural gas development. Such data shall be reported to the Commission as required. Quarterly monitoring reports shall be submitted on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days of notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Such sign shall be posted at the point of entry or access to the 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 description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The sign shall be maintained for the duration of the approval. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

11. 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.

12. 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 Commission Regulation 18 CFR §808.

13. 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.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

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

17. In accordance with Commission Regulation 18 CFR §806.31(d), 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.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This modified approval is effective until September 15, 2014, the term of the prior docket approvals. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 15, 2014, 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.

Section 6. Special Conditions

20. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

21. Per Commission coordination with jurisdictional agency(ies), the project sponsor shall adhere to recommendations for avoiding adverse impact to the stream's naturally reproducing wild trout population by avoiding instream construction from October 1 through December 31.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12), and shall only supply water for purposes authorized in Section 2 at the rates authorized in Section 4.

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of: (a) all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied; and (b) the daily quantities supplied for use in installation or hydrostatic testing of pipelines or for dust control. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for determination of authorized 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.

25. 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.

26. All other conditions in Commission Docket Nos. 20100905 and 20100905-1 not inconsistent herewith shall remain effective.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20130615

Approval Date: June 20, 2013

SOUTHWESTERN ENERGY PRODUCTION COMPANY

**Surface Water Withdrawal (Peak Day) of up to 0.070 mgd
from Middle Lake**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

This approval modifies and replaces Commission Docket No. 20121223 that was approved December 14, 2012. The modification was initiated by Commission staff to address special low flow protection requirements.

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:	Southwestern Energy Production Company
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	New Milford Township
County:	Susquehanna 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:	Middle Lake
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010612 (Tunkhannock Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.814492 N Long: 75.760887 W
Site Flow Statistics (cfs):	Q7-10 = 0.1; Average Daily Flow = 1.7
Drainage Area (square miles):	1.48
Aquatic Resource Class*:	1
Special Flow Protection Required:	Yes
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):	0.070 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	1,200 (Not to Exceed)
Flow Protection Types:	Conservation Release, Maximum Drawdown, Passby
Methods for Flow Protection:	On-site Release Monitoring; On-site Water Level Monitoring; Off-site Monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania
Minimum Conservation Release Rate (gpm):	97
Maximum Water Surface Drawdown (inches):	8 (Not to Exceed, as measured below the invert of the spillway)
Off-Site Flow Protection Threshold (cfs):	65
mgd – million gallons per day	USGS – U.S. Geological Survey
gpm – gallons per minute	

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

Section 5. Rescission of Existing Approval

On December 14, 2012, the Commission approved the project for the surface water withdrawal of 0.070 mgd from Middle Lake (Commission Docket No. 20121223). Commission Docket No. 20121223 shall be rescinded, effective July 1, 2013.

Section 6. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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. Within sixty (60) days from the date of this approval, the project sponsor shall submit a metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals 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 meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals 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.

5. Within sixty (60) days from the date of this approval, the project sponsor shall submit an intake design for review and approval by Commission staff that allows for adherence to required low flow protection conditions herein, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the 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 the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Prior to the withdrawal of water, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Such sign shall be posted at the point of entry or access to the 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 description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The sign shall be installed prior to any withdrawal of water and be maintained for the duration of the approval. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

11. 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.

12. 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 Commission Regulation 18 CFR §808.

13. 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.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

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

17. In accordance with Commission Regulation 18 CFR §806.31(d), 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.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective July 1, 2013, and shall continue until December 13, 2016, the term of the original docket approval. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 13, 2016, 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.

Section 7. Special Conditions

20. Effective July 1, 2013, Commission Docket No. 20121223 is hereby rescinded.

21. Within sixty (60) days from the date of this approval, the project sponsor shall submit to the Commission, for review and approval by Commission staff, a plan to monitor and maintain the minimum conservation release rate and to monitor the water surface drawdown. Withdrawal shall not commence until Commission staff has approved the implementation of the approved monitoring plan and notified the project sponsor of such approval. Daily water surface levels and release rates shall be monitored and reported to the Commission in the form and manner approved under the monitoring plan.

22. Upon initiation of the withdrawal, the project sponsor shall maintain a minimum release (natural or augmented) from the source of no less than the rate specified in Section 4, except as allowed by Special Conditions 23 and 24.

23. The project sponsor shall cease withdrawal and conservation release when the water surface of the source is at or below the maximum drawdown specified in Section 4.

24. The project sponsor shall cease withdrawal and conservation release, regardless of water surface drawdown, from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the flow protection threshold specified in Section 4, and shall not reinstate withdrawal or conservation release until the streamflow has remained above such flow protection threshold for 48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required.

25. Except as authorized pursuant to Special Condition 27, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

26. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 27, including daily quantities supplied.

27. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for determination of authorized 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.

28. 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.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



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Docket No. 20130613**Approval Date: June 20, 2013**

WPX ENERGY APPALACHIA, LLC

**Surface Water Withdrawal (Peak Day) of up to 1.000 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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. 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 Commission Docket No. 20090303 that was originally approved March 12, 2009, and modified December 15, 2011, as Docket No. 20090303-1. The project sponsor has not requested, and Commission staff did not recommend, any changes to the peak day withdrawal rate.

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:	WPX Energy Appalachia, LLC
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20090303
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Great Bend Township
County:	Susquehanna 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:	Susquehanna River
Subbasin:	Upper Susquehanna
Watershed Boundary Dataset (WBD):	0205010113 (Lower Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.963247 N Long: 75.737956 W
Site Flow Statistics (cfs):	Q7-10 = 172; Average Daily Flow = 3,350
Drainage Area (square miles):	2,044
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):	1.000 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	695 (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. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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 approval by Commission staff in accordance with Commission Regulation

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 metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals 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. The next meter accuracy certification is due September 20, 2014, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. 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 Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. Such sign shall be posted at the point of entry or access to the 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 description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity and rate, docket expiration date, and contact information for the project sponsor and the Commission. The sign shall be maintained for the duration of the approval. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

11. 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.

12. 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 Commission Regulation 18 CFR §808.

13. 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.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

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

17. In accordance with Commission Regulation 18 CFR §806.31(d), 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.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until June 30, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 30, 2016, 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.

Section 6. Special Conditions

20. This project shall be effective July 1, 2013. The terms and conditions of Commission Docket Nos. 20090303 and 20090303-1 shall remain effective through June 30, 2013, and thereafter shall be deemed to be expired.

21. Except as authorized pursuant to Special Condition 23, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

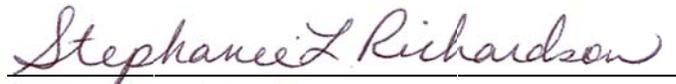
22. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 23, including daily quantities supplied.

23. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for determination of authorized 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.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson



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Docket No. 20130614

Approval Date: June 20, 2013

YORK COUNTY SOLID WASTE AND REFUSE AUTHORITY

**Total System Withdrawal Limit (30-Day Average) of 0.485 mgd
from the Groundwater Remediation Well Field**

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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

The project sponsor owns and operates a groundwater remediation system at the York County Sanitary Landfill in Hopewell Township, York County, Pennsylvania. The ongoing remediation efforts are being conducted under the oversight of the Pennsylvania Department of Environmental Protection (PADEP), under Decree No. 1451 C.D. 1984 (Decree).

The Commission originally approved the project sponsor's request for groundwater withdrawals on March 14, 1988 (Commission Docket No. 19880403) for its groundwater withdrawals associated with the operation of an existing groundwater remediation well field. In order to maintain control of the groundwater contamination plume, the project sponsor has since added and replaced numerous recovery wells. As such, the project sponsor has been required to obtain Commission approval for withdrawals from each recovery well prior to adding them to the existing remediation system. Subsequent withdrawals were approved by the Commission on March 8, 1990 (Commission Docket No. 19900301), July 12, 1990 (Commission Docket No. 19900714), March 14, 1991 (Commission Docket No. 19910303), May 15, 1997 (Commission Docket No. 19970506), and most recently on December 14, 2012 (Commission Docket No. 20121226). Post-approval correspondence with the project sponsor revealed that certain conditions in the 2012 docket required metering of individual withdrawals within the groundwater remediation well field. These conditions imposed unnecessary restrictions to the ongoing metering methodologies, which were previously reviewed and approved by Commission staff. Therefore, this approval modifies and replaces Commission Docket No. 20121226 to facilitate the continuation of existing metering methodologies.

Commission staff has coordinated with PADEP 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:	York County Solid Waste and Refuse Authority
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Groundwater Remediation System
Municipality:	Hopewell Township
County:	York 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	
Withdrawal Type:	Groundwater
Withdrawal Sources:	Groundwater Remediation Well Field
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030613 (Muddy Creek)
Withdrawal Location (degrees)*:	Lat: 39.7829 N Long: 76.6005 W
Special Flow Protection Required:	No
* Project location represents a general centralized location of the multiple withdrawal wells comprising the groundwater remediation well field.	

Section 4. Aquifer Testing

The project sponsor requested that the constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals be waived. The project sponsor has collected and continues to collect extensive pumping and analytical data from all existing wells and reports the data to PADEP on both a quarterly and annual basis. According to the monitoring and reporting data, the project sponsor has made significant progress toward its remediation goals at the facility. Continual upgrades and enhancements to the system, such as adding or replacing recovery wells, have allowed the project sponsor to respond to changing site conditions and to achieve better control of the groundwater plume, thereby affording better protection of the public health and safety.

Because operation of the existing groundwater recovery system is designed to optimize groundwater remediation through contaminant capture and is being conducted under the continuous oversight of the PADEP, the recovery wells are not expected to cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin. Therefore, the aquifer testing requirements, pursuant to Commission Regulation 18 CFR §806.12, are hereby waived.

Section 5. 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 – Groundwater Remediation Well Field	
Total System Withdrawal Limit (30-Day Average) (mgd):	0.485
mgd – million gallons per day	

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

Section 6. Rescission of Existing Approval

On December 14, 2012, the Commission approved the project for the total system withdrawal limit (30-day average) of 0.485 mgd from the groundwater remediation well field (Commission Docket No. 20121226). Commission Docket No. 20121226 shall be rescinded, effective July 1, 2013.

Section 7. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, including metering and reporting requirements contained in Commission Regulation 18 CFR §806.30. 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 measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, 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 adhere to the metering plan reviewed and approved by Commission staff pursuant to the original approval. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing

equipment or procedures. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

4. The project sponsor shall keep records of the project's total system withdrawal 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 on-line 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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

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 Commission Regulation 18 CFR §808.12.

6. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval at that time.

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

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

9. 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 Commission Regulation 18 CFR §808.

10. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

11. 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, pursuant to Commission Regulation 18 CFR §806.32.

12. 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.

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

14. 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.

15. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

16. This approval is effective July 1, 2013, and shall continue until December 13, 2027, the term of the original approval. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 13, 2027, 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.

Section 8. Special Conditions

17. Effective July 1, 2013, Commission Docket No. 20121226 is hereby rescinded.

18. Any subsequent use of the water withdrawn from the recovery wells shall conform to PADEP standards and shall not exceed the Commission's regulatory threshold for consumptive water use.

19. In accordance with Commission Regulation 18 CFR §806.4(a)(1), should the project's consumptive water use be expected to exceed 20,000 gallons per day in any consecutive 30-day period, the project sponsor is required to make application for approval at that time.

20. The project sponsor shall notify the Commission of any groundwater remediation system summary reports at the time they are provided to a state or federal agency.

21. The project sponsor shall have the option of reactivating existing recovery wells in the future, or adding new recovery wells to the existing remediation system, provided the total withdrawal from all recovery wells does not exceed the 0.485 mgd (30-day average) system limit. By allowing new recovery wells to be installed, or existing recovery wells to be reactivated without making new application, the Commission is providing the project sponsor with the flexibility needed to respond to changing site conditions, such as natural annual fluctuations in water table levels, and to achieve better control of the groundwater plume and

remediation efforts, thereby affording better protection of the environment and public health and safety. This flexibility also eliminates the potential for Commission requirements to hinder or duplicate efforts made by member jurisdictions.

22. The project sponsor shall notify the Commission of any changes in status of the recovery wells (reactivated or deactivated), or if any additional recovery wells are installed, within thirty (30) days of the change.

23. Commission Regulation §806.25(b) regarding water conservation requirements does not apply because the purpose of the project is to pump, treat, and immediately return groundwater to the basin. Therefore, the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b) are hereby waived.

24. The ongoing groundwater remediation activities at the facility are being conducted under continuing oversight of the PADEP. The project sponsor has collected and continues to collect extensive water level and analytical data for all existing recovery wells. The project data are used to evaluate chemical distribution and create groundwater elevation contour maps, which are summarized in a report and annually submitted to PADEP. Therefore, the groundwater elevation monitoring requirements are hereby waived.

25. Extensive public notification and outreach efforts regarding the groundwater remediation project have been ongoing, since 1984, in accordance with the terms of the Decree between PADEP and the project sponsor. Public notification consists of quarterly and annual reports sent to the PADEP, with copies of all plans and reports sent to the U.S. Environmental Protection Agency (USEPA) and Hopewell Township. All reports are available to the public through the PADEP, USEPA, and Hopewell Township. Therefore, the public notification requirements specified in Commission Regulation 18 CFR §806.15 are hereby waived, as requested.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 20, 2013.

Dated: June 21, 2013


Stephanie L. Richardson