

Susquehanna River Basin Commission

a water management agency serving the Susquehanna River Watershed



May 19, 2014

TO ALL CONCERNED:

At the March 6, 2014, Commission meeting, the draft minutes of the December 12, 2013, Commission meeting were approved as written. Please attach this notice to your copy of the December 12, 2013, minutes.

- DRAFT -

SUSQUEHANNA RIVER BASIN COMMISSION
4423 N. FRONT ST.
HARRISBURG, PA 17110

**MINUTES OF THE
SUSQUEHANNA RIVER BASIN COMMISSION
March 6, 2014
#2014-01**

The meeting was held at the North Office Building, Pennsylvania State Capitol Complex, Harrisburg, Pennsylvania. Chairman Jordan called the meeting to order at 8:30 a.m.

ROLL CALL

Commissioners Present

**Alternate Commissioners
and Advisors Present**

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 Heffner, Deputy Secretary for Water
Management, Pennsylvania Dept. of Environmental
Protection (PADEP)

Dr. Robert Summers, Secretary, Maryland Dept. of
the Environment (MDE)

Mr. Andrew Zemba, Director, Interstate Waters
Office, PADEP

Mr. Saeid Kasraei, Program Administrator,
Water Supply Program, MDE

Staff Present

Mr. Andrew D. Dehoff, Executive Director

Mr. Andrew J. Gavin, Deputy Executive Director

Ms. Marcia Rynearson, Director, Administration
& Finance

Ms. Stephanie L. Richardson, Secretary to the
Commission

Mr. Thomas W. Beauduy, Special Counsel

Mr. Richard A. Cairo, General Counsel

Mr. John W. Balay, Manager, Planning & Operations

Ms. Paula B. Ballaron, Manager, Policy
Implementation & Outreach

Mr. Todd D. Eaby, Manager, Project Review

Mr. Eric Roof, Manager, Compliance & Enforcement

Mr. Brydon Lidle, Manager, Information Technology

Also Present

Mr. Hank Gruber, USACE, North Atlantic Division

Ms. Rhonda Manning, PADEP

Ms. Heather Cisar, USACE, Balt. Dist.

1. Opening Remarks from the Chair

Chairman Jordan 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 relating to the valuable cooperative efforts among their jurisdictions. Commissioner Heffner extended a special welcome to Harrisburg on behalf of the Commonwealth of Pennsylvania.

Executive Director Dehoff noted that the Lower Susquehanna Basin is a kind of snapshot of all the water resources management challenges that the Commission deals with basinwide. It is the most populous of the six subbasins encompassing the Susquehanna River Basin.

2. Presentation: Migratory Fish Passage Restoration at Lower Susquehanna River Hydroelectric Facilities

Mr. Josh Tryninewski of the Pennsylvania Fish Commission presented information on efforts to restore migratory fish passage on the lower Susquehanna River at the river's hydroelectric dam sites. These efforts cover anadromous species such as the American Shad and the one catadromous species inhabiting the river – the American Eel.

3. Minutes of December 12, 2013, Commission Meeting

On a motion by Commissioner Summers, seconded by Commissioner Heffner, the minutes of the regular business meeting of December 12, 2013, were unanimously approved as written.

4. Final Rulemaking (Emergency Provisions)

The General Counsel explained that after receiving the Commission's authorization to proceed at the December 2012 meeting, the staff published a notice of proposed rulemaking on December 26, 2012, in the Federal Register and in the state notice publications in the weeks immediately following. Those proposed rules covered two subjects: 1) Regulations that would impose limitations on surface and groundwater withdrawals in headwater areas; and 2) Modifications to 18 CFR §806.34 pertaining to the issuance of emergency certificates, which are temporary approvals to implement water resource related actions to avert threats to the public welfare.

A public hearing was held on this proposed rulemaking on February 14, 2013, and a written comment period was held open through February 25, 2013. The Commission received numerous comments on the headwaters proposal. The Commission staff continues to evaluate those comments and staff will make an appropriate recommendation at a future date. Meanwhile, however, staff believes it is appropriate to proceed with finalization of the proposed modifications of the emergency certificates regulation.

The two main comments received on the proposed modifications to the emergency regulation were as follows:

1. The criteria for issuance of an emergency certificate should not be limited to human health and safety, or that of livestock, but should include all animal, aquaculture, agronomic, and horticultural operations for the production of fiber or forage crops.

2. Preservation of employment should be an additional consideration in the issuance of an emergency certificate.

The staff made revisions to the final rules in response to these comments, by including the protection of food, fiber, or forage crops and the avoidance of significant disruptions in employment as eligible criteria.

Counsel then respectfully requested the Commission's approval of a proposed resolution (Exhibit A) that would authorize the staff to proceed with publication of a final rulemaking notice on the modification of the emergency certificates regulation 18 CFR § 806.34.

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

5. New York State Memorandum of Understanding

Special Counsel Beauduy presented a resolution (Exhibit B) authorizing and directing the Executive Director to execute a "Memorandum of Understanding (MOU) between the Commission and the New York State Department of Environmental Conservation Regarding Coordination of Project Review." The MOU itself, which was the product of a joint drafting effort, is still undergoing final review in New York. It makes a strong commitment to the coordination of project review and approval procedures by both parties. Once final approval is given by New York, the staff would then plan on executing the document on behalf of the Commission.

On a motion by Commissioner Heffner, seconded by Commissioner Lynch, the Commission unanimously adopted the resolution. Commissioner Lynch noted that a great deal of work went into the MOU by both sides and the end result is a good agreement.

6. Revised FY-2015 Budget

Director of Administration and Finance Marcia Rynearson presented a revised budget for FY-2015, which covers the period July 1, 2014, to June 30, 2015, and a resolution (Exhibit C) to adopt same. She noted that, in this revised budget, expenditures are reduced owing mainly to a reduction in personnel costs. Also, this revised budget contains certain agreements with consulting firms and independent contractors that she also requested be approved as part of that budget.

On a motion by Commissioner Summers, seconded by Commissioner Lynch, the Commission unanimously adopted the resolution submitted by the Director of Administration and Finance.

7. Grants/ Lease Agreement – Ratification/Approval

The Director of Administration and Finance presented the following grants and a lease agreement, along with a recommendation for ratification of them all by the Commission:

a. Grant Approval – Act 13 Cedar Run Stormwater Project (From Commonwealth of Pennsylvania, Commonwealth Financing Agency)

Staff requested that the Commission ratify the signing of this grant agreement. Under the agreement, the Commission, in partnership with the Alliance for the Chesapeake Bay (ACB), will construct a series of bioretention beds and bioswales on two properties located in Hampden Township, Cumberland County, Pennsylvania. Funding for this grant is being provided through Pennsylvania Act 13, which authorizes the Commonwealth Financing Authority (CFA) to award grants for watershed programs and related projects. Funding would be as follows:

CFA - \$259,000 SRBC - \$44,000 ACB - \$5,000 Total - \$308,000

b. Lease Approval – Office Lease with Rolka Loube Saltzer Associates

Staff requested that the Commission ratify the signing of a lease agreement. Under the lease, Rolka Loube Saltzer Associates will lease 5,000 square feet of office space from the Commission. The initial term of the lease is for five years, with an option for the tenant to extend the lease for an additional five terms of one year each. The tenant will pay the Commission \$20.00 per square foot. The price per square foot will escalate annually during the initial 5-year term and for all optional renewals.

c. Contract Approval – For Office Space Tenant Fit-out (Pyramid Construction Services, Inc.)

Staff requested approval of a contract with Pyramid Construction Services, Inc., which provides for tenant fit-out of 5,000 square feet of office space on the first floor of the Commission’s headquarters building. The contract is a Guaranteed Maximum Price agreement, with a maximum price of \$363,700. Under the contract, Pyramid will prepare the office space to accommodate the Commission’s new tenant, Rolka Loube Saltzer Associates, per the lease agreement with them.

d. Grant Amendment 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)

Staff requested ratification of this amendment, which provides funding for the fifth year of this grant effort. Staff will continue to collect and analyze New York, Pennsylvania, and Maryland non-tidal tributary monitoring data in the Susquehanna River Basin to assist in the Chesapeake Bay restoration effort. Funding would be as follows:

USEPA - \$166,481 SRBC - \$22,169 Total - \$188,650

On a motion by Commissioner Summers, seconded by Commissioner Lynch, the Commission unanimously adopted the recommendations of the Director of Administration and Finance with respect to ratification of the grants and lease agreement.

8. FERC Settlements

Special Counsel Beauduy presented staff recommendations regarding the ratification of a Federal Energy Regulatory Commission (FERC) settlement agreement pertaining to the relicensing of the York Haven Hydroelectric Project, and an authorization for the Executive Director to execute on behalf of the Commission additional settlement agreements contemplated under FERC's integrated licensing process, including settlements for the Conowingo and Muddy Run Projects. A provision is included in the York Haven settlement that allows the resource agencies that are a party to the settlement to withdraw if the terms of the settlement conflict with a Section 401 Water Quality Certificate to be issued by Pennsylvania Department of Environmental Protection. Any agreements reached on Conowingo and Muddy Run would contain the same proviso.

On a motion by Commissioner Heffner, seconded by Commissioner Summers, the Commission ratified the York Haven Settlement Agreement and authorized the Executive Director to execute additional settlement agreements after consultation with the Commission.

9. Request for Extension of Emergency Certificate

The Special Counsel presented a resolution (Exhibit D) for the extension of an Emergency Permit under 18 CFR Section 806.34. The Pennsylvania Department of Environmental Protection (PADEP) was issued an emergency certificate on January 8, 2014 (as modified on February 6, 2014), to withdraw and consumptively use water from the Lackawanna River to extinguish a fire within a coal refuse pile at the Simpson Northeast Coal Refuse Bank, Fell Township, Lackawanna County, Pennsylvania. Evidence presented by PADEP indicates that the conditions causing the emergency persist, thus necessitating an extension of the emergency certificate.

On a motion by Commissioner Summers, seconded by Commissioner Lynch, the Commission unanimously adopted the resolution extending the emergency certificate.

10. Regulatory Program Actions

a. Compliance Actions

The General Counsel presented the following compliance action recommendations for the Commission's consideration:

1. **Inflection Energy PA, LLC** – This is a proposed settlement in lieu of penalties for use of an unapproved source for gas drilling operations. 13,359,900 gallons of water were used from the Montoursville Public Water Supply System over 58 days between April 5, 2013, and September 5, 2013, prior to the project sponsor receiving a Commission source approval on September 5, 2013, pursuant to SRBC regulation 18 CFR §806.22 (f). Inflection, at SRBC's direction, had obtained the approval of

PADEP for this use of a public water supply source. Through an administrative oversight, they failed to come back for SRBC's approval.

The staff recommended that the Commission accept a settlement of \$14,500 in full and final settlement of the matter. There are no indications that environmental harm resulted from this infraction and the project sponsor has taken steps to ensure future compliance. Payment of the settlement had been tendered by the project sponsor and was being held in escrow pending the Commission's final approval.

2. **Talisman Energy USA, Inc.** This is a proposed settlement in lieu of penalties for withdrawal of water from Talisman's Wappasening Creek withdrawal on three consecutive days (October 8-10, 2013), while stream flow at the U.S. Geological Survey gage on Towanda Creek near Monroeton, Pennsylvania was below the flow protection trigger flow of 70 cubic feet per second as stated in Commission Docket No. 20110621. In an untimely and unfortunate occurrence, the company's automated withdrawal shutdown system failed just as the low flow event was developing. The company discovered the failure shortly thereafter and promptly notified the Commission on October 14, 2013, of the unintended violation of Special Condition 18 of their approval by withdrawing water on those three days.

The staff recommended that the Commission accept a settlement of \$2,250 in full and final settlement of the matter. There are no indications that environmental harm resulted from this infraction and the project sponsor has taken steps to ensure future compliance. Payment of the settlement had also been tendered by the project sponsor and was being held in escrow pending the Commission's final approval.

b. Docket Actions

As presented by Mr. Eaby, the Commission had before it a staff memorandum containing the following list of project applications:

1. Aqua Infrastructure, LLC (Tioga River), Hamilton Township, Tioga County, Pa. (Exhibit E1)
2. Chesapeake Appalachia, LLC (Susquehanna River), Great Bend Township, Susquehanna County, Pa. (Exhibit E2)
3. DS Waters of America, Inc., Clay Township, Lancaster County, Pa.
4. Jay Township Water Authority, Jay Township, Elk County, Pa.
5. Keystone Clearwater Solutions, LLC (Lycoming Creek), Lewis Township, Lycoming County, Pa. (Exhibit E3)
6. Manheim Borough Authority, Manheim Borough, Lancaster County, Pa. (Exhibit E4)
7. Martinsburg Municipal Authority, North Woodbury Township, Blair County, Pa. (Exhibit E5)
8. Newport Borough Water Authority, Oliver Township, Perry County, Pa.
9. Old Dominion Electric Cooperative, Rock Springs Expansion, Rising Sun District, Cecil County, Md. (Exhibit E67)
10. Old Dominion Electric Cooperative (Susquehanna River), Fulton Township, Lancaster County, Pa. (Exhibit E6)
- 11-12. Pennsylvania Department of Environmental Protection – South-central Regional Office, City of Harrisburg, Dauphin County, Pa., Leacock Township, Lancaster County, Pa.
13. Pro-Environmental, LLC (Martins Creek), Lathrop Township, Susquehanna County, Pa.
14. Seneca Resources Corporation (Arnot No. 5 Mine Discharge), Bloss Township, Tioga County, Pa. (Exhibit E7)
15. Susquehanna Gas Field Services, LLC (Susquehanna River), Meshoppen Township, Wyoming County, Pa.
16. SWEPI LP (Susquehanna River), Sheshequin Township, Bradford County, Pa. (Exhibit E8)
17. Talisman Energy USA Inc. (Fall Brook – C.O.P. Tioga State Forest), Ward Township, Tioga County, Pa. (Exhibit E9)
18. Talisman Energy USA Inc. (Fellows Creek – C.O.P. Tioga State Forest), Ward Township, Tioga County, Pa. (Exhibit E10)
19. XTO Energy, Inc. (Little Muncy Creek), Moreland Township, Lycoming County, Pa. (Exhibit E11)

Highlight = Staff recommending tabling.

All projects on the above list were recommended for approval with the exception of Nos.3, 4, 8, 11, 12, 13, and 15, which were recommended for tabling.

Commissioner Summers moved that the Commission adopt the recommendations of staff regarding the settlements in lieu of penalty with Inflection Energy Pa, LLC and Talisman Energy USA, Inc., and for the 19 project applications. This motion was seconded by Commissioner Lynch and unanimously adopted by the Commission.

9. Adjournment

There being no further business before the Commission, Chairman Jordan adjourned the meeting at 9:31 a.m. The next regular meeting of the Commission is tentatively scheduled for June 5, 2014, in Huntingdon County, Pennsylvania.

Chairman Jordan opened the meeting to public comments. Lower Susquehanna Riverkeeper Michael Helfrich offered concerns about the Gettysburg Municipal Authority (GMA) diversion application and its potential impacts on Codorus Creek in York County, Pennsylvania. He added comments on the need for adjustment to fish passage facilities in the lower Susquehanna River to accommodate different species and on the need to insist on a higher survival rate for migrating eel in the river as they pass through hydroelectric turbines.

Date Adopted

Stephanie L. Richardson

RESOLUTION NO. 2014-01

A RESOLUTION of the Susquehanna River Basin Commission (Commission) adopting and promulgating a final rulemaking action amending its project review regulations by revising 18 CFR §806.34 pertaining to “Emergencies.”

WHEREAS, the Commission is authorized under Sections 3.9 and 15.2 of the Susquehanna River Basin Compact, P.L. 91-575 (the “Compact”), to “adopt, amend, and repeal rules and regulations to implement the compact;” and

WHEREAS, a proposed rulemaking action was published in the Federal Register on December 26, 2012; the New York Register on January 2, 2013; the Pennsylvania Bulletin on February 2, 2013; and the Maryland Register on January 11, 2013; and

WHEREAS, in accordance with 18 CFR §808.1, this proposed rulemaking action was the subject of a public hearing held in Harrisburg, Pennsylvania on February 14, 2013; and

WHEREAS, the Commission also accepted written comments on this proposed rulemaking action through February 25, 2013; and

WHEREAS, in response to comments received on this proposed rulemaking action, the Commission has made modifications to clarify and strengthen the final rulemaking pertaining to “Emergencies,” and has set aside another portion of the proposed rulemaking pertaining to surface and groundwater withdrawals in headwaters areas, all as explained in the “Supplementary Information” section of the attached final rulemaking notice; and

WHEREAS, it is the determination of the Commission that the activities to be regulated under its project review regulations, as hereby amended, have, both singularly and cumulatively, a major effect on the water resources of the basin and on water resources management; and

WHEREAS, the Commission maintains a Comprehensive Plan for the Water Resources of the Susquehanna River Basin (the “comprehensive plan”); and

WHEREAS, it is the further determination of the Commission that its project review regulations, as hereby amended, are required for the effectuation of the comprehensive plan and the implementation of the Compact.

NOW THEREFORE BE IT RESOLVED THAT:

1. A final rulemaking action amending Title 18, Part 806 of the Code of Federal Regulations, as set forth in the document attached hereto and made a part hereof, is hereby adopted by the Commission.

2. The Executive Director is hereby directed to publish a final rulemaking notice in the Federal Register and comparable member state notice publications in accordance with this final

rulemaking action, including appropriate comment and response in the preamble thereto as presented by staff.

3. This final rulemaking action shall be effective June 1, 2014.

Dated: March 6, 2014



Col. J. Richard Jordan, III, Chair
United States

RESOLUTION NO. 2014-02

A RESOLUTION of the Susquehanna River Basin Commission authorizing and directing the Executive Director to execute a Memorandum of Understanding between the Commission and the New York State Department of Environmental Conservation Regarding Coordination of Project Review.

WHEREAS, the Susquehanna River Basin Compact, Pub.L. 91-575, §3.2 declares that “it is the policy of the signatory parties to preserve and utilize the functions, powers and duties of the existing offices and agencies of government ... and the Commission is directed to utilize those offices and agencies ... for the purposes of this compact;” and

WHEREAS, §3.7(2) of the Compact further declares that the Commission may employ any other agency or instrumentality of a signatory party for any purpose; and

WHEREAS, §3.10(1) provides that to assure that the Commission is apprised of all projects within the basin, monthly reports and listings of all permits granted, or similar actions taken, by officers or agencies of the signatory parties shall be submitted to the Commission in a manner prescribed by it; and

WHEREAS, §3.10(1) further provides that those projects which also require Commission approval ... shall be submitted to the Commission through appropriate offices or agencies of a signatory party; and

WHEREAS, §3.10(5) provides that the Commission, after consultation with the appropriate offices or agencies of the signatory parties, shall establish the procedure of submission, review and consideration of projects; and

WHEREAS, Commission Regulation §806.7 provides that, to avoid duplication of work and to cooperate with other government agencies, the Commission may develop agreements of understanding with agencies of the signatory parties regarding joint review of projects; and

WHEREAS, such agreements may, inter alia, outline the procedures for joint review and delegate SRBC approval authority to a signatory agency; and

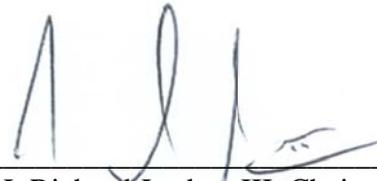
WHEREAS, such an agreement has been drafted and is now in an appropriate form for approval by the Commission.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Executive Director is hereby authorized and directed to execute on behalf of the Commission a Memorandum of Understanding with the New York State Department of Environmental Conservation substantially in the form that is attached hereto and made a part of this Resolution.

2. This Resolution shall be effective immediately.

Dated: March 6, 2014

A handwritten signature in blue ink, appearing to read "J. R. Jordan, III", written over a horizontal line.

Col. J. Richard Jordan, III, Chair
United States

RESOLUTION NO. 2014-03

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") revising the Fiscal Year (FY) 2015 budget.

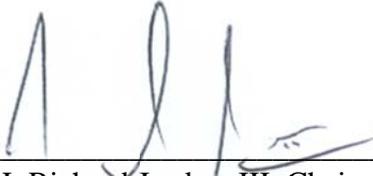
WHEREAS, in June 2013, the Commission adopted a budget covering the period July 1, 2014, to June 30, 2015 (FY-2015), and submitted that budget to the member jurisdictions for their consideration; and

WHEREAS, after due consideration by the member jurisdictions and the receipt of other fiscally related information affecting the final formulation of the FY-2015 budget, it is necessary to revise that budget before it takes effect on July 1, 2014.

NOW THEREFORE BE IT RESOLVED THAT:

1. The FY-2015 budget is hereby revised in accordance with the revisions presented this day to the Commission by the Director of Administration & Finance.
2. This resolution shall be effective immediately.

Dated: March 6, 2014



Col. J. Richard Jordan, III, Chair
United States

RESOLUTION NO. 2014-04

A RESOLUTION of the Susquehanna River Basin Commission providing an extension of an emergency certificate issued to the Pennsylvania Department of Environmental Protection.

WHEREAS, on January 8, 2014 (as modified on February 6, 2014), and in accordance with 18 CFR §806.34, the Executive Director issued an emergency certificate to the Pennsylvania Department of Environmental Protection (PA DEP) to withdraw and consumptively use water from the Lackawanna River to extinguish a fire within a coal refuse pile at the Simpson Northeast Coal Refuse Bank, Fell Township, Lackawanna County, Pennsylvania; and

WHEREAS, it now appears from evidence presented by the PA DEP that the conditions causing the emergency persist, thus necessitating an extension of the said emergency certificate.

NOW THEREFORE BE IT RESOLVED THAT:

1. Pursuant to 18 CFR §806 (d) (1), the Susquehanna River Basin Commission hereby extends the term of the January 8, 2014, emergency certificate (as modified on February 6, 2014).
2. All of the terms and conditions of the said emergency certificate shall remain in full force and effect.
3. This extension shall be effective immediately and remain in effect until terminated by the Executive Director in accordance with 18 CFR § 806.34 (e).

Dated: March 6, 2014



Col. J. Richard Jordan, III, Chair
United States



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

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Docket No. 20140301

Approval Date: March 6, 2014

AQUA INFRASTRUCTURE, LLC

Surface Water Withdrawal (Peak Day) of up to 1.500 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 project described herein in accordance with the conditions set forth below.

The project sponsor requested a peak day withdrawal of up to 2.500 million gallons per day (mgd) at a maximum instantaneous rate of 1,737 gallons per minute (gpm). In consideration of the drainage area, flows in the Tioga River, and the magnitude of the proposed withdrawal, Commission staff recommends a reduction in the requested quantity to a peak day withdrawal of up to 1.500 mgd at a maximum instantaneous rate of 1,050 gpm. This approval incorporates these recommendations.

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
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Hamilton 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:	Tioga River
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010409 (Tioga River)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.654913 N Long: 77.043658 W
Site Flow Statistics (cfs):	Q7-10 = 3.3; Average Daily Flow = 76
Impairment:	Abandoned Mine Drainage – Metals and pH
Drainage Area (square miles):	53
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):	1,500 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,050 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Implementing Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01516350; Tioga River near Mansfield, 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	15	49
February	18	59
March	29	89
April	45	135
May	21	67
June	11	38
July	6.6	24

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>
August	4.9	19
September	4.2	17
October	4.9	19
November	7.6	27
December	19	60
USGS – U.S. Geological Survey 1 cfs = 448.8 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, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. 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 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 sixty (60) days from the date of this approval and prior to any withdrawal from the source listed in Section 3, the project sponsor shall submit an intake design to the Commission for review and approval by Commission staff. 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, 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. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the 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 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. 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 in writing 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 March 5, 2029. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before September 5, 2028, 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. 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. Due to the impairment at the point of withdrawal from the presence of abandoned mine drainage (AMD), discretion under Commission Policy No. 2012-01 (Low Flow Protection Policy) has been exercised, resulting in adjusted flow protection standards as provided in Section 4. Without limiting the foregoing, and upon notice, the Commission reserves the right to modify the flow protection standards set forth in Section 4 above in the event that AMD treatment and/or water quality improvements occur upstream of the withdrawal site and affect the impaired nature of the water being withdrawn. In this event, the conventional passby flow standards may be applied.

20. This project shall withdraw water solely for the purpose of supplying the regional pipeline system approved by Commission Docket No. 20120604. Prior to connecting this withdrawal to the regional pipeline system, its project sponsor, Aqua-PVR Water Services, LLC, must obtain Commission approval to add this withdrawal as a source to its regional pipeline project, as required under Special Condition 15 of Commission Docket No. 20120604-1.

21. 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. 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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson

SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20140302

Approval Date: March 6, 2014

CHESAPEAKE APPALACHIA, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.750 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. 20091201 that was originally approved December 17, 2009. The project sponsor has not requested, and Commission staff did not recommend, any changes to the conditions of the original docket.

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:	Chesapeake Appalachia, LLC
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20091201
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: 41.967362 N Long: 75.732244 W
Site Flow Statistics (cfs):	Q7-10 = 171; Average Daily Flow = 3,353
Impairment:	Metals; Mercury; Polychlorinated Biphenyl (PCB)
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):	0.750 (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, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and 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 by April 5, 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, 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. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the 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, docket expiration date, and contact information for the project sponsor and the Commission. 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. 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. 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.

Section 6. Special Conditions

19. This approval shall be effective April 1, 2014, and shall remain effective until March 31, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project

sponsor submits an application on or before September 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

20. Commission Docket No. 20091201 shall remain effective through March 31, 2014, whereupon it shall expire.

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 authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

24. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson

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Docket No. 20110616-2

Approval Date: June 23, 2011

Modification Date: September 20, 2012

Modification Date: March 6, 2014

KEYSTONE CLEARWATER SOLUTIONS, LLC

**Surface Water Withdrawal (Peak Day), Variable,
up to 1.250 mgd from Lycoming 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 modification of the project described herein in accordance with the conditions set forth below.

This approval is a modification of Commission Docket No. 20110616 that was originally approved June 23, 2011, and modified September 20, 2012, as Commission Docket No. 20110616-1. The project sponsor has requested that the special flow protection requirements be modified to reflect current policy and has requested reduction to the withdrawal rate to variable monthly rates. 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:	Keystone Clearwater Solutions, LLC
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses

Project Information (continued)	
Municipality:	Lewis Township
County:	Lycoming 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:	Lycoming Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020602 (Lycoming Creek)
Water Use Designation:	Exceptional Value (EV)
Withdrawal Location (degrees):	Lat: 41.437298 N Long: 76.994626 W
Site Flow Statistics (cfs):	Q7-10 = 6.5; Average Daily Flow = 251
Wild Trout Classification:	Naturally Reproducing Wild Trout Stream
Drainage Area (square miles):	149
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):	Not to Exceed Values Contained in Table 1, When Available
Maximum Instantaneous Withdrawal Rate (gpm):	Not to Exceed Values Contained in Table 1, When Available
Flow Protection Type:	Seasonal passby expressed as monthly values
Method for Implementing Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01550000; Lycoming Creek near Trout Run, Pennsylvania

Approved Withdrawal Quantities and Limitations (continued)				
Table 1: Authorized Monthly Withdrawal and Passby Schedule				
<i>Month</i>	<i>Peak Day Withdrawal (mgd)</i>	<i>Maximum Instantaneous Withdrawal (gpm)</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	1.250	868	66	77
February	1.250	868	70	82
March	1.250	868	150	175
April	1.250	868	213	248
May	1.250	868	115	134
June	1.250	868	48	56
July	0.850	590	25	30
August	0.750	521	22	26
September	0.750	521	22	26
October	0.750	521	22	26
November	1.250	868	52	61
December	1.250	868	80	93
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, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and 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 by 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, 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. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the 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 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.

Section 6. Special Conditions

19. This modified approval shall be effective April 1, 2014, and shall remain effective until June 22, 2015, the term of the prior docket approval. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 22, 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.

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 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.

21. Per Commission coordination with jurisdictional agency(ies), the project sponsor shall adhere to recommendations for avoiding adverse impact to documented occurrences of rare, threatened, or endangered species at or in proximity to the project location. 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.

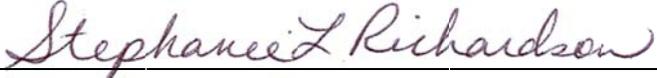
24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

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. 20110616 and 20110616-1 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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson

SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20140305

Approval Date: March 6, 2014

MANHEIM BOROUGH AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.936 mgd from Well 4,
and a Total System Withdrawal Limit (30-Day Average) of 0.936 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 renewal of the project described herein in accordance with the conditions set forth below.

The project was originally approved by Commission Docket No. 19830903 on September 1, 1983. This approval authorizes continued use of Well 4 at sustainable withdrawal rates demonstrated by operational testing, historical withdrawal data, and aquifer testing data.

The Manheim Borough Authority water system uses two sources (Wells 4 and 6) and is hereafter referred to as the "total system." Groundwater withdrawal from Well 6 was approved by Commission Docket No. 20060906 on September 13, 2006, which also established a total system withdrawal limit of 0.936 million gallons per day (mgd).

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:	Manheim Borough Authority
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Public Water Supply

Approved Withdrawal Quantities and Limitations – Well 4	
30-Day Average Withdrawal (mgd):	0.936
Maximum Instantaneous Withdrawal Rate (gpm):	710 (Not to Exceed)
Total System Withdrawal Limit – Wells 4 and 6 (30-Day Average) (mgd):	0.936
gpm – gallons per minute	

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 table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 6	0.936	20060906	September 13, 2031

Section 7. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall 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 groundwater elevation and monitoring plan submitted with its groundwater withdrawal application, which has been reviewed and approved by Commission staff. The groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. 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(a)(4). Modifications shall not be made until the project sponsor receives written approval of the amended plan.

4. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

5. 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

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.

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

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

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

10. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to 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 be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

17. 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.

Section 8. Special Conditions

18. This approval shall be effective April 1, 2014, and shall remain effective until March 31, 2029. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before September 30, 2028, 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.

19. Commission Docket No. 19830903 shall remain effective through March 31, 2014, whereupon it shall expire.

20. 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 authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

21. The project sponsor shall comply with the water conservation requirements and reduce system water losses to less than twenty (20) percent to comply with Commission Regulation 18 CFR §806.25(a)(1). Information available to the Commission for the past 4 years (since 2009) indicates that the unaccounted for water from the project sponsor's system has decreased, but data for the most recent operating year (2012) remained 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 (April 1, 2019) 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. The annual report due by March 1, 2015, shall include proposed actions and an implementation schedule to meet the twenty (20) percent total system water loss requirement.

22. The project sponsor shall adhere to the metering plan submitted with its groundwater withdrawal application, which has been reviewed and approved by Commission staff. In accordance with the revised metering plan schedule dated February 6, 2014, the project sponsor shall install and maintain new metering on Wells 4 and 6 in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meters when they have been installed, provide the serial number of the meters, and certify the accuracy of the measuring devices to within five (5) percent of actual flow. Any modifications proposed for the metering plan or the installation schedule, or extensions to the schedule, 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.

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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson

SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20140306

Approval Date: March 6, 2014

MARTINSBURG MUNICIPAL AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.288 mgd
from Wineland Replacement Well 2, 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 (replacement for Wineland Well 1) and Wineland Replacement Well 2 (replacement for Wineland Well 2), were installed in July 2010. A groundwater withdrawal application for Wineland Replacement Well 1 was submitted in January 2013, and approved on June 20, 2013 (Commission Docket No. 20130610). The maximum pumping rates from the two replacement wells are the same as those of the wells being replaced with no increase in withdrawals. The Pennsylvania Department of Environmental Protection (PADEP) will require the project sponsor to abandon existing Wineland Well 2 by plugging and sealing the well within 30 days of receiving PADEP approval to use Wineland Replacement Well 2. This approval authorizes the groundwater withdrawal from Wineland Replacement Well 2 and imposes a total system limit on all sources that is based on demonstrated reasonable foreseeable need for water. Wineland Replacement Well 1, Wineland Replacement Well 2, Wineland Well 3, Hershberger Well, and Herron and Yingling Springs shall hereafter be referred to as the "total system."

Commission staff has coordinated with the PADEP and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Commission staff determined that the withdrawal from Wineland Replacement Well 2 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.

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 – Wineland Replacement Well 2	
30-Day Average Withdrawal (mgd):	0.288
Maximum Instantaneous Withdrawal Rate (gpm):	200 (Not to Exceed)
Total System Withdrawal Limit – Wineland Replacement Well 1, Wineland Replacement Well 2, Wineland Well 3, Hershberger Well, and Herron and Yingling Springs (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
Wineland Replacement Well 1	0.288	20130610	June 19, 2028

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 represents maximum documented 30-day average amount that occurred prior to applicable regulatory effective date(s).	

The grandfathered quantity identified in the table above is based on information submitted by the project sponsor and available reported historic withdrawal data for groundwater sources downloaded from the PADEP’s Pennsylvania State Water Plan website. The grandfathered quantity or the grandfathered status of the Hershberger Well is subject to change, or otherwise becomes subject to Commission approval pursuant to Commission Regulation 18 CFR §806.4, if information becomes available that demonstrates withdrawal occurred at rates that are inconsistent with the data submitted and utilized to support the determination.

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan submitted with its groundwater withdrawal application, which has been 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 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. Based on calibration documentation submitted to the Commission for Wineland Replacement Well 2, the next calibration certification is required to be performed by February 4, 2019.

4. The project sponsor shall adhere to the groundwater elevation monitoring plan submitted with its groundwater withdrawal application, which has been reviewed and approved by Commission staff. The groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. 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(a)(4). Modifications shall not be made until the project sponsor receives written approval of the amended plan.

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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

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

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(a).

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 in writing 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 March 5, 2029. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before September 5, 2028, 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

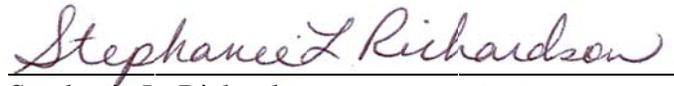
21. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

22. The project sponsor shall comply with the water conservation requirements and reduce system water losses to less than twenty (20) percent to comply with Commission Regulation 18 CFR §806.25(a)(1). Information available to the Commission for 2012 indicates that the unaccounted for water from the project sponsor's system was greater than 25 percent and has been greater than 25 percent since 2005. Consistent with Standard Condition 12 of the approval for Wineland Replacement Well 1 (Commission Docket No. 20130610), the project sponsor shall reduce system losses and achieve compliance with the requirements by 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 provide one system water loss report

to the Commission annually on the progress made pursuant to this requirement and the requirement in Commission Docket No. 20130610. Annual reports are due within sixty (60) days after the close of the preceding year.

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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson



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Docket No. 20140308

Approval Date: March 6, 2014

OLD DOMINION ELECTRIC COOPERATIVE – WILDCAT POINT GENERATION FACILITY

**Consumptive Water Use (Peak Day) of up to 7.900 mgd
and Surface Water Withdrawal (Peak Day) of up to 8.700 mgd
from Conowingo Reservoir of 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), the Maryland Department of the Environment (MDE) 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:	Old Dominion Electric Cooperative
Project Facility:	Wildcat Point Generation Facility
Approval Types:	Consumptive Water Use and Surface Water Withdrawal
Authorized Water Use Purpose:	Electric Power Generation and Related Process Uses
Municipality:	Rising Sun District
County:	Cecil County
State:	Maryland

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:	Conowingo Reservoir of the Susquehanna River
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030617 (Lower Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 39.744149 N Long: 76.225983 W
Site Flow Statistics (cfs):	Q7-10 = 3,390; Average Daily Flow = 39,400
Drainage Area (square miles):	26,990
Aquatic Resource Class*:	6
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 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:	Conowingo Pond of the Susquehanna River
Peak Day Consumptive Water Use Amount (mgd):	7.900 (Not to Exceed)
Project Consumptive Water Uses:	<ol style="list-style-type: none"> 1. Cooling tower makeup 2. Evaporative cooler makeup 3. Heat recovery steam generator blowdown 4. Fire protection 5. Other incidental use related to the process of electric power generation at a combined cycle, natural gas-fired power plant
Consumptive Water Use Mitigation Type:	Payment of consumptive use mitigation fee
mgd – million gallons per day	

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

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	
Peak Day Withdrawal Amount (mgd):	8.700 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	6,042 (Not to Exceed)
gpm – gallons per minute	

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

Section 6. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. Prior to initiation of withdrawal, the project sponsor shall submit a metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals and consumptive use. The plan should include description of backup metering and procedures to account for withdrawals and consumptive use during scheduled maintenance, meter failures, emergencies, etc., where continued operation were to occur.

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

4. The project sponsor shall maintain the totalizing meters and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and consumptive water uses, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. Prior to initiation of construction of the intake, the project sponsor shall submit an intake design for review and approval 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 all required permits 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff.

9. The project's consumptive water use 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.

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 location for the duration of the approval.

12. 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.

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 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.

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. The project sponsor has a period of five (5) years from the date of this approval to commence the withdrawal or this approval will automatically expire, unless an extension is requested in writing by the project sponsor 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.

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. This approval is effective until March 5, 2029. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before September 5, 2028, 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

21. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson

SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20140311

Approval Date: March 6, 2014

SENECA RESOURCES CORPORATION

**Surface Water Withdrawal (Peak Day) of up to 0.499 mgd
from Arnot No. 5 Mine Discharge**

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. 20090908 that was originally approved on September 10, 2009. The project sponsor has not requested, and Commission staff did not recommend, any changes to the conditions of the original docket.

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:	Seneca Resources Corporation
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20090908
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Bloss 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:	Arnot No. 5 Mine Discharge
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010409 (Tioga River)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.667526 N Long: 77.109485 W
Site Flow Statistics (cfs):	Q7-10 = 0.1; Average Daily Flow = 2.2
Impairment:	Abandoned Mine Drainage – Metals and pH
Drainage Area (square miles):	Not Applicable – Mine Discharge
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):	0.499 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	1,000 (Not to Exceed)
Flow Protection Type:	Annual passby
Method for Implementing Flow Protection:	Flow monitoring at weir established on-site
Passby Schedule:	
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>
January	0.33
February	0.33
March	0.33
April	0.33
May	0.33
June	0.33
July	0.33
August	0.33

Approved Withdrawal Quantities and Limitations (continued)	
Passby Schedule:	
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>
September	0.33
October	0.33
November	0.33
December	0.33
mgd – million gallons per day 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, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and 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 by September 23, 2015, 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, 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. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the 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 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. 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. 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.

Section 6. Special Conditions

19. This approval shall be effective April 1, 2014, and shall remain effective until March 31, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before September 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

20. Commission Docket No. 20090908 shall remain effective through March 31, 2014, whereupon it shall expire.

21. Effective April 1, 2014, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the existing on-site weir, 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 flows at the on-site monitoring weir and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter.

22. The project sponsor shall maintain the on-site weir flow monitoring system as reviewed and approved by Commission staff. The system shall be kept fully functional and free of debris. Any modifications proposed for the monitoring system 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.

23. Except as authorized pursuant to Special Condition 25, 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).

24. 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 25, including daily quantities supplied.

25. 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 authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

26. 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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20140312

Approval Date: March 6, 2014

SWEPI LP

Surface Water Withdrawal (Peak Day) of up to 0.850 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. 20091202 (issued to East Resources, Inc.), that was originally approved on December 17, 2009, and transferred to East Resources Management, LLC on June 30, 2010, and subsequently transferred to SWEPI LP on January 1, 2011. The project sponsor has not requested, and Commission staff did not recommend, any changes to the conditions of the original docket.

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:	SWEPI LP
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20091202
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Sheshequin Township
County:	Bradford 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:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010605 (Upper Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.864200 N Long: 76.498055 W
Site Flow Statistics (cfs):	Q7-10 = 575; Average Daily Flow = 10,551
Impairment:	Mercury; Polychlorinated Biphenyl (PCB)
Drainage Area (square miles):	7,570
Aquatic Resource Class*:	6
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):	0.850 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	600 (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, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and 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. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall certify the accuracy of the measuring device to within five (5) percent of actual flow. 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. 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, 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. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the 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 docket expiration date, and contact information for the project sponsor and the Commission. 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. 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. 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.

Section 6. Special Conditions

19. This approval shall be effective April 1, 2014, and shall remain effective until March 31, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project

sponsor submits an application on or before September 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

20. Commission Docket No. 20091202 shall remain effective through March 31, 2014, whereupon it shall expire.

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 authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

24. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20140313

Approval Date: March 6, 2014

TALISMAN ENERGY USA INC.

**Surface Water Withdrawal (Peak Day) of up to 0.999 mgd from
Fall Brook (Commonwealth of Pennsylvania Tioga State Forest)**

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. 20091204 that was originally approved December 17, 2009. The project sponsor has not requested, and Commission staff did not recommend, any changes to the conditions of the original docket.

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:	Talisman Energy USA Inc.
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20091204
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Ward 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:	Fall Brook (Commonwealth of Pennsylvania Tioga State Forest)
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010409 (Tioga River)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.678417 N Long: 76.988770 W
Site Flow Statistics (cfs):	Q7-10 = 0.06; Average Daily Flow = 7.5
Impairment:	Abandoned Mine Drainage – Metals and pH
Drainage Area (square miles):	7.4
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):	0.999 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	700 (Not to Exceed)
Flow Protection Type:	Annual passby
Method for Implementing Flow Protection:	On-site passive intake and weir system
Passby Schedule:	
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>
January	1.13
February	1.13
March	1.13
April	1.13
May	1.13
June	1.13
July	1.13

Approved Withdrawal Quantities and Limitations (continued)	
Passby Schedule:	
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>
August	1.13
September	1.13
October	1.13
November	1.13
December	1.13
mgd – million gallons per day 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, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and 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 by February 6, 2016, 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, 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. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the 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 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. 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. 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.

Section 6. Special Conditions

19. This approval shall be effective April 1, 2014, and shall remain effective until March 31, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before September 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

20. Commission Docket No. 20091204 shall remain effective through March 31, 2014, whereupon it shall expire.

21. Effective April 1, 2014, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the on-site passive intake and weir system, 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.

22. The project sponsor shall maintain the on-site passive intake and weir system as reviewed and approved by Commission staff. The system shall be kept fully functional and free of debris. Any modifications proposed for the monitoring system 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.

23. Except as authorized pursuant to Special Condition 25, 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).

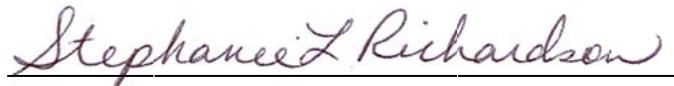
24. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 25, including daily quantities supplied.

25. 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 authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

26. 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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20140314

Approval Date: March 6, 2014

TALISMAN ENERGY USA INC.

**Surface Water Withdrawal (Peak Day) of up to 0.999 mgd from
Fellows Creek (Commonwealth of Pennsylvania Tioga State Forest)**

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. 20091205 that was originally approved December 17, 2009. The project sponsor has not requested, and Commission staff did not recommend, any changes to the conditions of the original docket.

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:	Talisman Energy USA Inc.
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20091205
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Ward 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:	Fellows Creek (Commonwealth of Pennsylvania Tioga State Forest)
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010409 (Tioga River)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.701155 N Long: 76.951950 W
Site Flow Statistics (cfs):	Q7-10 = 0.04; Average Daily Flow = 5.24
Impairment:	Abandoned Mine Drainage – Metals and pH
Drainage Area (square miles):	5.2
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):	0.999 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	700 (Not to Exceed)
Flow Protection Type:	Annual passby
Method for Implementing Flow Protection:	On-site passive intake and weir system
Passby Schedule:	
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>
January	0.786
February	0.786
March	0.786
April	0.786
May	0.786
June	0.786
July	0.786

Approved Withdrawal Quantities and Limitations (continued)	
Passby Schedule:	
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>
August	0.786
September	0.786
October	0.786
November	0.786
December	0.786
mgd – million gallons per day 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, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and 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 by February 6, 2016, 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, 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. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the 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 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. 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. 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.

Section 6. Special Conditions

19. This approval shall be effective April 1, 2014, and shall remain effective until March 31, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before September 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

20. Commission Docket No. 20091205 shall remain effective through March 31, 2014, whereupon it shall expire.

21. Effective April 1, 2014, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the on-site passive intake and weir system, 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.

22. The project sponsor shall maintain the on-site passive intake and weir system as reviewed and approved by Commission staff. The system shall be kept fully functional and free of debris. Any modifications proposed for the monitoring system 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.

23. During review of the original application, it was identified in records maintained in the Pennsylvania Natural Diversity Inventory database and DCNR that rare, threatened and endangered wetland plants are known in the vicinity of the project site. The project sponsor was required to complete a baseline botanical survey and commence monitoring of the hydrology of the wetland and the state-listed plant species found within the wetland to monitor for impacts caused by site activities. The data and findings were required to be submitted quarterly by the project sponsor to both the Commission and DCNR. The project sponsor shall continue monitoring and regular submittal of the wetlands data and findings to both the Commission and DCNR.

24. Except as authorized pursuant to Special Condition 26, 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).

25. 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 26, including daily quantities supplied.

26. 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 authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

27. 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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

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Docket No. 20140315

Approval Date: March 6, 2014

XTO ENERGY, INC.

**Surface Water Withdrawal (Peak Day) of up to 0.249 mgd
from Little Muncy 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. 20100313 that was originally approved March 18, 2010. The project sponsor has not requested, and Commission staff did not recommend, any changes to the conditions of the original docket other than that the special flow protection requirements be modified to reflect current policy. This approval incorporates those recommendations.

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:	XTO Energy, Inc.
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20100313
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Moreland Township
County:	Lycoming 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:	Little Muncy Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020607 (Little Muncy Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.219745 N Long: 76.625107 W
Site Flow Statistics (cfs):	Q7-10 = 2.1; Average Daily Flow = 85
Drainage Area (square miles):	41
Aquatic Resource Class*:	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):	0.249 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	173 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Implementing Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01552500; Muncy Creek near Sonestown, 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	--	--
February	--	--
March	--	--
April	--	--
May	--	--
June	16	9.3
July	7.8	4.7

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>
August	5.4	3.3
September	5.4	3.3
October	11	6.3
November	37	21
December	--	--
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, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and 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 by August 23, 2015, 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 online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, 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. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the 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 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. 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. 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.

Section 6. Special Conditions

19. This approval shall be effective April 1, 2014, and shall remain effective until March 31, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before September 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

20. Commission Docket No. 20100313 shall remain effective through March 31, 2014, whereupon it shall expire.

21. 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.

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 authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

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 March 6, 2014.

Dated: March 7, 2014


Stephanie L. Richardson