

# Susquehanna River Basin Commission

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*a water management agency serving the Susquehanna River Watershed*



August 20, 2014

TO ALL CONCERNED:

At the June 5, 2014, Commission meeting, the draft minutes of the March 6, 2014, Commission meeting were approved as written. Please attach this notice to your copy of the March 6, 2014, minutes.



- DRAFT -

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

**MINUTES OF THE  
SUSQUEHANNA RIVER BASIN COMMISSION  
June 5, 2014  
#2014-02**

The meeting was held at the Lake Raystown Resort Conference Center, Entriken, Pennsylvania. Chairman Jordan called the meeting to order at 9:06 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)

*Mr. Andrew C. Zemba*, Director, Interstate Waters  
Office, Pennsylvania Department of Environmental  
Protection (PADEP)

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

**Staff Present**

*Mr. Andrew D. Dehoff*, Executive Director

*Mr. Andrew J. Gavin*, Deputy Executive Director

*Ms. Marcia Ryneerson*, Director, Administration  
& Finance

*Ms. Stephanie L. Richardson*, Secretary to the  
Commission

*Mr. Jason Oyler*, Regulatory 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**

*Ms. Heather Cisar*, USACE, Balt. Dist.

*Ms. Rhonda Manning*, PADEP

## **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, one of whom, Dr. Robert M. Summers of Maryland, was present by conference call connection. Commissioner Zemba extended a welcome to Pennsylvania on behalf of the Commonwealth of Pennsylvania. Chairman Jordan added a welcome to the USACE's flood reduction and recreation facility at Raystown Lake. Each of the commissioners then added brief opening remarks relating to the valuable cooperative efforts among their jurisdictions and the inspirational setting for the business meeting.

Executive Director Dehoff added a note of thanks to USACE for hosting the meeting.

Chairman Jordan introduced Congressman Glenn Thompson who also added a welcome to Huntingdon County and commented on the importance of elevating water resource related issues to the policy forefront. As he noted, water and beneficial projects related thereto can have broad and long-lasting impacts on the environment and the economy. That is why the pending federal Water Resources Development legislation is a significant step forward. Cong. Thompson has also been working to insure that more water dollars are directed at tangible water projects rather than mere governmental process.

## **2. Presentation: Lake Raystown Project**

USACE Supervisory Park Ranger Jude Harrington gave a presentation on the Corps' Raystown Project and its unique value as a recreational facility and nature preserve.

## **3. Minutes of March 6, 2014, Commission Meeting**

On a motion by Commissioner Lynch, seconded by Commissioner Zemba, the minutes of the regular business meeting of March 6, 2014, were unanimously approved as written.

## **4. Election of Officers**

The Executive Director explained that, by tradition, the Chairmanship and Vice Chairmanship of the Commission are rotated among the member jurisdictions. In accordance with that rotation, the member from the State of New York is slated to become the Chair of the Commission, while the member from the Commonwealth of Pennsylvania is slated to become the Vice Chair.

On a motion by Commissioner Zemba, seconded by Commissioner Lynch, the Commission unanimously elected the member from the State of New York as the Chair of the Commission, and the member from the Commonwealth of Pennsylvania as the Vice Chair of the Commission.

## **5. FY-2015/2016 Water Resources Program**

Planning and Operations Manager John Balay presented a resolution (Exhibit A) providing for adoption of the proposed FY 2015/2016 Water Resources Program (WRP). The Commission had received much valuable input from its member jurisdictions regarding the

content of this year's WRP. Under Section 14.2 of the Susquehanna River Basin Compact, the Commission is directed to annually adopt a water resources program based upon the Comprehensive Plan consisting of the projects and facilities which the Commission proposes to be undertaken by the Commission and other authorized governmental and private agencies, organizations, and persons over a defined period of time.

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

## **6. American Eel Restoration Plan**

Mr. Balay also presented a resolution (Exhibit B) providing for the adoption of an "American Eel Restoration Plan" as an addendum to the "Migratory Fish Management and Restoration Plan for the Susquehanna River Basin." These plans were prepared by the Susquehanna River Anadromous Fish Restoration Cooperative (SRAFRC), with the eel plan having been issued by SRAFRC on December 5, 2013. An important objective of the plan is to insure that American Eel that approach the Conowingo Dam can ultimately move upstream into the Susquehanna Watershed.

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

## **7. Comprehensive Plan Amendments**

Mr. Balay then presented a resolution (Exhibit C) providing for the adoption of amendments to the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin*. The proposed amendments included the addition of the American Eel Restoration Plan, the FY-2015/2016 Water Resources Program (adopted by the Commission as noted above), and all water resources projects approved by the Commission since the last amendments to the Comprehensive Plan. Under Section 14.1 of the Susquehanna River Basin Compact, the Commission shall develop and adopt, and from time to time review and revise, a comprehensive plan for the immediate and long range development and use of the water resources of the basin.

Mr. Balay noted that a public hearing on the proposed amendments was held upon due notice on May 8, 2014, and the written comment period was held open until May 19, 2014. No comments were received. On a motion by Commissioner Zemba, seconded by Commissioner Lynch, the resolution was unanimously adopted.

## **8. Revision of Information Technology Services Fee Schedule**

Director of Administration and Finance Marcia Rynearson presented revisions to the Commission's Information Technology Services Fee Schedule as set forth in a resolution (Exhibit D). Having had the experience of filling several data requests, staff was now recommending that the fees for data services be reduced to better reflect the actual cost to the Commission. The proposed revisions were the subject of a public hearing on May 8, 2014, with a written comments period extending through May 19, 2014. No comments were received.

On a motion by Commissioner Lynch, seconded by Commissioner Summers, the resolution was unanimously adopted.

## **9. Amendments to Regulatory Program Fee Schedule**

Ms. Rynearson also presented a resolution (Exhibit E) providing for revisions to the Commission's Regulatory Program Fee Schedule. These revisions, as directed by earlier resolutions of the Commission, reflect changes that have occurred in the Consumer Price Index and the USACE Civil Works Construction Cost Index System. Other clarifications have been added covering which public entities are entitled to the municipal discounts and which municipal projects qualify for such discounts. Staff also added several corrections to the initial draft of the revisions. The proposed revisions were the subject of a public hearing on May 8, 2014, with a written comments period extending through May 19, 2014. No comments were received.

On a motion by Commissioner Lynch, seconded by Commissioner Zemba, the resolution was unanimously adopted.

## **10. FY-2016 Budget**

Ms. Rynearson then presented a resolution (Exhibit F) providing for adoption of a FY-2016 budget covering the period July 1, 2015, to June 30, 2016. She briefly reviewed the contents of the budget and noted that it was formulated taking into account the revisions that were made to the 2015 budget adopted at the March meeting of the Commission. She further pointed out that all requests for funding in the budget are subject to member jurisdiction executive branch review and that this budget resolution is not intended to be an endorsement of any appropriation request to the extent that it is inconsistent with such executive branch priorities or policies.

On a motion by Commissioner Zemba, seconded by Commissioner Lynch, the resolution was unanimously adopted.

## **11. Grants Approval**

The Director of Administration and Finance presented the following grants, along with a recommendation for approval by the Commission:

### **a. Grant Approval – Chesapeake Bay Sediment and Nutrient Monitoring Program (from Pennsylvania Department of Environmental Protection)**

Under this grant, staff will assist PADEP by continuing to provide a long-term nutrient and suspended sediment database to track and better define nutrient loading dynamics, relate load fluctuations to changes in water discharge, supply nutrient concentration and loading data, and evaluate nutrient loading trends. The PADEP will provide \$131,200 to this effort.

**b. Grant Approval – TMDL Program (from Pennsylvania Department of Environmental Protection)**

Under this grant, staff will assist PADEP by developing Total Maximum Daily Loads (TMDLs) for impaired waters in the Susquehanna River Basin and will support PADEP with respect to TMDL determination, public participation, preparation and submittal to USEPA. Additionally, the Commission will conduct monitoring and assessment activities within select watersheds with direction from PADEP Central Office staff. The PADEP will provide \$261,500 to this effort.

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

**12. Regulatory Program Actions**

**a. Compliance Actions**

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

1. **Somerset Regional Water Resources, LLC, Docket No. 20100905-2**, New Milford Township, Susquehanna County, Pennsylvania. This project is a water withdrawal from Salt Lick Creek. In this case, staff confirmed 19 violations of Special Condition 20 of the approval at various times in July and August of 2013, when withdrawals occurred while stream flow in Salt Lick Creek was below the flow protection trigger flow.

Staff recommended the acceptance of an in lieu of penalties payment of \$12,000 in full and final settlement of the matter.

2. **Susquehanna Gas Field Services, LLC, Docket No. 20090628-1**, Meshoppen Borough, Wyoming County, Pennsylvania – This project is a water withdrawal from Meshoppen Creek. Commission staff confirmed that 3 withdrawals occurred while stream flow in Meshoppen Creek was below the flow protection trigger flow. These withdrawals, which occurred on July 20, 2013; August 8, 2013, and September 7, 2013, were violations of Condition 17 of the approved docket.

The staff recommended acceptance of an in lieu of penalties payment of \$2,500 in full and final settlement of the matter.

3. **Tioga Downs Racetrack, LLC.**, Town of Nichols, Tioga County, New York. This is a groundwater withdrawal and consumptive use. Upon review of data provided by a consultant on behalf of the project sponsor, staff determined that, prior to January 1, 2009, the project sponsor had commenced and continued to operate a project involving the withdrawal and consumptive use of water in excess of the threshold amounts requiring Commission review and approval under applicable regulations in 18 CFR Part 806.

The staff recommended that the Commission accept a settlement payment in lieu of penalty in the amount of \$62,000 in full and final settlement of the matter.

In the case of all three of these projects, no evidence of any environmental harm has emerged from these violations and the project sponsors have signed a settlement agreement and tendered payment of the settlement amounts. Also, the project sponsors are taking steps to avoid a reoccurrence of these violations. In the case of Tioga Downs, the SRBC project review application process is now underway leading eventually to the filing of a formal application for a groundwater withdrawal and consumptive use.

## b. Docket Actions

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

- |       |  |     |   |
|-------|--|-----|---|
| 1.    | DS Waters of America, Inc., Clay Township, Lancaster County, Pa.. (Exhibit G1)   | 13. | Southwestern Energy Production Company (Martins Creek), Brooklyn and Harford Townships, Susquehanna County, Pa.                     |
| 2.    | Healthy Properties, Inc. (Sugar Creek), North Towanda Township, Bradford County, Pa. (Exhibit G2)  | 14. | Southwestern Energy Production Company (Susquehanna River), Great Bend Township, Susquehanna County, Pa. (Exhibit G7)               |
| 3.    | IBM Corporation, Village of Owego, Tioga County, N.Y.  | 15. | Sugar Hollow Water Services, LLC (Bowman Creek), Eaton Township, Wyoming County, Pa. (Exhibit G8)                                   |
| 4.    | Jay Township Water Authority, Jay Township, Elk County, Pa.  | 16. | Susquehanna Gas Field Services LLC, Meshoppen Borough, Wyoming County, Pa. (Exhibit G9)   |
| 5.    | LDG Innovation, LLC (Tioga River), Lawrenceville Borough, Tioga County, Pa. (Exhibit G3)   | 17. | Susquehanna Gas Field Services LLC (Susquehanna River), Meshoppen Township, Wyoming County, Pa. (Exhibit G10)                       |
| 6.    | Leola Sewer Authority. Upper Leacock Township, Lancaster County, Pa.   | 18. | Talisman Energy USA Inc. (Fall Brook), Troy Township, Bradford County, Pa. (Exhibit G11)  |
| 7.    | Mountain Energy Services, Inc. (Tunkhannock Creek), Tunkhannock Township, Wyoming County, Pa. (Exhibit G4)   | 19. | Talisman Energy USA Inc. (Unnamed Tributary to the North Branch Sugar Creek), Columbia Township, Bradford County, Pa. (Exhibit G12) |
| 8.    | Newport Borough Water Authority, Oliver Township, Perry County, Pa.  | 20. | EOG Resources, Inc., Blue Valley Abandoned Mine Drainage Treatment Plant, Horton Township, Elk County, Pa. (Exhibit G13)            |
| 9-10. | Pennsylvania Department of Environmental Protection – South-central Regional Office, City of Harrisburg, Dauphin County, Pa. Leacock Township, Lancaster County, Pa. |     |   |
| 11.   | Pennsylvania General Energy Company, L.L.C. (Pine Creek), Watson Township, Lycoming County, Pa. (Exhibit G5)   |     |   |
| 12.   | Pro-Environmental, LLC (Martins Creek), Lathrop Township, Susquehanna County, Pa. (Exhibit G6)   |     |   |

Highlight = Staff recommending tabling.

Highlight = Project sponsor withdrew its application.

All projects on the above list were recommended for approval with the exception of Nos. 3, 4, 6, 8, 9 and 10, which were recommended for tabling, and No. 13, which was withdrawn by its project sponsor.

Commissioner Lynch moved that the Commission adopt the recommendations of staff regarding the settlements in lieu of penalty with Somerset Regional Water Resources, LLC, Susquehanna Gas Field Services, LLC, and Tioga Downs Racetrack, LLC, and for the 20 project applications. This motion was seconded by Commissioner Summers and unanimously adopted by the Commission.

**13. Adjournment**

There being no further business before the Commission, on a motion by Commissioner Zemba, seconded by Commissioner Lynch, Chairman Jordan adjourned the meeting at 10:20 a.m. The next regular meeting of the Commission is tentatively scheduled for September 4, 2014, in Corning, New York.

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Date Adopted

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Stephanie L. Richardson

RESOLUTION NO. 2014-05

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") adopting a Water Resources Program for Fiscal Years 2015-2016.

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

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

WHEREAS, an updated Comprehensive Plan was adopted by the Commission on December 12, 2013; and

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

WHEREAS, the Commission has formulated an updated Water Resources Program, based on the goals and actions contained in the Comprehensive Plan, which lists the projects and programs proposed to be undertaken by the Commission, member jurisdictions, and other governmental agencies and non-governmental interests during Fiscal Years 2015-2016.

NOW THEREFORE BE IT RESOLVED THAT:

1. The accompanying document titled "Water Resources Program, Susquehanna River Basin Commission (Fiscal Years 2015-2016)" is hereby adopted by the Commission in accordance with Section 14.2 of the Compact and shall be considered for incorporation into the Comprehensive Plan by separate action of the Commission.
2. Staff is instructed to make the Water Resources Program available to legislators, policy makers, and the public as a clear statement of Susquehanna River Basin needs and priorities, and as a mechanism for coordinating the efforts of water managers at all levels.
3. This resolution shall be effective immediately.

Dated: June 5, 2014

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

RESOLUTION NO. 2014-06

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) adopting the *American Eel Restoration Plan for the Susquehanna River Basin* as an addendum to the *Susquehanna River Anadromous Fish Restoration Cooperative (SRAFRC) 2010 Migratory Fish Management and Restoration Plan for the Susquehanna River Basin*.

WHEREAS, The Susquehanna River Basin once supported large numbers of migratory fish including American shad, blueback herring, alewife, hickory shad, striped bass, American eel, Atlantic sturgeon, and shortnose sturgeon, which have been severely impacted by human activities including dam-building; and

WHEREAS, in the 1950’s, fishery resource agencies in the basin initiated a program to restore access for migratory fish to the upper Susquehanna River Basin focusing on American shad; and

WHEREAS, various interagency committees evolved over time, leading to establishment of the Susquehanna River Anadromous Fish Restoration Cooperative (SRAFRC) in 1976; and

WHEREAS, Commission staff are members of both the SRAFRC Policy and Technical Committees, along with representatives from the federal government and the fishery agencies of all three of the Commission’s member jurisdictions; and

WHEREAS, on March 10, 2011, the Commission adopted SRAFRC’s 2010 *Migratory Fish Management and Restoration Plan for the Susquehanna River Basin* and subsequently included the said plan in the Comprehensive Plan for the Water Resources of the Susquehanna River Basin (Comprehensive Plan) by Resolution 2011-06 of June 23, 2011; and

WHEREAS, the goal of the 2010 SRAFRC plan is to “restore self-sustaining, robust and productive stocks of migratory fish capable of producing sustainable fisheries in the Susquehanna River Basin throughout their historic ranges in Maryland, Pennsylvania, and New York;” and

WHEREAS, the 2010 SRAFRC plan noted that goals for American eel were yet to be determined, and that additional study and assessment were being performed in conjunction with Federal Energy Regulatory Commission relicensing of power dams on the lower Susquehanna River; and

WHEREAS, SRAFRC subsequently developed the *American Eel Restoration Plan for the Susquehanna River Basin*, which was approved by the SRAFRC Policy Committee on December 5, 2013, as an addendum to SRAFRC’s 2010 *Migratory Fish Management and Restoration Plan for the Susquehanna River Basin*;” and

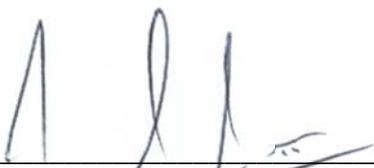
WHEREAS, the goal of the American Eel Restoration Plan is to “ensure that every American eel that approaches Conowingo Dam is passed upstream into the Susquehanna River

Basin in order to restore American eels to the watershed, to provide a net increase of out-migrating American eel, and restore the ecosystem functions provided by healthy American eel populations, including their role as a predator and prey, as well as acting as hosts for the glochidia of *Elliptio complanata*.<sup>1</sup>

NOW THEREFORE BE IT RESOLVED THAT:

1. The accompanying document titled “*American Eel Restoration Plan for the Susquehanna River Basin*” is hereby adopted by the Commission as an addendum to the *Susquehanna River Anadromous Fish Restoration Cooperative (SRAFRC) 2010 Migratory Fish Management and Restoration Plan for the Susquehanna River Basin*, and shall be considered for incorporation into the Comprehensive Plan by separate action of the Commission
2. This resolution shall be effective immediately.

Dated: June 5, 2014



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

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<sup>1</sup> *Elliptio complanata* is an ecologically important species of freshwater mussel that was once abundant in the Susquehanna River Basin. The glochidia, or immature mussels, are dependent on American eel for upstream transport.

RESOLUTION NO. 2014-07

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) amending the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin* (the “Comprehensive Plan”) by incorporating the Water Resources Program (FY 2015-2016), the *American Eel Restoration Plan for the Susquehanna River Basin*, and all water resources projects approved by the Commission from January 2014 through June 2014.

WHEREAS, under Article 3, Section 3.3 (1) and Article 14, Section 14.1 of the Susquehanna River Basin Compact, Pub. L. 91-575, (Compact), the Commission is directed to “develop and adopt, and from time to time review and revise, a comprehensive plan for the immediate and long range development and use of the water resources of the basin;” and

WHEREAS, by Resolution 2008-08 on December 4, 2008, the Commission adopted a substantially revised Comprehensive Plan; and

WHEREAS, an updated Comprehensive Plan was adopted by Resolution 2013-13 on December 12, 2013; and

WHEREAS, under Article 14, Section 14.2 of the Compact, the Commission also annually adopts a Water Resources Program based upon the Comprehensive Plan, which consists of the projects and facilities that the Commission proposes to be undertaken by the Commission and its member jurisdictions over the ensuing six-year time period or such other reasonably foreseeable period as the Commission may determine; and

WHEREAS, Resolve No. 2 of Resolution 2008-08 stipulates that the annual Water Resources Program prepared by the Commission shall hereinafter implement and be based upon the Comprehensive Plan, and shall be incorporated into the plan annually; and

WHEREAS, the Commission has this day adopted a Water Resources Program (FY 2015-2016); and

WHEREAS, the Commission has this day adopted the *American Eel Restoration Plan for the Susquehanna River Basin* as an addendum to the *Susquehanna River Anadromous Fish Restoration Cooperative (SRAFRC) 2010 Migratory Fish Management and Restoration Plan for the Susquehanna River Basin*; and

WHEREAS, Resolve No. 4b of Resolution 2008-08 provides for the incorporation of approved water resources projects into the comprehensive plan annually; and

WHEREAS, a public hearing was held on May 8, 2014 regarding the within amendments to the comprehensive plan, in accordance with the requirements of Article 14, Section 14.1 of the Compact, and a written comment period was held open through May 19, 2014.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby incorporates the Water Resources Program (FY 2015-2016) into the Comprehensive Plan.
2. The Commission hereby incorporates the addendum to the SRAFRC 2010 *Migratory Fish Management and Restoration Plan for the Susquehanna River Basin* entitled *American Eel Restoration Plan for the Susquehanna River Basin* into the Comprehensive Plan.
3. The Commission further incorporates all water resources projects approved by the Commission from January 2014 through June 2014 into the Comprehensive Plan.
4. Staff is directed to file copies of these 2014 amendments to the Comprehensive Plan with the Federal Energy Regulatory Commission pursuant to Section 10 (a) of the Federal Power Act, 16 U.S.C. Section 803(a).
5. This resolution shall be effective immediately.

Dated: June 5, 2014



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

RESOLUTION NO. 2014-08

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) amending its Information Technology Services Fee.

WHEREAS, by Resolution 2012-05, the Susquehanna River Basin Commission (the “Commission”) adopted an Information Technology Services Fee as an addendum to its Records Processing Fee Schedule; and

WHEREAS, the Commission maintains a Records Processing Fee Schedule to cover the costs associated with search, production, and reproduction of Commission records that are requested by outside parties; and

WHEREAS, it is the policy of the Commission that fees should be calculated to reflect the actual costs to the Commission of processing requests; and

WHEREAS, since adoption of the Information Technology Services Fee in 2012, staff has found that the level of effort is less than what was anticipated; and

WHEREAS, the staff has therefore recommended that the fees be reduced from their current level of \$250 per quarter of data to \$250 per year of data.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby amends its “Information Technology Services Fee,” as recommend by staff and as set forth in a document dated June 5, 2014, attached hereto, which amendment shall be incorporated into and made a part of the Commission’s Records Processing Fee Schedule.
2. All other provisions of the Records Processing Fee Schedule, adopted under Resolution No. 2009-02 of March 12, 2009, shall remain in full force and effect.
3. The staff is directed to post the amendments to the Information Technology Services Fee on the Commission’s website as part of the Records Processing Fee Schedule.
4. This resolution shall be effective immediately.

Dated: June 5, 2014

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

**RESOLUTION NO. 2014-09**

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission”) adopting the Regulatory Program Fee Schedule for FY 2015.

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

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

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

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

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

WHEREAS, the Commission has actively sought public comment on the proposed Regulatory Program Fee Schedule by posting it on its website, and by holding a public hearing covering the proposed fee schedule for FY 2015 on May 8, 2014, with an open written comment period to May 19, 2014.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby adopts a Regulatory Program Fee Schedule for FY 2015 implementing the above-referenced revisions, which is attached hereto and made a part of this Resolution.

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

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

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

5. The fees set forth in the attached Regulatory Program Fee Schedule shall become effective July 1, 2014.

Dated: June 5, 2014

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

RESOLUTION NO. 2014-10

A RESOLUTION by the Susquehanna River Basin Commission (the “Commission”) to adopt a proposed budget for the fiscal year beginning July 1, 2015, and ending June 30, 2016, and to apportion among the Commission's member jurisdictions a proposed amount required for the support of the budget.

WHEREAS, pursuant to Section 14.3 of the Susquehanna River Basin Compact (the “Compact”), the Commission desires to adopt a budget for the fiscal year beginning July 1, 2015.

NOW THEREFORE BE IT RESOLVED THAT:

1. A proposed budget for the fiscal year beginning July 1, 2015, for expenditures from the General Fund and the Water Resources Management Fund, in the amount of \$12,179,000, is hereby approved and adopted for submission to the member jurisdictions for their review and approval.

2. Pursuant to Section 14.3 of the Compact, there is hereby requested from each member jurisdiction the following apportioned amounts that are required, together with other funds as may be available to the Commission, for the support of the budget, as proposed, for the fiscal year beginning July 1, 2015.

<u>Member Jurisdictions</u>	<u>Apportionment</u>
New York	\$ 259,000
Pennsylvania	\$ 573,000
Maryland	\$ 360,000
United States	\$ 500,000

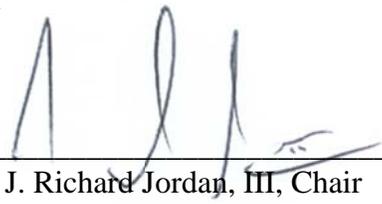
3. In accordance with the Compact, Section 14.3(c), the respective member jurisdictions agree to include the apportioned amounts set forth in Paragraph 2 in their respective budgets next to be adopted, subject to such review and approval as may be required by their respective budgetary processes. All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

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

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

6. This resolution shall be effective immediately.

Dated: June 5, 2014



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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

www.srbc.net

**Docket No. 20140601**

**Approval Date: June 5, 2014**

## **DS SERVICES OF AMERICA, INC.**

### **Groundwater Withdrawal (30-Day Average) of 0.115 mgd from Well 6**

#### **Section 1. Approval**

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

In February 2000, the Commission approved Commission Docket No. 20000203, which authorized the withdrawal of up to 0.115 million gallons per day (mgd) (30-day average) of groundwater from Well 6 and the consumptive use of up to 0.242 mgd for water bottling. Commission Docket No. 20000203 also identified seven sources of consumptive use (Wells 2, 3, 4, and 5 in Clay Township, and Wells 3 and 4 and a spring in Ephrata Township) that were being utilized and, at that time, did not require Commission review and approval. Of the seven sources identified, during review of this application, only Wells 4 and 5 in Clay Township remain as operational well sources.

As provided in Decision Item "k" of Commission Docket No. 20000203, the project sponsor had a period of 3 years from the date of approval to implement the withdrawal project or the approval would automatically expire. The project sponsor did not commence withdrawal from Well 6 and the groundwater withdrawal approval expired in accordance with Decision Item "k" of Commission Docket No. 20000203. The provisions of Commission Docket No. 20000203 that are not related to Well 6 remain in effect. A groundwater withdrawal application for Well 6 was submitted on December 26, 2012. The 2012 groundwater withdrawal application requested the same quantity of water from Well 6 that was previously approved with Commission Docket No. 20000203.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Pennsylvania Fish and Boat Commission (PFBC), and the U.S. Fish and Wildlife Service (USFWS) during review of this project.



## 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 – Well 6	
<b>30-Day Average Withdrawal (mgd):</b>	0.115
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	80 (Not to Exceed)
gpm – gallons per minute	

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

## Section 6. Existing Approved Withdrawals

At the time of application review, the project did not operate any other approved withdrawals.

## Section 7. Existing Approved Consumptive Use

Commission Docket No. 20000203 approved the consumptive use of up to 0.242 mgd of water for bottling. Well 6 is identified as a source for such consumptive use in Commission Docket No. 20000203.

## Section 8. Grandfathering Determination – Withdrawals

Withdrawal from Wells 4 and 5 in Clay Township are ongoing and did not previously require approval. Per Commission Regulation 18 CFR §806.4(a)(2)(iv), the initiation of a withdrawal from a new source (Well 6) above regulatory thresholds subjects all existing unapproved withdrawal sources to Commission review and approval, and results in termination of the grandfathered status of Wells 4 and 5. As provided in Special Condition 21 of this approval, the project sponsor is required to submit groundwater withdrawal applications for Wells 4 and 5.

## Section 9. 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 on May 16, 2014, 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. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and 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. The project sponsor shall adhere to the groundwater elevation monitoring plan submitted on May 16, 2014, 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.

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 comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

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

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

11. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

12. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

13. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

14. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

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

16. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawal or this approval will automatically expire, unless an extension is requested in writing by the project sponsor no later than one hundred twenty (120) days prior to such expiration and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). 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.

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

18. 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.

19. This approval is effective until June 4, 2029. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 4, 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 10. Special Conditions

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. Within ninety (90) days from the date of this approval, the project sponsor shall submit complete groundwater withdrawal applications for Wells 4 and 5 that include aquifer testing plans or requests to waive the aquifer testing requirement, if the project sponsor intends to continue operating withdrawals from these wells.

**CERTIFICATION:** I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140602**

**Approval Date: June 5, 2014**

## **HEALTHY PROPERTIES, INC.**

**Surface Water Withdrawal (Peak Day), Variable, up to 0.999 mgd  
from Sugar 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 and modification of the project described herein in accordance with the conditions set forth below.

This approval is a renewal and modification of Commission Docket No. 20100308 that was originally approved March 18, 2010, with a peak day withdrawal rate of 0.450 million gallons per day (mgd) and special flow protection requirements. The project sponsor has requested an increase in the peak day withdrawal and associated increases in the instantaneous withdrawal rates. Following technical review, and consistent with applicable regulatory standards, Commission staff recommended that the approved rate of withdrawal be increased to a maximum of 0.999 mgd and variable monthly instantaneous withdrawal rates of 800 gallons per minute (gpm) for the months of January through June, November, and December; 400 gpm for the months of July through September; and 700 gpm for the month of October, herein referred to as the "variable rates." Commission staff also recommended 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	
<b>Project Sponsor:</b>	Healthy Properties, Inc.
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Original Docket No.:</b>	20100308
<b>Authorized Water Use Purpose:</b>	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
<b>Municipality:</b>	North Towanda Township
<b>County:</b>	Bradford County
<b>State:</b>	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	
<b>Approved Source:</b>	Sugar Creek
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010601 (Sugar Creek)
<b>Water Use Designation:</b>	Warm Water Fishery (WWF)
<b>Withdrawal Location (degrees):</b>	Lat: 41.795861 N      Long: 76.462458 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 1.2; Average Daily Flow = 125
<b>Impairment:</b>	Mercury
<b>Drainage Area (square miles):</b>	189
<b>Aquatic Resource Class*:</b>	3
<b>Special Flow Protection Required:</b>	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	
<b>Peak Day Withdrawal Amount (mgd):</b>	Not to exceed values contained in Table 1, when available
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	Not to exceed values contained in Table 1, when available
<b>Flow Protection Type:</b>	Seasonal passby expressed as monthly values
<b>Method for Implementing Flow</b>	Off-site monitoring of USGS Real-Time Gage

<b>Protection:</b> 01531325; Sugar Creek at West Burlington, Pennsylvania				
<b>Approved Withdrawal Quantities and Limitations (continued)</b>				
<b>Table 1: Authorized Monthly Withdrawal and Passby Schedule</b>				
<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	0.999	800	30	16
February	0.999	800	32	17
March	0.999	800	--	--
April	0.999	800	--	--
May	0.999	800	44	23
June	0.999	800	15	8.5
July	0.576	400	6.4	3.6
August	0.576	400	3.9	2.4
September	0.576	400	3.7	2.3
October	0.999	700	6.4	3.9
November	0.999	800	21	11
December	0.999	800	34	18
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. 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 October 4, 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 an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), along with example sign templates for reference. 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 sponsor shall submit digital photographs as proof of installation of the updated sign.

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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission 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 July 1, 2014, and shall remain effective until June 30, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 31, 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. 20100308 shall remain effective through June 30, 2014, whereupon it shall expire.

21. Effective July 1, 2014, 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 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. 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 June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140604****Approval Date: June 5, 2014**

## **LDG INNOVATION, LLC**

**Surface Water Withdrawal (Peak Day) of up to 0.750 mgd  
from the Tioga River**

### **Section 1. Approval**

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20100311 that was originally approved March 18, 2010; modified to increase withdrawal quantity on June 7, 2012, as Commission Docket No. 20100311-1; and modification of passby requirements on June 20, 2013, to be consistent with Commission Policy No. 2012-01, as Commission Docket No. 20100311-2. The project sponsor has not requested any changes with this renewal to the conditions of the modified 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.

<b>Project Information</b>	
<b>Project Sponsor:</b>	LDG Innovation, LLC
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Original Docket No.:</b>	20100311
<b>Authorized Water Use Purpose:</b>	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
<b>Municipality:</b>	Lawrenceville Borough
<b>County:</b>	Tioga County

<b>State:</b>	Pennsylvania
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### Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
<b>Approved Source:</b>	Tioga River
<b>Subbasin:</b>	Chemung
<b>Watershed Boundary Dataset (WBD):</b>	0205010409 (Tioga River)
<b>Water Use Designation:</b>	Warm Water Fishery (WWF)
<b>Withdrawal Location (degrees):</b>	Lat: 41.991241 N      Long: 77.124651 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 29; Average Daily Flow = 564
<b>Impairment:</b>	Mercury
<b>Drainage Area (square miles):</b>	456
<b>Aquatic Resource Class*:</b>	4
<b>Special Flow Protection Required:</b>	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		
<b>Peak Day Withdrawal Amount (mgd):</b>	0.750 (Not to Exceed, When Available)	
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	925 (Not to Exceed)	
<b>Flow Protection Type:</b>	Seasonal passby expressed as monthly values	
<b>Method for Implementing Flow Protection:</b>	Off-site monitoring of USGS Real-Time Gage 01518700; Tioga River at Tioga Junction, Pennsylvania	
<b>Passby Schedule:</b>		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	123	122
February	162	160
March	--	--
April	--	--
May	153	152

June	79	79
July	50	51
<b>Approved Withdrawal Quantities and Limitations (continued)</b>		
<b>Passby Schedule:</b>		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
August	41	42
September	39	40
October	51	52
November	62	63
December	126	125
mgd – million gallons per day		USGS – U.S. Geological Survey
1 cfs = 448.8 gallons per minute (gpm)		-- – 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 October 23, 2014, and every two (2) years thereafter.

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

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

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted 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 an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), along with example sign templates for reference. 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 sponsor shall submit digital photographs as proof of installation of the updated sign.

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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission 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 July 1, 2014, and shall remain effective until June 30, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 31, 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 Nos. 20100311, 20100311-1, and 20100311-2 shall remain effective through June 30, 2014, whereupon they shall expire.

21. Effective July 1, 2014, 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 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. 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).

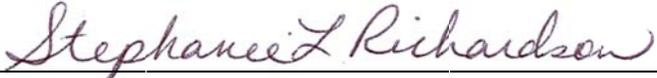
23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same 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 June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140606**

**Approval Date: June 5, 2014**

## **MOUNTAIN ENERGY SERVICES, INC.**

**Surface Water Withdrawal (Peak Day) of up to 1.498 mgd  
from Tunkhannock 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. 20100309 that was originally approved March 18, 2010, and modified on March 21, 2013, as Commission Docket No. 20100309-1. The project sponsor has not requested any changes to the conditions of the modified docket. Due to changes since the original approval, staff review of current cumulative consumptive upstream water use and technical analysis of the renewal application reveal that, unlike with the technical analysis for the modified docket, de minimis thresholds for flow protection requirements are not exceeded in the months of March, April, and May, and flow protection is not recommended for said months. All other months require flow protection similar to that recommended with the previous analysis. 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	
<b>Project Sponsor:</b>	Mountain Energy Services, Inc.
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Original Docket No.:</b>	20100309
<b>Authorized Water Use Purpose:</b>	Bulk Supply for Hydrocarbon Development and Related Incidental Uses, Natural Gas Pipeline Companies, Wind Energy Construction and Operations, and Quarry Operations
<b>Municipality:</b>	Tunkhannock Township
<b>County:</b>	Wyoming County
<b>State:</b>	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	
<b>Approved Source:</b>	Tunkhannock Creek
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010612 (Tunkhannock Creek)
<b>Water Use Designation:</b>	Trout Stocked Fishery (TSF)
<b>Withdrawal Location (degrees):</b>	Lat: 41.556886 N      Long: 75.894750 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 17.3; Average Daily Flow = 558.8
<b>Impairment:</b>	Mercury
<b>Drainage Area (square miles):</b>	383
<b>Aquatic Resource Class*:</b>	4
<b>Special Flow Protection Required:</b>	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	
<b>Peak Day Withdrawal Amount (mgd):</b>	1.498 (Not to Exceed, When Available)
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	1,500 (Not to Exceed)
<b>Flow Protection Type:</b>	Seasonal passby expressed as monthly values

<b>Approved Withdrawal Quantities and Limitations (continued)</b>		
<b>Method for Implementing Flow Protection:</b>		Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania
<b>Passby Schedule:</b>		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	130	134
February	150	154
March	--	--
April	--	--
May	--	--
June	80	84
July	45	49
August	33	37
September	32	36
October	43	47
November	82	89
December	150	154
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 March 21, 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 an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), along with example sign templates for reference. 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 sponsor shall submit digital photographs as proof of installation of the updated sign.

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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission 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 July 1, 2014, and shall remain effective until June 30, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 31, 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 Nos. 20100309 and 20100309-1 shall remain effective through June 30, 2014, whereupon they shall expire.

21. Effective July 1, 2014, 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 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. 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 Section 2 and 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 June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140609****Approval Date: June 5, 2014**

## **PENNSYLVANIA GENERAL ENERGY COMPANY, L.L.C.**

**Surface Water Withdrawal (Peak Day) of up to 0.918 mgd  
from Pine Creek**

### **Section 1. Approval**

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20100610 that was originally approved June 11, 2010, with a peak day withdrawal rate of 0.918 million gallons per day (mgd) and special flow protection requirements. The project sponsor has not requested any changes to the conditions of the approval. Commission staff has recommended that the special flow protection requirements be modified to reflect current policy.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

### **Section 2. Project Information**

Information concerning the project sponsor, water use type, and location are set forth in the table below.

<b>Project Information</b>	
<b>Project Sponsor:</b>	Pennsylvania General Energy Company, L.L.C.
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Original Docket No.:</b>	20100610
<b>Authorized Water Use Purpose:</b>	Hydrocarbon Development and Related Incidental Uses
<b>Municipality:</b>	Watson Township
<b>County:</b>	Lycoming County

<b>State:</b>	Pennsylvania
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### Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
<b>Approved Source:</b>	Pine Creek
<b>Subbasin:</b>	West Branch Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205020506 (Lower Pine Creek)
<b>Water Use Designation:</b>	Exceptional Value (EV)
<b>Withdrawal Location (degrees):</b>	Lat: 41.254782 N          Long: 77.330834 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 37; Average Daily Flow = 1,425
<b>Drainage Area (square miles):</b>	949
<b>Aquatic Resource Class*:</b>	4
<b>Special Flow Protection Required:</b>	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		
<b>Peak Day Withdrawal Amount (mgd):</b>	0.918 (Not to Exceed, When Available)	
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	638 (Not to Exceed)	
<b>Flow Protection Type:</b>	Seasonal passby expressed as monthly values	
<b>Method for Implementing Flow Protection:</b>	Off-site monitoring of USGS Real-Time Gage 01549700; Pine Creek near Waterville, Pennsylvania	
<b>Passby Schedule:</b>		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	96	97
February	111	112
March	271	272
April	271	272
May	320	320
June	109	110

July	117	118
<b>Approved Withdrawal Quantities and Limitations (continued)</b>		
<b>Passby Schedule:</b>		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
August	71	73
September	69	71
October	85	87
November	44	46
December	76	78
USGS – U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		
-- -- 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 March 7, 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 an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), along with example sign templates for reference. 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 sponsor shall submit digital photographs as proof of installation of the updated sign.

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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission 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 July 1, 2014, and shall remain effective until June 30, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 31, 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. 20100610 shall remain effective through June 30, 2014, whereupon it shall expire.

21. Effective July 1, 2014, 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 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. 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 June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140610****Approval Date: June 5, 2014**

## PRO-ENVIRONMENTAL, LLC

**Surface Water Withdrawal (Peak Day), Variable, up to 0.999 mgd  
from Martins Creek**

### Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

### Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

<b>Project Information</b>	
<b>Project Sponsor:</b>	Pro-Environmental, LLC
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Authorized Water Use Purpose:</b>	Bulk Supply For Hydrocarbon Development and Related Incidental Uses
<b>Municipality:</b>	Lathrop Township
<b>County:</b>	Susquehanna County
<b>State:</b>	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	
<b>Approved Source:</b>	Martins Creek
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010612 (Tunkhannock Creek)
<b>Water Use Designation:</b>	Cold Water Fishery (CWF)
<b>Withdrawal Location (degrees):</b>	Lat: 41.670242 N      Long: 75.781161 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 2.2; Average Daily Flow = 71
<b>Drainage Area (square miles):</b>	49
<b>Aquatic Resource Class*:</b>	2
<b>Special Flow Protection Required:</b>	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				
<b>Peak Day Withdrawal Amount (mgd):</b>	Not to exceed values contained in Table 1, when available			
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	Not to exceed values contained in Table 1, when available			
<b>Flow Protection Type:</b>	Seasonal passby expressed as monthly values			
<b>Method for Implementing Flow Protection:</b>	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek at Tunkhannock, Pennsylvania			
<b>Table 1: Authorized Monthly Withdrawal and Passby Schedule</b>				
<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	0.999	1,150	22	190
February	0.999	1,150	25	220
March	0.999	1,150	55	455
April	0.999	1,150	60	491
May	0.999	1,150	31	267
June	0.999	1,150	14	127
July	0.972	695	7.6	72

August	0.738	513	5.6	53
September	0.705	490	5.3	51
October	0.974	677	7.4	70
November	0.999	1,150	17	153
December	0.999	1,150	26	225
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. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

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

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

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted 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. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), along with example sign templates for reference. 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 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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission 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 no later than one hundred twenty (120) days prior to such expiration and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

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

19. This approval is effective until June 4, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 4, 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.

## **Section 6. Special Conditions**

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

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

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

23. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for 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 June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

Docket No. 20140611

Approval Date: June 5, 2014

## SOUTHWESTERN ENERGY PRODUCTION COMPANY

**Surface Water Withdrawal (Peak Day) of up to 3.000 mgd  
from the Susquehanna River**

### Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

### Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
<b>Project Sponsor:</b>	Southwestern Energy Production Company
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Authorized Water Use Purpose:</b>	Hydrocarbon Development and Related Incidental Uses
<b>Municipality:</b>	Great Bend Township
<b>County:</b>	Susquehanna County
<b>State:</b>	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.

<b>Source Information</b>	
<b>Approved Source:</b>	Susquehanna River
<b>Subbasin:</b>	Upper Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010113 (Lower Susquehanna River)
<b>Water Use Designation:</b>	Warm Water Fishery (WWF)
<b>Withdrawal Location (degrees):</b>	Lat: 41.965736 N      Long: 75.675333 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 170; Average Daily Flow = 3,317
<b>Impairment:</b>	Mercury
<b>Drainage Area (square miles):</b>	2,022
<b>Aquatic Resource Class*:</b>	5
<b>Special Flow Protection Required:</b>	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.

<b>Approved Withdrawal Quantities and Limitations</b>	
<b>Peak Day Withdrawal Amount (mgd):</b>	3.000 (Not to Exceed)
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	2,083 (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 submitted with its surface water withdrawal application on October 3, 2013, and amended on April 18, 2014, 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. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation

18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

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

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

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted 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. Signage specifications can be found at the Commission's website ([www.srbcc.net](http://www.srbcc.net)), along with example sign templates for reference. 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 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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission 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 no later than one hundred twenty (120) days prior to such expiration and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

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

19. This approval is effective until June 4, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 4, 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.

## Section 6. Special Conditions

20. Per Commission coordination with jurisdictional agency(ies), the project sponsor will perform a survey for rare mussel species at the project site prior to project construction and the withdrawal of water. If rare mussels are documented as occurring, the project sponsor shall adhere to recommendations from the PFBC for avoiding adverse impact to the species. Prior to project construction and the withdrawal of water, the project sponsor shall provide to the Commission the results of the mussel survey and the findings from the PFBC.

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 June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140612**

**Approval Date: June 5, 2014**

## **SUGAR HOLLOW WATER SERVICES, LLC**

**Surface Water Withdrawal (Peak Day) of up to 0.249 mgd  
from Bowman 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. 20100310 that was originally approved March 18, 2010, with a peak day withdrawal rate of 0.249 million gallons per day (mgd) and special flow protection requirements. 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.

<b>Project Information</b>	
<b>Project Sponsor:</b>	Sugar Hollow Water Services, LLC
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Original Docket No.:</b>	20100310
<b>Authorized Water Use Purpose:</b>	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
<b>Municipality:</b>	Eaton Township
<b>County:</b>	Wyoming County
<b>State:</b>	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.

<b>Source Information</b>	
<b>Approved Source:</b>	Bowman Creek
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010613 (Bowman Creek)
<b>Water Use Designation:</b>	High Quality Cold Water Fishery (HQ-CWF)
<b>Withdrawal Location (degrees):</b>	Lat: 41.506163 N      Long: 75.984786 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 4.8; Average Daily Flow = 156
<b>Wild Trout Classification:</b>	Naturally Reproducing Wild Trout
<b>Drainage Area (square miles):</b>	107
<b>Aquatic Resource Class*:</b>	3
<b>Special Flow Protection Required:</b>	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.

<b>Approved Withdrawal Quantities and Limitations</b>		
<b>Peak Day Withdrawal Amount (mgd):</b>	0.249 (Not to Exceed, When Available)	
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	190 (Not to Exceed)	
<b>Flow Protection Type:</b>	Seasonal passby expressed as monthly values	
<b>Method for Implementing Flow Protection:</b>	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania	
<b>Passby Schedule:</b>		
<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	26	95

July	15	55
<b>Approved Withdrawal Quantities and Limitations (continued)</b>		
<b>Passby Schedule:</b>		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
August	11	40
September	10	39
October	15	54
November	29	106
December	--	--
USGS – U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		
-- -- 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 April 4, 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 an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), along with example sign templates for reference. 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 sponsor shall submit digital photographs as proof of installation of the updated sign.

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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission 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 July 1, 2014, and shall remain effective until June 30, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 31, 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. 20100310 shall remain effective through June 30, 2014, whereupon it shall expire.

21. Effective July 1, 2014, 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 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. 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 June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140613****Approval Date: June 5, 2014**

## SUSQUEHANNA GAS FIELD SERVICES LLC

**Groundwater Withdrawal (30-Day Average) of 0.216 mgd  
from the Meshoppen Pizza Well**

### 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. 20100612 on June 11, 2010, for a groundwater withdrawal from the Meshoppen Pizza Well at a consecutive 30-day average rate of 0.216 million gallons per day (mgd). The approval was modified with Commission Docket No. 20100612-1 on September 15, 2011, to authorize additional purposes. The project sponsor has not requested any changes with this renewal to the conditions of the modified docket.

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.

<b>Project Information</b>	
<b>Project Sponsor:</b>	Susquehanna Gas Field Services LLC
<b>Approval Type:</b>	Groundwater Withdrawal
<b>Original Docket No.:</b>	20100612
<b>Authorized Water Use Purposes:</b>	Bulk Supply for Hydrocarbon Development and Related Incidental Uses, Hydrostatic Pipeline Testing, Dust Suppression by Wind Energy Construction Companies, and Use by Quarrying Operations

<b>Project Information (continued)</b>	
<b>Municipality:</b>	Meshoppen Borough
<b>County:</b>	Wyoming County
<b>State:</b>	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.

<b>Source Information</b>	
<b>Withdrawal Type:</b>	Groundwater
<b>Approved Source:</b>	Meshoppen Pizza Well
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010608 (Meshoppen Creek Watershed)
<b>Withdrawal Location (degrees):</b>	Lat: 41.615117 N      Long: 76.048033 W

### Section 4. Aquifer Testing

The project sponsor requested that the constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals be waived for this renewal. In support of the aquifer testing waiver request, the project sponsor submitted historical withdrawal data demonstrating use at the requested rate and groundwater elevation data collected during operation of the production well under Commission Docket Nos. 20100612 and 20100612-1. In addition, the project sponsor resubmitted the hydrogeological report summarizing the results and conclusions of the 72-hour constant-rate aquifer test from 2009. A review of data submitted for the Meshoppen Pizza Well indicates that the well can sustain the previously approved withdrawal rate of 0.216 mgd (30-day average).

The information provided with the application confirms the findings of the aquifer testing and supports the continued use of the Meshoppen Pizza Well, without adverse impact, at the requested rate of 0.216 mgd (30-day average). Commission staff finds that no adverse impacts have resulted from the long-term operation of the well and that the withdrawal from the well, at the rate approved herein, 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 conditions of this approval and recommend that the aquifer testing requirements be waived for this renewal.

The aquifer testing requirements for the Meshoppen Pizza Well, pursuant to Commission Regulation 18 CFR §806.12, are hereby waived.

## Section 5. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations – Meshoppen Pizza Well	
<b>30-Day Average Withdrawal (mgd):</b>	0.216
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	150 (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. The project sponsor shall adhere to the metering plan submitted with the 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 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 5, 2015, and every two (2) years thereafter.

5. The project sponsor shall adhere to the groundwater elevation monitoring plan 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.

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 an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), along with example sign templates for reference. 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 sponsor shall submit digital photographs as proof of installation of the updated sign.

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

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

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

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to

protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

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

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

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

19. 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 7. Special Conditions**

20. This approval shall be effective July 1, 2014, and shall remain effective until June 30, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 31, 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.

21. Commission Docket Nos. 20100612 and 20100612-1 shall remain effective through June 30, 2014, whereupon they shall expire.

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 the authorized water uses listed in Section 2, 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.

**CERTIFICATION:** I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140614**

**Approval Date: June 5, 2014**

## SUSQUEHANNA GAS FIELD SERVICES LLC

**Surface Water Withdrawal (Peak Day) of up to 1.650 mgd  
from the Susquehanna River**

### Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

### Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

<b>Project Information</b>	
<b>Project Sponsor:</b>	Susquehanna Gas Field Services LLC
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Authorized Water Use Purpose:</b>	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
<b>Municipality:</b>	Meshoppen Township
<b>County:</b>	Wyoming County
<b>State:</b>	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.

<b>Source Information</b>	
<b>Approved Source:</b>	Susquehanna River
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010614 (Lower Susquehanna River)
<b>Water Use Designation:</b>	Warm Water Fishery (WWF)
<b>Withdrawal Location (degrees):</b>	Lat: 41.610040 N      Long: 76.107830 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 648; Average Daily Flow = 12,878
<b>Impairment:</b>	Mercury
<b>Drainage Area (square miles):</b>	8,613
<b>Aquatic Resource Class*:</b>	6
<b>Special Flow Protection Required:</b>	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.

<b>Approved Withdrawal Quantities and Limitations</b>	
<b>Peak Day Withdrawal Amount (mgd):</b>	1.650 (Not to Exceed)
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	1,389 (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 submitted with its surface water withdrawal application on July 25, 2013, and revised on April 11, 2014, 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. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation

18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

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

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

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted 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. Signage specifications can be found at the Commission's website ([www.srb.net](http://www.srb.net)), along with example sign templates for reference. 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 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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission 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 no later than one hundred twenty (120) days prior to such expiration and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

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

19. This approval is effective until June 4, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 4, 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.

### Section 6. Special Conditions

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

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

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

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

**CERTIFICATION:** I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140615**

**Approval Date: June 5, 2014**

## TALISMAN ENERGY USA INC.

### Surface Water Withdrawal (Peak Day), Variable, up to 0.176 mgd from Fall Brook

#### 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. 20100304 that was originally approved March 18, 2010, with a peak day withdrawal rate of 1.000 million gallons per day (mgd) and special flow protection requirements. 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. In consideration of the reasonably foreseeable need for water, as demonstrated by historic usage of the source and plans presented by the project sponsor, Commission staff recommended that the requested reduced peak day withdrawal rate and variable monthly daily rates be approved. 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	
<b>Project Sponsor:</b>	Talisman Energy USA Inc.
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Original Docket No.:</b>	20100304

<b>Project Information (continued)</b>	
<b>Authorized Water Use Purpose:</b>	Hydrocarbon Development and Related Incidental Uses
<b>Municipality:</b>	Troy Township
<b>County:</b>	Bradford County
<b>State:</b>	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.

<b>Source Information</b>	
<b>Approved Source:</b>	Fall Brook
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010601 (Sugar Creek)
<b>Water Use Designation:</b>	Trout Stocked Fishery (TSF)
<b>Withdrawal Location (degrees):</b>	Lat: 41.774340 N      Long: 76.804762 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 0.02; Average Daily Flow = 1.6
<b>Drainage Area (square miles):</b>	1.7
<b>Aquatic Resource Class*:</b>	1
<b>Special Flow Protection Required:</b>	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.

<b>Approved Withdrawal Quantities and Limitations</b>	
<b>Peak Day Withdrawal Amount (mgd):</b>	Not to exceed values contained in Table 1, when available
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	Not to exceed values contained in Table 1, when available
<b>Flow Protection Type:</b>	Seasonal passby expressed as monthly values
<b>Method for Implementing Flow Protection:</b>	Off-site monitoring of USGS Real-Time Gage 01531325; Sugar Creek at West Burlington, Pennsylvania

<b>Approved Withdrawal Quantities and Limitations (continued)</b>				
<b>Table 1: Authorized Monthly Withdrawal and Passby Schedule</b>				
<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	0.072	50	0.5	26
February	0.072	50	0.5	26
March	0.163	113	1.3	63
April	0.176	122	1.4	68
May	0.092	64	0.7	36
June	0.072	50	0.5	26
July	0.072	50	0.5	26
August	0.072	50	0.5	26
September	0.072	50	0.5	26
October	0.072	50	0.5	26
November	0.072	50	0.5	26
December	0.072	50	0.6	29
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 July 31, 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 an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), along with example sign templates for reference. 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 sponsor shall submit digital photographs as proof of installation of the updated sign.

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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission 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 July 1, 2014, and shall remain effective until June 30, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 31, 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. 20100304 shall remain effective through June 30, 2014, whereupon it shall expire.

21. Effective July 1, 2014, 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 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. The project sponsor installed on-site flow monitoring equipment that was used to meet original withdrawal limitations and has proposed use of this equipment for measurement of on-site flow protection rates. Historic on-site streamflow data may be available to support use of this equipment in place of off-site monitoring. The project sponsor may submit a plan with supporting data for alternative flow monitoring to the Commission for staff review and 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 June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140616**

**Approval Date: June 5, 2014**

## TALISMAN ENERGY USA INC.

**Surface Water Withdrawal (Peak Day), Variable, up to 0.926 mgd  
from the Unnamed Tributary to North Branch Sugar 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. 20100305 that was originally approved March 18, 2010, with a peak day withdrawal rate of 2.000 million gallons per day (mgd) and special flow protection requirements. 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. In consideration of the reasonably foreseeable need for water, as demonstrated by historic usage of the source and plans presented by the project sponsor, Commission staff recommended that the requested reduced peak day withdrawal rate and variable monthly daily rates be approved. 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	
<b>Project Sponsor:</b>	Talisman Energy USA Inc.
<b>Approval Type:</b>	Surface Water Withdrawal
<b>Original Docket No.:</b>	20100305

<b>Project Information (continued)</b>	
<b>Authorized Water Use Purpose:</b>	Hydrocarbon Development and Related Incidental Uses
<b>Municipality:</b>	Columbia Township
<b>County:</b>	Bradford County
<b>State:</b>	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.

<b>Source Information</b>	
<b>Approved Source:</b>	Unnamed Tributary to North Branch Sugar Creek
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010601 (Sugar Creek)
<b>Water Use Designation:</b>	Trout Stocked Fishery (TSF)
<b>Withdrawal Location (degrees):</b>	Lat: 41.841111 N      Long: 76.827369 W
<b>Site Flow Statistics (cfs):</b>	Q7-10 = 0.1; Average Daily Flow = 8.4
<b>Drainage Area (square miles):</b>	8.9
<b>Aquatic Resource Class*:</b>	1
<b>Special Flow Protection Required:</b>	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.

<b>Approved Withdrawal Quantities and Limitations</b>	
<b>Peak Day Withdrawal Amount (mgd):</b>	Not to exceed values contained in Table 1, when available
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	Not to exceed values contained in Table 1, when available
<b>Flow Protection Type:</b>	Seasonal passby expressed as monthly values
<b>Method for Implementing Flow Protection:</b>	On-site monitoring of USGS Real-Time Gage 01531250; North Branch Sugar Creek Tributary near Columbia Cross Roads, Pennsylvania

<b>Approved Withdrawal Quantities and Limitations (continued)</b>			
<b>Table 1: Authorized Monthly Withdrawal and Passby Schedule</b>			
<i>Month</i>	<i>Peak Day Withdrawal (mgd)</i>	<i>Maximum Instantaneous Withdrawal (gpm)</i>	<i>On-Site Flow Protection Rate and Threshold (cfs)</i>
January	0.333	231	2.6
February	0.347	241	2.7
March	0.858	596	6.7
April	0.926	643	7.2
May	0.488	339	3.8
June	0.170	118	1.3
July	0.072	50	0.6
August	0.072	50	0.5
September	0.072	50	0.5
October	0.072	50	0.6
November	0.295	205	2.3
December	0.392	272	3.0

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 March 6, 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 an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), along with example sign templates for reference. 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 sponsor shall submit digital photographs as proof of installation of the updated sign.

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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission 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 July 1, 2014, and shall remain effective until June 30, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 31, 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. 20100305 shall remain effective through June 30, 2014, whereupon it shall expire.

21. Effective July 1, 2014, 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 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. 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 June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson



# SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

www.srbc.net

**Docket No. 20140617****Approval Date: June 5, 2014**

## EOG RESOURCES, INC.

### **Into-Basin Diversion (Peak Day) of up to 0.322 mgd from the Blue Valley Abandoned Mine Drainage Treatment Plant in the Ohio River Basin**

#### **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 involves the diversion of water from the Blue Valley Abandoned Mine Drainage (AMD) Treatment Plant in Horton Township, Elk County, into the Susquehanna River Basin for hydrocarbon development and related incidental uses. This approval is a renewal of Commission Docket No. 20100616 that was originally approved June 11, 2010. The project sponsor has not requested any changes to the conditions of the original docket.

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.

<b>Project Information</b>	
<b>Project Sponsor:</b>	EOG Resources, Inc.
<b>Approval Type:</b>	Into-Basin Diversion from the Ohio River Basin
<b>Authorized Water Use Purpose:</b>	Hydrocarbon Development and Related Incidental Uses
<b>Municipality:</b>	Horton Township
<b>County:</b>	Elk County
<b>State:</b>	Pennsylvania

### Section 3. Source Information

Information concerning the source of water from which the into-basin diversion will be made is set forth in the table below.

<b>Source Information</b>	
<b>Approved Source:</b>	Sedimentation Pond at the Fish Culture Station located at the Blue Valley AMD Treatment Plant
<b>Basin:</b>	Ohio River Basin
<b>Watershed Boundary Dataset (WBD):</b>	0501000504 (Little Toby Creek)
<b>Withdrawal Location (degrees):</b>	Lat: 41.308620 N      Long: 78.686660 W

Mine drainage from the Blue Valley mine flows through the Blue Valley AMD Treatment Plant and the treated discharge is used for an indoor fish culture station. Water from the fish culture station is discharged to a 10-million-gallon capacity sedimentation pond for further treatment to remove residual solids and then is released to Brandy Camp Creek (a tributary to Little Toby Creek). The sedimentation pond also supports fish populations.

### Section 4. Approved Into-Basin Diversion Quantities and Limitations

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

<b>Approved Into-Basin Diversion Quantities and Limitations</b>	
<b>Peak Day Diversion Amount (mgd):</b>	0.322 (Not to Exceed)
mgd – million gallons per day	

The into-basin diversion 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 previously reviewed and approved by Commission staff with the original approval. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30.

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 diversions, 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 May 15, 2016, and every two (2) years thereafter.

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

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 surface water 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 and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the diversion 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. 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.

16. Should the project's anticipated diversion 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**

17. This approval shall be effective July 1, 2014, and shall remain effective until June 30, 2018. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before December 31, 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.

18. Commission Docket No. 20100616 shall remain effective through June 30, 2014, whereupon it shall expire.

19. 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 20, including daily quantities supplied.

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 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.

22. To minimize impacts, the project sponsor has agreed to make withdrawals at a maximum instantaneous rate of withdrawal at the surface water intake to not exceed 250 gallons per minute (gpm). During times of withdrawal from the sedimentation pond, the production at the Blue Valley AMD Treatment Plant will be increased to a maximum intake flow of approximately 500 gpm, allowing an excess of up to approximately 250 gpm to be removed from the pond without disrupting the normal release to Brandy Camp Creek. Treatment of mine drainage will be increased during the times water from the sedimentation pond is being withdrawn so the release of treated water to Brandy Camp Creek continues. This approval is contingent on the project sponsor making withdrawals consistent with the forgoing operational limits. The Commission reserves the right to revoke this approval if the project sponsor fails to comply with the same.

**CERTIFICATION:** I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 5, 2014.

Dated: June 6, 2014

  
Stephanie L. Richardson