

Susquehanna River Basin Commission

a water management agency serving the Susquehanna River Watershed



October 2, 2015

TO ALL CONCERNED:

At the September 10, 2015, Commission meeting, the draft minutes of the June 4, 2015, Commission meeting were approved as written. Please attach this notice to your copy of the June 4, 2015 minutes.

- DRAFT -

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

**MINUTES OF THE
SUSQUEHANNA RIVER BASIN COMMISSION
September 10, 2015
#2015-03**

The meeting was held at DoubleTree by Hilton Binghamton, 225 Water Street, Binghamton, New York. Chairwoman Heffner called the meeting to order at 9:00 a.m.

ROLL CALL

Commissioners Present

Mr. Kenneth P. Lynch, Director, Region 7, New York State Dept. of Environmental Conservation (NYSDEC)

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

Ms. Virginia Kearney, Acting Director, Water Management Administration, Maryland Dept. of the Environment (MDE)

Col. Edward Chamberlayne, District Engineer, U.S. Army Corps of Engineers (USACE), Baltimore District

**Alternate Commissioners
and Advisors Present**

Staff Present

Mr. Andrew D. Dehoff, Executive Director

Mr. Andrew J. Gavin, Deputy Executive Director

Ms. Marcia Hutchinson, Director, Administration & Finance

Ms. Stephanie L. Richardson, Secretary to the Commission

Mr. Jason Oyler, 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. Brydon Lidle, Manager, Information Technology

Mr. Eric Roof, Manager, Compliance & Enforcement

Ms. Gwyn Rowland, Manager, Governmental & Public Affairs

Mr. Jamie Shallenberger, Manager, Monitoring & Protection

Mr. Mike Appleby, Supervisor, Groundwater

Mr. Chris Southard, Compliance Specialist

Mr. Trent Knapp, Compliance Specialist

Also Present

Mr. Hank Gruber, USACE, NAD
Mr. James Campbell, USGS, Pennsylvania

Ms. Heather Cisar, USACE, Balt. Dist.
Ms. Rhonda Manning, PADEP

1. Opening Remarks from the Chair

Chairwoman Heffner opened the meeting and provided an opening statement outlining the rules of conduct for the meeting. She noted that a public hearing was previously held on August 6, 2015. The Commissioners introduced themselves and gave information regarding their respective duties in the agencies they represent.

2. Overview of Watershed Related Research and Outreach Activities at Binghamton University

Dr. Joseph Graney, Associate Director for Binghamton University's Center for Integrated Watershed Studies, provided an informational presentation focused on work in urban watersheds in the Upper Susquehanna subbasin.

3. Minutes of June 4, 2015, Commission Meeting

On a motion by Commissioner Lynch, seconded by Commissioner Chamberlayne, the minutes of the regular business meeting of June 4, 2015, were unanimously approved as written.

4. Correction of Delegation Authority

General Counsel Jason Oyler presented a resolution (Exhibit A) that identifies needed revisions to Policy 2013-11, for the purpose of correcting mistakes and typographical errors.

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

5. Proposed Rulemaking

Mr. Oyler presented a rulemaking proposal, which would amend the Commission regulations to address shortcomings in the rules for transfer of approvals, create a category for minor modifications, establish a procedure for issuing General Permits, and address other minor enhancements.

On a motion by Commissioner Chamberlayne, seconded by Commissioner Kearney, the Commission unanimously agreed to authorize staff to publish the proposed rulemaking in the member jurisdiction notice publications, schedule a public hearing, and set a comment period.

6. Comprehensive Plan Amendments

John Balay, Manager of Planning & Operations, presented a resolution (Exhibit B) to the Commission for consideration approving amendments to its *Comprehensive Plan for the Water Resources of the Susquehanna River Basin*. The proposed amendments include the Water

Resources Program (FY 2016-17) (considered at the June 4, 2015 meeting), as well as all water resources projects approved by the Commission since the last amendments to the Comprehensive Plan.

On a motion by Commissioner Lynch, seconded by Commissioner Kearney, the resolution was unanimously adopted. (Exhibit B)

7. Grants

Director of Administration and Finance Marcia Hutchinson presented the following requests:

a. Grant Ratification – Chesapeake Bay Program (Pennsylvania Department of Environmental Protection (PADEP))

A request that the Commission ratify the signing of this grant agreement. Under this grant, staff will continue to assist the PADEP in its Total Maximum Daily Load (TMDL) program and the Sediment and Nutrient Assessment component of its Chesapeake Bay Watershed program. Under this agreement, PADEP will provide \$877,387.

b. Grant Amendment Ratification – Public Water System Assistance Initiative Project (PADEP)

A request that the Commission ratify the signing of this grant amendment. Under this grant, staff is providing both general and focused education and system-specific guidance to small public water systems that meet eligibility requirements, lack financial and technical capabilities, and are subject to Commission groundwater withdrawal regulations. This amendment expands the services that staff will provide to include time spent conducting aquifer test plan reviews and evaluation of test data for groundwater withdrawal applications for qualifying small municipal public water systems. PADEP will provide \$80,000.

c. Water Quality Protection and Pollution Prevention (U.S. Environmental Protection Agency (USEPA))

A request that the Commission approve the signing of this grant. Under the grant, staff will continue to establish and maintain adequate measures for the prevention and control of surface water pollution and implement USEPA approved Clean Water Act Section 106 program activities. USEPA will provide \$608,000 and SRBC will provide \$47,847 for a total of \$655,847 to complete this project.

d. Chiques Creek Watershed Grant (PADEP)

A request that the Commission approve the signing of this grant. Under the grant, staff will analyze critical reaches of the Chiques Creek Watershed heavily impacted by nonpoint/point source stormwater runoff and legacy sediment. Staff will make recommendations for implementing riparian corridor restoration and floodplain reconnection and will also consider green infrastructure techniques consistent with Pennsylvania's runoff reduction strategy under its MS4 Program. PADEP will provide \$140,000 for the completion of this project.

On a motion by Commissioner Kearney, seconded by Commissioner Chamberlayne, the grant agreements and amendment were unanimously adopted.

8. Regulatory Program Actions

a. Compliance Actions

Regulatory Counsel Jason Oyler presented the following compliance action recommendations for the Commission's consideration:

Staff is recommending that the Commission accept the following settlement offer:

Downs Racing L.P.: \$25,000

b. Report on Delegated Settlements

Mr. Oyler reported on five delegated settlements staff completed over the previous quarter.

A settlement with **Aqua Pennsylvania, Inc.—SCI Waymart** (“Aqua”):

- These violations were determined by examining the quarterly reporting data provided to staff by the Project Sponsor in accordance with their Docket conditions.
- Aqua was issued Docket No. 20030805 for groundwater withdrawals that supply water to two prisons, SCI-Waymart and the Federal Prison at Canaan. This water is also a diversion as the prisons are located in the Delaware River Basin.
- Beginning in the fourth quarter of 2013, Aqua has been routinely exceeding the approved quantity of water from Wells 1 and 2 that serve the prisons. From October 1, 2013, to June 30, 2015, Aqua accrued 323 violation days for exceedance from these two wells.
- Aqua provided a response to the NOVs noting that they have little control over the amount of water that the prisons use and that there are constraints in what they can do from a public safety perspective. Noting that Aqua is working to develop another source (Well 6 in the Delaware River Basin), the COA sets enforceable dates for the development of this new source.
- The Commission has not documented any environmental harm from these violations because the exceedances are typically not large. However, exceedances of water withdrawal limits carry a greater potential for causing environmental harm.
- Aqua does not have any previous enforcement actions with the Commission to date.
- The settlement is for \$6,000.
- In addition, as a part of the COA, Aqua has applied for an emergency certificate to cover any potential exceedances that may occur while Aqua is developing Well 6. The emergency certificate was issued by the Executive Director on August 13 with appropriate conditions.

A settlement with **Conyngham Borough Authority** (Authority):

- The Commission approved a docket in 2007 (No. 20070301) for Wells 1, 2, 3 and 7. As a part of that Docket, a condition was included requiring the Authority to also make an application for Wells 5 and 6 within 180 days of the effective date of the Docket.
- The Authority did not submit applications for these wells and consequently has been in violation of Docket Condition 14.
- The continued use of Wells 5 and 6 absent approval was noted at a January 2015 compliance inspection and an NOV was issued.
- The Authority provided applications by June 30, 2015. The Commission and the Authority have entered a Consent Order and Agreement that allows the Authority to continue to utilize both Wells 5 and 6 at their current operational levels until the Commission acts on these applications.
- The Authority has no prior compliance and enforcement issues with the Commission.
- The settlement is for \$5,000.

A settlement with **Keister Miller Investments, LLC** (“KMI”):

- KMI operated a surface water withdrawal on the West Branch of the Susquehanna River that serves natural gas clients under Docket No. 20100605. KMI’s docket expired on June 10, 2014, because they failed to submit a timely renewal application.
- SRBC was copied on a denial of a water management plan to KMI by PADEP in February of this year. The denial was based on the fact that KMI failed to obtain a Chapter 105 Water Obstruction and Encroachment permit from PADEP for its intake structure.
- Accordingly, KMI’s withdrawals under Docket No. 20100605 were in violation of Decision Item 16 of its Docket which required all federal, state and local permits to be obtained prior to initiating its withdrawal.
- This is considered an administrative type violation.
- The settlement is for \$2,000.

A settlement with **Susquehanna Gas Field Services, LLC** (“SGFS”):

- During a compliance audit of withdrawal records under SGFS’ two dockets, compliance staff documented 33 days where SGFS failed to maintain continuous and accurate daily records of their withdrawal.
- This is considered an administrative type violation with low risk of environmental harm.
- SGFS does have one prior NOV and settlement for passby violations in 2013.
- The settlement is for \$2,500.

A settlement with **Wynding Brook, Inc. d/b/a Wynding Brook Golf Club** (“Wynding Brook”):

- During a compliance inspection in 2013, compliance staff documented violations of Wynding Brooks’ docket, including an inoperable passby device.
- Wynding Brook did not respond to the subsequently issued NOV and communication from the Commission.

- On April 29, 2015, the Executive Director issued a Cease and Desist Order to Wynding Brook until they resolved their outstanding compliance issues.
- Wynding Brook responded to the Cease and Desist Order and they have resolved their outstanding violations.
- Wynding Brook has no prior compliance and enforcement issues with the Commission.
- The settlement is for \$5,000. The settlement allows Wynding Brook to pay in installments. Wynding Brook paid \$1,500 upon execution of the settlement and is due to pay the remainder by September 11, 2015.

c. Request for Conditional Transfer: Panda Power Funds

Todd Eaby, Manager of Project Review, reported that staff recommended that the Commission conditionally transfer ownership of Hummel Station LLC (Docket Nos. 20081222 and 20081222-2) to Panda Power Funds. Transferred dockets will include modification of conditions requiring mitigation of all consumptively used water. Specific recommendations included:

- Consider the application for transfer as meeting the application requirements under 18 CFR § 806.6(c)(3) due to the recent review and modification approved on September 4, 2014.
- Take action on application for request to transfer by conditionally transferring Docket No. 20081222 to Panda Power Funds under 18 CFR § 806.6(c)(3).
- Recommended conditions of transfer:
 - Due to the change in ownership, no longer consider the pre-Compact consumptive use quantity of 4.901 mgd to be grandfathered and require mitigation for the full quantity of consumptively used water
 - Continue satisfaction of Commission’s mitigation requirements for consumptive water use set forth in 18 CFR § 806.22 by quarterly payments to the Commission

d. Emergency Certificates

Aqua Pennsylvania, Inc.: Staff recommended that the Commission extend the term of the August 11, 2015, emergency certificate. All of the terms and conditions of the emergency certificate shall remain in full force and effect. This extension shall be effective immediately and remain in effect until September 1, 2016 or terminated by the Executive Director in accordance with 18 CFR § 806.34(e). (Exhibit C)

Furman Foods, Inc.: Staff recommended that the Commission extend the term of the August 10, 2015, emergency certificate. All of the terms and conditions of the emergency certificate shall remain in full force and effect. This extension shall be effective immediately and remain in effect until December 3, 2015, unless terminated earlier by the Executive Director in accordance with 18 CFR § 806.34(e). (Exhibit D)

e. 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. Caernarvon Township Authority, Caernarvon Township, Berks County, Pa. (Exhibit E1)
 - 2-3. Chetremon Golf Course, LLC, Burnside Township, Clearfield County, Pa. (Exhibit E2)
 - 4. Chief Oil & Gas LLC (Loyalsock Creek), Forksville Borough, Sullivan County, Pa. (Exhibit E3)
 - 5-7. Furman Foods, Inc., Point Township, Northumberland County, Pa.
 - 8-13. JELD-WEN, inc. Fiber Division - PA, Wysox Township, Bradford County, Pa. (Exhibit E4)
 - 14. Keister Miller Investments, LLC (West Branch Susquehanna River), Mahaffey Borough, Clearfield County, Pa. (Exhibit E5)
 - 15. Lycoming County Water and Sewer Authority, Fairfield Township, Lycoming County, Pa. (Exhibit E6)
 - 16-17. Moxie Freedom LLC, Salem Township, Luzerne County, Pa. (Exhibit E7)
 - 18-21. Pennsylvania Department of Environmental Protection, Bureau of Conservation and Restoration. Project Facility: Cresson Mine Drainage Treatment Plant, Cresson Borough, Cambria County, Pa.
 - 22. Seneca Resources Corporation (Marsh Creek), Delmar Township, Tioga County, Pa. (Exhibit E8)
 - 23.-24. Shrewsbury Borough, York County, Pa. (Exhibit E9)
 - 25. SWN Production Company, LLC (Tioga River), Hamilton Township, Tioga County, Pa.
 - 26. Talisman Energy USA Inc. (Wappasening Creek), Windham Township, Bradford County, Pa. (Exhibit E10)
 - 27. UGI Development Company. Project Facility: Hunlock Creek Energy Center, Hunlock Township, Luzerne County, Pa. (Exhibit E11)
 - 28. XTO Energy, Inc. (West Branch Susquehanna River), Chapman Township, Clinton County, Pa. (Exhibit E12)
- Highlight = Staff recommending tabling.

All projects on the above list were recommended for approval with the exception of Nos. 5, 6, 7, 18, 19, 20, 21, and 25, which were recommended for tabling.

Commissioner Chamberlayne moved that the Commission adopt the recommendations of staff for the 28 project applications, accept the settlement with Downs Racing, approve the docket transfer to Panda Power Funds, and approve extension of the two emergency certificates. The motion was seconded by Commissioner Kearney and unanimously adopted by the Commission.

9. Adjournment

Chairwoman Heffner adjourned the meeting at 10:16 a.m. with no objection by the Commissioners.

12/4/2015
Date Adopted


Stephanie L. Richardson

RESOLUTION NO. 2015-06

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") delegating authority to the Executive Director to take certain administrative actions on behalf of the Commission.

WHEREAS, under Section 15.1(b)(4) of the Susquehanna River Basin Compact, Pub. L. 91-575; 84 Stat. 1509 et seq., the commissioners shall "appoint the principal officers of the Commission and delegate to and allocate among them administrative functions, powers, and duties;" and

WHEREAS, Section 15.5 of the said compact provides for the appointment of an Executive Director by the Commission; and

WHEREAS, Section 3-2 of the Commission's By-Laws sets forth the duties of the Executive Director as the chief executive officer of the Commission; and

WHEREAS, the Executive Director, under the said By-Laws, is primarily responsible for the "effectuation and enforcement of all policies and resolutions adopted by the Commission;" and

WHEREAS, the Commission, through the enactment of Resolution 2013-11, determined that, to improve the efficiency and timeliness of certain administrative actions relating to the implementation of the project review regulations (18 CFR Part 806), authority should be delegated to the Executive Director to take such actions on behalf of the Commission; and

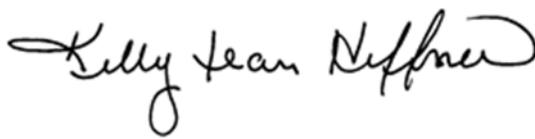
WHEREAS, the Exhibit A attached to Resolution 2013-11 contained errors that the Commission desires to correct.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby supersedes and replaces Exhibit A to Resolution 2013-11 with Exhibit A-1, which is attached hereto and made a part of this resolution. All other aspects of the delegation authorized under Resolution 2013-11 remain in effect and are unchanged by this Resolution.

2. This resolution shall be effective immediately.

Dated: September 10, 2015

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Resolution No. 2015-06
Exhibit A-1
(Replaces Exhibit A to Resolution 2013-11)

18 CFR Part 806 – Review and Approval of Projects

ADMINISTRATIVE AUTHORIZATIONS

*Delegation of Authority to the Executive Director to Take Certain
Administrative Actions on Behalf of the Commission*

The following authorizations are delegated to the Executive Director as per the foregoing resolution:

- **§ 806.4** – Authorization to modify any of the following conditions of a project approval previously issued under this section:
 - Monitoring, metering or reporting requirements established pursuant to § 806.30.
 - Deadlines associated with the development or implementation of plans or designs associated with metering, monitoring, reporting, mitigation or water resource development conditions or requirements.
 - To make corrective modifications to address errors or omissions in the approval.
- **§ 806.8** – Authorization to waive the following requirements, subject to advance notification to the host member jurisdiction:
 - Constant-rate aquifer testing requirements of § 806.12, provided such waiver is consistent with the provisions of Policy No. 2007-1, the Commission’s Aquifer Testing Guidance.
 - Specific notice requirements of § 806.15, provided the essential purposes of providing notice and an opportunity to be heard are met.
- **§ 806.8** – Authorization to deny, subject to advance notification to the host member jurisdiction, a request to waive the constant-rate aquifer testing requirements of § 806.12, where such request is inconsistent with the provisions of Policy No. 2007-1, the Commission’s Aquifer Testing Guidance.
- **§ 806.16** – Authorization to make determinations concerning the completeness of applications pending before the Commission for review, including the authority to

terminate review pursuant to § 806.16(c) where the applicant fails to respond to Commission requests for additional information or fails to tender the appropriate application fee.

- **§ 806.21** – Authorization to take the following actions:
 - Suspend review of an application, at the request of the applicant or the host member jurisdiction, provided such suspension serves the best interests of the Commission.

- **§ 806.21** – Authorization to take the following actions, subject to advance notification to the host member jurisdiction:
 - Pursuant to § 806.21(c)(1), suspend or terminate review of an application where another governmental agency with lawful jurisdiction over the project has issued a denial.
 - Pursuant to § 806.21(c)(2), modify, suspend or revoke an approval if the project sponsor fails to obtain or maintain the approval of a member jurisdiction or political subdivision thereof having lawful jurisdiction over the project.

- **§ 806.31** – Authorization to take the following actions, subject to advance notification to the host member jurisdiction:
 - Pursuant to § 806.31(b), grant extensions not to exceed two years, to the expiration for failure to commence operations within three years rule, where the delay was caused by circumstances beyond the control of the project sponsor and there is a likelihood of project implementation within the timeframe of the extension.
 - Pursuant to § 806.31 (d), rescind an approval where abandonment can be inferred from evidence of non-use and under such circumstances that support such a determination.
 - Pursuant to § 806.31(d), rescind an approval at the request of the project sponsor.

RESOLUTION NO. 2015-07

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 2016-2017) and all water resources projects approved by the Commission from June 2014 through June 2015.

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, an updated Water Resources Program (FY 2016-2017) was adopted by Resolution 2015-03 on June 4, 2015; 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 August 6, 2015, regarding the proposed 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 August 17, 2015.

NOW THEREFORE BE IT RESOLVED THAT:

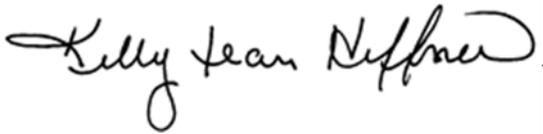
1. The Commission hereby incorporates the Water Resources Program (FY 2016-2017) into the Comprehensive Plan.

2. The Commission further incorporates all water resources projects approved by the Commission from July 2014 through June 2015 into the Comprehensive Plan.

3. Staff is directed to file copies of these 2015 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).

4. This resolution shall be effective immediately.

Dated: September 10, 2015



RESOLUTION NO. 2015-08

A RESOLUTION of the Susquehanna River Basin Commission (Commission) providing an extension of an emergency certificate issued to Aqua Pennsylvania, Inc. (Aqua).

WHEREAS, on August 11, 2015, and in accordance with 18 CFR § 806.34, the Executive Director issued an emergency certificate to Aqua to increase the 30-day average withdrawals from Well 1 from the approved quantity of 0.136 mgd to 0.150 mgd, and Well 2 from 0.259 mgd to 0.285 mgd; and

WHEREAS, this increase was requested due to increased water demands from the State Correctional Institution and Federal Bureau of Prisons facilities located in Canaan Township, Wayne County, Pennsylvania, both of which are served by Wells 1 and 2; and

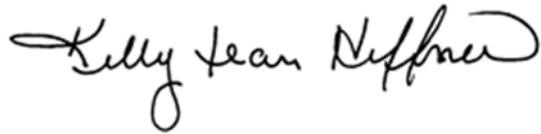
WHEREAS, Aqua is developing a new water source to provide additional capacity to serve these facilities pursuant to a Consent Order and Agreement with the Commission; and

WHEREAS, the emergency condition will persist until the new source is developed and initiated.

NOW THEREFORE BE IT RESOLVED THAT:

1. Pursuant to 18 CFR § 806(d)(1), the Commission hereby extends the term of the August 11, 2015, emergency certificate.
2. All of the terms and conditions of the emergency certificate shall remain in full force and effect.
3. This extension shall be effective immediately and remain in effect until September 1, 2016, unless terminated earlier by the Executive Director in accordance with 18 CFR § 806.34(e).

Dated: September 10, 2015

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RESOLUTION NO. 2015-09

A RESOLUTION of the Susquehanna River Basin Commission (Commission) providing an extension of an emergency certificate issued to Furman Foods, Inc. (Furman).

WHEREAS, on August 10, 2015, and in accordance with 18 CFR § 806.34, the Executive Director issued an emergency certificate to Furman to allow the withdrawal of groundwater from wells developed by Viking Energy of Northumberland, LLC under Docket No. 20120621 adjacent to Furman's facility located in Point Township, Northumberland County, Pennsylvania; and

WHEREAS, this supply and withdrawal from adjacent facility wells was requested due to the unexpected development of water quality issues with Furman's Well 1 and declining yields from Wells 4 and 7; and

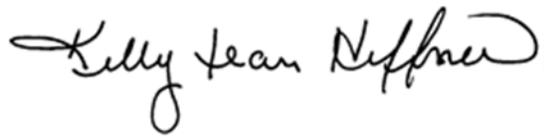
WHEREAS, Furman requires the water for the peak tomato canning season; and

WHEREAS, the emergency condition will persist past September 10, 2015.

NOW THEREFORE BE IT RESOLVED THAT:

1. Pursuant to 18 CFR § 806(d)(1), the Commission hereby extends the term of the August 10, 2015, emergency certificate.
2. All of the terms and conditions of the emergency certificate shall remain in full force and effect.
3. This extension shall be effective immediately and remain in effect until December 3, 2015, unless terminated earlier by the Executive Director in accordance with 18 CFR § 806.34(e).

Dated: September 10, 2015

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SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20150901

Approval Date: September 10, 2015

CAERNARVON TOWNSHIP AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.673 mgd from Well 7,
and Total System Withdrawal Limit (30-Day Average) of 0.673 mgd**

Section 1. Approval

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

The Caernarvon Township Authority's (Authority's) public water supply system currently includes five groundwater withdrawals of up to 0.565 million gallons per day (mgd) from Wells 1, 4, 5, 6, and 8, two of which have Commission approval (Wells 6 and 8), and the remaining three wells are pre-regulation sources (Wells 1, 4, and 5) that were initiated prior to applicable groundwater regulations. The Authority will abandon the three pre-regulation sources upon initiation of withdrawal from Well 7, after which the Authority's water system will include three approved sources (Wells 6, 7, and 8) that are herein referred to as the "Total System." Based on the information provided by the Authority, no other sources are used by the project.

In consideration of the 15-year projected demand, Commission staff recommends that a total system limit on all sources be established and that the requested 30-day average withdrawal from Well 7 be reduced to 0.673 mgd, consistent with the recommended total system limit.

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.

Approved Withdrawal Quantities and Limitations	
30-Day Average Withdrawal (mgd):	0.673
Maximum Instantaneous Withdrawal Rate (gpm):	530 (Not to Exceed)
Total System Withdrawal Limit (30-Day Average) (mgd):	0.673

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

Section 6. Existing Approved Withdrawals

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

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 6	0.080	20130302	March 20, 2028
Well 8	0.720	19940902	September 27, 2024

Section 7. Grandfathering Determination – Withdrawals

The project initiated groundwater withdrawals prior to July 13, 1978, from Wells 1, 4, and 5. In accordance with Commission Regulation 18 CFR §806.4, the addition of a new source requires Commission review and approval of all unapproved sources for continued use. The project sponsor has indicated that it intends to abandon Wells 1, 4, and 5 after withdrawals from Well 7 are initiated. If future use of Wells 1, 4, and 5 is intended, the project sponsor will be required to submit applications for review and obtain prior Commission approval for use of these sources.

Section 8. Standard Conditions

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

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with 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 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 flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and to 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 reviewed and approved by Commission staff for the sources listed in Sections 3 and 6. The project sponsor shall notify the Commission, in writing, and submit photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. 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 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. 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.

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

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

10. The project sponsor shall register with the appropriate agency all 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 Part 808.

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

13. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to 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 is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

17. The project sponsor is required to apply for and obtain approval prior to any increase in the total system withdrawal that would exceed the approved total system withdrawal limits listed herein.

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.

Section 9. Special Conditions

19. The project sponsor shall cease all withdrawals from Wells 1, 4, and 5 following receipt of an operations permit for Well 7 from PADEP and upon initiation of withdrawal from Well 7. The project sponsor is required to apply for and obtain Commission approval prior to any subsequent withdrawal from Wells 1, 4, and 5 after withdrawals from Well 7 are initiated.

20. The project sponsor shall comply with the water conservation requirements and reduce system water losses to less than twenty (20) percent to comply with Commission Regulation 18 CFR §806.25(a)(1). The project sponsor shall reduce system losses and achieve

compliance with the water conservation requirements within five (5) years of the effective date of this docket approval (September 10, 2020) unless the Commission grants an extension of time due to extenuating circumstances described, in writing, by the project sponsor. The project sponsor shall report to the Commission annually on the progress made pursuant to this requirement. Annual reports are due within sixty (60) days after the close of the preceding year.

21. 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 records, and shall report the same to the Commission upon request, of all persons supplied water from the project that maintain a permanent connection to the public water supply system. The project sponsor shall also keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project that do not maintain a permanent connection to the public water supply system for uses other than hydrocarbon development, including daily quantities supplied.

Section 10. Term

23. 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.

24. This approval is effective until September 9, 2030. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 9, 2030, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 10, 2015.

Dated: September 11, 2015


STEPHANIE L. RICHARDSON



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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

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Docket No. 20150902

Approval Date: September 10, 2015

CHETREMON GOLF COURSE, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.200 mgd
from Storage Pond on Unnamed Tributary to West Branch Susquehanna River,
and Consumptive Water Use (Peak Day) of up to 0.200 mgd from Storage Pond
on Unnamed Tributary to West Branch 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 and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

The Commission originally approved the project on June 12, 2002, to consumptively use up to 0.200 million gallons per day (mgd) from the irrigation pond. The project was purchased by Chetremom Golf Course, LLC from Chetremom Golf Course, Inc. on August 20, 2014, and the approval was conditionally transferred on October 6, 2014.

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

Section 2. Project Information

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

Project Information	
Project Sponsor:	Chetremom Golf Course, LLC
Approval Types:	Surface Water Withdrawal and Consumptive Water Use
Authorized Water Use Purpose:	Golf Course Irrigation
Municipality:	Burnside Township
County:	Clearfield County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Storage Pond on Unnamed Tributary to West Branch Susquehanna River
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020104 (Upper West Branch Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 40.756824 N Long: 78.785264 W
Site Flow Statistics (cfs):	Q7-10 = 6.4; Average Daily Flow = 127
Impairment:	Abandoned Mine Drainage
Drainage Area (square miles):	71.8
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.200 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	375 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01541000; West Branch Susquehanna River at Bower, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	--	--
February	--	--
March	--	--
April	--	--
May	--	--

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
June	26	118
July	17	78
August	13	62
September	11	52
October	12	56
November	23	102
December	41	183
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		-- – No special flow protection required * Flow Protection Threshold

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

Section 5. Approved Consumptive Water Use Quantities and Limitations

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

Approved Consumptive Water Use Quantities and Limitations	
Source for Project Consumptive Water Use:	Storage Pond on Unnamed Tributary to West Branch Susquehanna River
Peak Day Consumptive Water Use Amount (mgd):	0.200 (Not to Exceed)
Project Consumptive Water Uses:	1. Golf Course Irrigation 2. Related Incidental Uses
Consumptive Water Use Mitigation Type:	Payment of consumptive use mitigation fee

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

Section 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 reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with 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 install and 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 flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and consumptive water uses, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

6. The project sponsor shall keep daily records of the project's consumptive water use and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approval by Commission staff.

7. The project's consumptive water use is subject to mitigation requirements, as per Commission Regulation 18 CFR §806.22(b). To satisfy the Commission's current mitigation requirements for consumptive water use, the project sponsor shall make quarterly payments to the Commission at the rate specified in the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission. Payments shall be made quarterly and shall be calculated by applying this rate to the total amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within thirty (30) days after the close of the preceding quarter. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

8. 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.

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

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 Part 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 may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

14. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to 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.

18. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal or consumptive use that would exceed the amounts listed herein.

Section 7. Special Conditions

19. 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.

20. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, 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 appropriate, approval.

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

22. The project sponsor shall 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.

23. Within ninety (90) days from the date of this approval, the project sponsor shall certify the accuracy of the meter and confirm the installation of the meter as per manufacturer's recommendations and specifications (including required upstream and downstream straight pipe length) in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit photographs of the meter(s) when installed and certify the accuracy of the measuring device(s) to within five (5) percent of actual flow. Withdrawals or consumptive use shall not resume until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

24. The project sponsor shall maintain the intake consistent with the issued general or individual permits from the jurisdictional permitting agency. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s). In the event the water level in the storage pond is sufficiently lowered, either naturally or intentionally, the project sponsor shall have an inspection of the intake facility completed and an as-built drawing prepared. The findings of the inspection and a copy of the as-built drawing shall be submitted to the Commission.

Section 8. Term

25. This approval shall be effective October 1, 2015, and shall remain effective until September 30, 2030. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 31, 2030, 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.

26. The conditionally transferred Commission Docket No. 20020609 shall remain effective through September 30, 2015, whereupon it shall be rescinded.

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 September 10, 2015.

Dated: September 11, 2015



Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20150903

Approval Date: September 10, 2015

CHIEF OIL & GAS LLC

**Surface Water Withdrawal (Peak Day), Variable,
of up to 1.500 mgd from Loyalsock 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 and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

The project sponsor requested a peak day withdrawal quantity of 2.000 million gallons per day (mgd). The project sponsor cannot feasibly withdraw, store, and move off-site the full requested quantity due to the known peak day volume limitations of hauling by truck. Commission staff recommended that the approved peak day withdrawal rate be reduced to 1.500 mgd. Considering site-specific conditions at the intake location, passby flows were recommended to be more protective. This approval incorporates those recommendations.

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

Section 2. Project Information

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

Project Information	
Project Sponsor:	Chief Oil & Gas LLC
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Forksville Borough
County:	Sullivan County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Loyalsock Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020604 (Little Loyalsock Creek)
Water Use Designation:	Exceptional Value (EV)
Withdrawal Location (degrees):	Lat: 41.493349 N Long: 76.607603 W
Site Flow Statistics (cfs):	Q7-10 = 9.8; Average Daily Flow = 344
Drainage Area (square miles):	215
Aquatic Resource Class*:	4
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations				
Peak Day Withdrawal Amount (mgd):	Not to Exceed Values Contained in the “Withdrawal and Passby Schedule,” When Available			
Maximum Instantaneous Withdrawal Rate (gpm):	Not to Exceed Values Contained in the “Withdrawal and Passby Schedule,” When Available			
Flow Protection Type:	Seasonal passby expressed as monthly values			
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01552000; Loyalsock Creek at Loyalsockville, Pennsylvania			
Withdrawal and Passby Schedule:				
<i>Month</i>	<i>Peak Day Withdrawal (mgd)</i>	<i>Maximum Instantaneous Withdrawal (gpm)</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	1.500	1,390	113	232
February	1.500	1,390	74	151
March	1.500	1,390	70	143
April	1.500	1,390	132	269

Approved Withdrawal Quantities and Limitations (continued)				
Withdrawal and Passby Schedule:				
<i>Month</i>	<i>Peak Day Withdrawal (mgd)</i>	<i>Maximum Instantaneous Withdrawal (gpm)</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
May	1.500	1,390	78	159
June	1.500	1,390	77	158
July	0.980	680	37	77
August	0.690	480	25	53
September	0.620	430	23	49
October	0.910	630	36	75
November	1.500	1,390	115	234
December	1.500	1,390	149	304
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm) * Flow Protection Threshold				

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, if appropriate, 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 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 flow and volume 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 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 a revised intake design for review and, if appropriate, approval by Commission staff prior to permit issuance by the permitting agency. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, 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 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. Prior to initiation of the withdrawal, 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), 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 photographs as proof of sign installation prior to initiation of the withdrawal.

8. 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.

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

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 Part 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 may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

14. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to 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 is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

18. 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 is equal to or exceeds such flow protection threshold.

19. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, 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 appropriate, approval.

20. The project sponsor shall adhere to recommendations for avoiding adverse impact to the Pennsylvania Natural Heritage Program-listed Pennsylvania Amphibian Species of Concern, Eastern hellbender (*Cryptobranchus alleganiensis*). To avoid adverse impact to the species, installation of the intake shall not occur from August 1 through November 30 to avoid the breeding and egg incubation periods of the Eastern hellbender.

21. Prior to supplying water for use in hydrocarbon development by any other operator, the project sponsor shall first submit a request for authorization to the Executive Director. The project sponsor shall not supply water to other operators unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval. Any persons approved for use of the water described above shall properly register this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

22. In accordance with Special Condition 21, the project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all Commission-approved 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 Commission-approved 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.

Section 7. Term

25. 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.

26. This approval is effective until September 9, 2019. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 9, 2019, the project sponsor may continue operation of this project pursuant to the terms

and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 10, 2015.

Dated: September 11, 2015



Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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www.srbc.net

Docket No. 20150904

Approval Date: September 10, 2015

JELD-WEN, INC. FIBER DIVISION – PA

Groundwater Withdrawals (30-Day Averages) of 0.252 mgd from Wells 1 and 4 (Combined) (Wellfield 1-4), 0.323 mgd from Wells 5 and 6 (Combined) (Wellfield 5-6), and 0.345 mgd from Well 7; Total System Withdrawal Limit (30-Day Average) of 0.507 mgd; and Consumptive Water Use of up to 0.499 mgd (30-Day Average) from Wells 1, 4, 5, 6, and 7 and Collected Stormwater

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 and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

In 1980, CraftMaster Manufacturing, Inc. (CraftMaster, formerly known as Masonite Corporation) was approved to withdraw and consumptively use water up to 0.720 million gallons per day (mgd) from Well 7 by Commission Docket No. 19801105 (Docket), which expired on November 13, 2010. Water is used at the facility for the manufacturing of high-density fiberboard. CraftMaster consumptively used and withdrew water from five wells (Wells 1, 2, 4, 5, and 6) prior to the effective dates of the Commission's consumptive use and groundwater withdrawal regulations. On December 29, 2013, ownership of the facility was transferred to JELD-WEN, inc. Fiber Division – PA (JWI). In accordance with Commission Regulations 18 CFR §§806.4(a)(1)(iv) and 806.4(a)(2)(v), the change of ownership from CraftMaster to JWI subjects all withdrawals and consumptive use to Commission review. JWI submitted applications for consumptive use of water, withdrawal from six groundwater wells, and requested waivers of the Commission's aquifer testing requirements. JWI subsequently withdrew the groundwater withdrawal application for Well 2, which will no longer be used as a source. The total system is comprised of Wells 1, 4, 5, 6, and 7. Wellfield 1-4 consists of Wells 1 and 4 and Wellfield 5-6 consists of Wells 5 and 6.

Commission staff recommends that the requested consumptive use and groundwater withdrawals from Wellfield 1-4, Wellfield 5-6, and Well 7 be approved and that a total system limit be established. The total system limit recommended by Commission staff is the 15-year

projected demand provided in the application. This approval incorporates those recommendations.

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

Section 2. Project Information

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

Project Information	
Project Sponsor:	JELD-WEN, inc. Fiber Division – PA
Approval Types:	Groundwater Withdrawal and Consumptive Water Use
Authorized Water Use Purpose:	High-Density Wood Fiberboard Manufacturing (Production, Cooling, Steam Generation), Evapo-transpiration of Wastewater, Related Process Uses and Disposal, Potable Use
Municipality:	Wysox Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

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

Source Information			
Withdrawal Type:	Groundwater		
Approved Sources:	Wells 1, 4, 5, 6, and 7		
Subbasin:	Middle Susquehanna		
Watershed Boundary Dataset (WBD):	0205010605 (Upper Susquehanna River)		
Withdrawal Location (degrees):	Well 1	Lat: 41.765012 N	Long: 76.414972 W
	Well 4	Lat: 41.763781 N	Long: 76.414942 W
	Well 5	Lat: 41.753640 N	Long: 76.411061 W
	Well 6	Lat: 41.753558 N	Long: 76.411556 W
	Well 7	Lat: 41.757692 N	Long: 76.406323 W
Special Flow Protection Required:	No		

Section 4. Aquifer Testing

The project sponsor has requested that the Commission consider a wellfield designation for Wells 1 and 4 (Wellfield 1-4) and for Wells 5 and 6 (Wellfield 5-6) due to their proximity

and similar hydrogeologic settings. Because Wells 1 and 4 and Wells 5 and 6 are proximal and their hydrogeological settings are similar, staff finds that the requested wellfield designations are appropriate.

The project sponsor requested that the constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals be waived for Wellfield 1-4, Wellfield 5-6, and Well 7. In support of the request, the project sponsor submitted operational withdrawal data for Wellfield 1-4, Wellfield 5-6, and Well 7, and historical aquifer testing data for Well 7. The requested 30-day average withdrawals for Wellfield 1-4, Wellfield 5-6, and Well 7 are supported by historical 30-day average use from each wellfield or well.

Historical water level data was not provided for Wellfield 5-6 to support the requested withdrawal. Given the hydrogeologic setting, historic withdrawals, and data provided for Well 7, impact to other users is not expected as a result of operating Wellfield 5-6 at the approved rate. However, to confirm expected aquifer response, staff recommends requiring that a monitoring program be implemented as provided in Special Condition 23.

Commission staff finds that the withdrawals from Wellfield 1-4, Wellfield 5-6, and Well 7 at the requested withdrawal rates should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions of this approval. Therefore, the aquifer testing requirements for Wellfield 1-4, Wellfield 5-6, and Well 7, 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				
Source	30-Day Average Withdrawal (mgd)	Maximum Instantaneous Withdrawal Rate (gpm) (not to exceed)	Wellfield Withdrawal Limit (30-day average) (mgd)	Total System Withdrawal Limit (30-day average) (mgd)
Well 1	0.252	272	0.252	0.507 (all groundwater sources)
Well 4	0.252	(Wellfield 1-4)	(Wellfield 1-4)	
Well 5	0.323	479	0.323	
Well 6	0.323	(Wellfield 5-6)	(Wellfield 5-6)	
Well 7	0.345	350	Not Applicable	

gpm – gallons per minute

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

Section 6. Approved Consumptive Water Use Quantities and Limitations

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

Approved Consumptive Water Use Quantities and Limitations	
Sources for Project Consumptive Water Use:	1. Wells 1, 4, 5, 6, and 7 2. Stormwater
Consumptive Water Use Amount (30-day average) (mgd):	0.499
Project Consumptive Water Uses:	1. High-density wood fiberboard manufacturing 2. Heating and cooling 3. Potable uses 4. Evapotranspiration of wastewater via on-site treatment and disposal system
Consumptive Water Use Mitigation Type:	Payment of consumptive use mitigation fee

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

Section 7. Existing Approved Withdrawals

The project does not have existing approved withdrawals.

Section 8. Grandfathering Determination – Withdrawals and Consumptive Water Use

The project did not utilize surface water withdrawals prior to November 11, 1995.

The project used five wells (Wells 1, 2, 4, 5, and 6) prior to July 13, 1978, and consumptively used water prior to January 23, 1971. In accordance with Commission Regulations 18 CFR §§806.4(a)(1)(iv) and 806.4(a)(2)(v), the change of ownership from CraftMaster to JWI subjects the pre-regulation withdrawals and consumptive use to Commission review and approval. Therefore, there are no longer any grandfathered withdrawals or consumptive uses.

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 reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with 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 withdrawals in accordance with Commission Regulation 18 CFR §806.30.

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

5. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the sources listed in Section 3. The project sponsor shall notify the Commission, in writing, and submit photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. 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 shall keep daily records of the project's withdrawals and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. The project sponsor shall keep daily records of the project's consumptive water use and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted 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, approval by Commission staff. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

8. The project's consumptive water use is subject to mitigation requirements, as per Commission Regulation 18 CFR §806.22(b). To satisfy the Commission's current mitigation requirements for consumptive water use, the project sponsor shall make quarterly payments to the Commission at the rate specified in the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission. Payments shall be made quarterly and shall be calculated by applying this rate to the total amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within thirty (30) days after the close of the preceding quarter. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

9. 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.

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

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

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

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

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

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

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

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

18. 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.

19. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal or consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Sections 3 or 6.

20. The project sponsor is required to apply for and obtain approval prior to any increase in the total system withdrawal that would exceed the approved total system withdrawal limits listed herein.

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

Section 10. Special Conditions

22. The project sponsor shall install and maintain metering on the source(s) identified in the schedule that is included in the approved metering plan and in accordance with Commission Regulation 18 CFR §806.30(a)(1). The project sponsor shall notify the Commission, in writing, and submit photographs of the meter(s) when installed and certify the accuracy of the measuring device(s) to within five (5) percent of actual flow.

23. To confirm that potential unacceptable interference with nearby existing private water supply wells will not occur as a result of operating Wellfield 5-6 in accordance with this approval, the project sponsor shall collect and record daily groundwater elevation measurements from the existing private well identified in the approved groundwater elevation monitoring program. In addition, the following must be incorporated into the monitoring program:

- a. With concurrence of the property owner, an electronic recording transducer shall be supplied, installed, and maintained by the project sponsor in the existing well located approximately 440 feet to the northeast of Wells 5 and 6.

- b. If the property owner is not receptive to ongoing monitoring of their well, the project sponsor shall propose alternative local area aquifer monitoring to Commission staff for review and approval.
- c. The project sponsor shall keep daily groundwater elevation data records collected from the private monitoring well 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals. The project sponsor must notify the Commission within two (2) business days if the quarterly data indicates that a significant adverse impact to other groundwater users may occur or has occurred as a result of JWJ's groundwater withdrawals.
- d. Groundwater elevation data to satisfy this condition shall be collected for no less than two (2) years from the private monitoring well. The project sponsor shall submit an interpretive report annually that summarizes the data collected and evaluates the potential interference. The interpretative report should evaluate any potential interference resulting from the operation of Wellfield 5-6 at or near the approved withdrawal rate during periods of average or below average precipitation. The project sponsor shall continue to collect, record, and report groundwater elevation data until Commission staff finds that monitoring has confirmed that no significant adverse impacts as a result of operating Wellfield 5-6 at or near the approved rate are expected to occur and provide written notification that the monitoring can be ceased. The first annual report shall be submitted no later than March 31, 2017, and shall be submitted within ninety (90) days of the close of the calendar year thereafter.

Section 11. Term

24. This approval is effective until September 9, 2030. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 9, 2030, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 10, 2015.

Dated: September 11, 2015



STEPHANIE L. RICHARDSON



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20150905

Approval Date: September 10, 2015

KEISTER MILLER INVESTMENTS, LLC

**Surface Water Withdrawal (Peak Day) of up to 1.000 mgd
from the West Branch 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 and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

This approval is a reactivation of an expired project originally approved by Commission Docket No. 20100605 on June 11, 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 changes to the project for a reduction in a peak day withdrawal rate to 1.000 mgd. Commission staff recommended that special flow protection requirements be required to reflect current policy. This approval incorporates those recommendations.

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

Section 2. Project Information

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

Project Information	
Project Sponsor:	Keister Miller Investments, LLC
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Mahaffey Borough
County:	Clearfield County

State:	Pennsylvania
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Section 3. Source Information

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

Source Information	
Approved Source:	West Branch Susquehanna River
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020104 (Upper West Branch Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 40.878028 N Long: 78.730528 W
Site Flow Statistics (cfs):	Q7-10 = 26.5; Average Daily Flow = 528.3
Impairment:	Abandoned Mine Drainage
Drainage Area (square miles):	299
Aquatic Resource Class*:	4
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	1.000 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	700 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01541000; West Branch Susquehanna River at Bower, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	--	--
February	--	--
March	--	--
April	--	--
May	--	--

June	--	--
Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
July	65	69
August	51	54
September	41	44
October	46	49
November	74	79
December	--	--
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		-- – No special flow protection required * Flow Protection Threshold

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, if appropriate, 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 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 flow and volume 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 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 a revised intake design for review and, if appropriate, approval by Commission staff prior to permit issuance by the permitting agency. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and, if appropriate, 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 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. Prior to initiation of the withdrawal, 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), 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 photographs as proof of sign installation prior to initiation of the withdrawal.

8. 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.

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

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 Part 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 may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

14. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to 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 is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

18. 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 is equal to or exceeds such flow protection threshold.

19. Consistent with and in addition to Standard Condition 13, prior to any water withdrawal authorized by this docket, the project sponsor must obtain its PADEP Water Management Plan approvals and Water Obstruction and Encroachment permit under 25 Pa. Code Chapter 105 from PADEP, submit a copy of these items to the Commission, and receive a written response from the Commission that this condition has been met.

20. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, 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 appropriate, approval.

21. Notwithstanding Standard Condition 7 above, prior to initiation of the withdrawal, the project sponsor shall post an updated sign that meets Commission specifications and displays required project description information.

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.

Section 7. Term

26. 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.

27. This approval is effective until September 9, 2019. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 9, 2019, the project sponsor may continue operation of this project pursuant to the terms

and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 10, 2015.

Dated: September 11, 2015



Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20150906

Approval Date: September 10, 2015

LYCOMING COUNTY WATER AND SEWER AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.180 mgd
from Production Well 3**

Section 1. Approval

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

Lycoming County Water and Sewer Authority (Authority) operates the public water supply system for portions of Fairfield and Muncy Townships, Lycoming County, Pennsylvania. The Authority operates two separate public water supply systems (Halls Station and Village Water Company [VWC]) that maintain an emergency interconnect. Each system currently operates below the Commission's regulatory threshold. Although the Authority intends to merge the systems when additional sources are developed, they are currently operated independently and this approval applies to the VWC system only, as Production Well 3 (PW-3) will be added to the VWC system. The VWC is currently served by a single well (PW-2). The Authority has also received a Pennsylvania Department of Environmental Protection (PADEP) water allocation permit for a withdrawal from the Susquehanna River that is not operational. Prior to operation of the Susquehanna River withdrawal, the Authority intends to merge the VWC and Halls Station systems, and Commission approval of all sources will be required prior to interconnection of these two systems. No other sources are operated by the Authority to serve the VWC public water supply system.

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

Section 2. Project Information

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

Project Information	
Project Sponsor:	Lycoming County Water and Sewer Authority
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Fairfield and Muncy Townships
County:	Lycoming County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Withdrawal Type:	Groundwater
Approved Source:	Production Well 3
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020606 (West Branch Susquehanna River)
Withdrawal Location (degrees)*:	Lat: -- Long: --
Special Flow Protection Required:	No
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

Section 4. Aquifer Testing

The constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals was completed with prior Commission approval. A 74-hour, constant-rate aquifer test of PW-3 was conducted from September 8 through 11, 2014, pumping at an average rate of 130 gallons per minute (gpm). In addition to the pumping well, four residential wells, one commercial well, one municipal well owned by the Authority, and three weirs were monitored during the test.

Commission staff determined that the withdrawal from PW-3 at the requested maximum instantaneous withdrawal rate of 125 gpm and requested consecutive 30-day average withdrawal of 0.180 million gallons per day (mgd) should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below.

Section 5. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations	
30-Day Average Withdrawal (mgd):	0.180
Maximum Instantaneous Withdrawal Rate (gpm):	125 (Not to Exceed)
Peak Day Withdrawal (mgd):	0.180

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

Section 6. Existing Approved Withdrawals

The project does not have existing approved withdrawals.

Section 7. Grandfathering Determination – Withdrawals and Consumptive Water Use

The project did not utilize surface water withdrawals or groundwater withdrawals prior to November 11, 1995 or July 13, 1978, respectively. However, the project operates one well for the VWC system (PW-2) below the Commission’s regulatory threshold. The addition of PW-3 to the VWC system subjects the withdrawal from PW-2 to Commission review and approval. Commission review and approval of the source (PW-1) serving the separate Halls Station system will not be required at this time, but will be required prior to the merger of the two public water supply systems.

The project did not consumptively use water prior to January 23, 1971.

Section 8. Standard Conditions

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

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with 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 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 flow and volume 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 reviewed and approved by Commission staff for the source listed in Section 3. The project sponsor shall notify the Commission, in writing, and submit photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. 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 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. 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.

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

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

10. The project sponsor shall register with the appropriate agency all 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 Part 808.

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

13. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to 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 is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

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

Section 9. Special Conditions

18. 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).

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 records, and shall report the same to the Commission upon request, of all persons supplied water from the project that maintain a permanent connection to the public water supply system. The project sponsor shall also keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project that do not maintain a permanent connection to the public water supply system for uses other than hydrocarbon development, including daily quantities supplied.

20. The addition of PW-3 at the requested rate requires application for PW-2 for Commission review and approval in accordance with Section 7 of this docket approval.

- a. Within ninety (90) days from the date of this approval, the project sponsor shall submit an aquifer testing plan or request and supporting information to waive the aquifer testing requirements of Commission Regulation 18 CFR §806.12 for review by Commission staff.
- b. Within ninety (90) days from the date of this approval, the project sponsor shall submit a proposed schedule with detail on deadlines for completion of aquifer testing and the submittal of an application and related materials for PW-2 to the Commission for staff review. The schedule should provide project milestones that consider anticipated timing of operation of PW-3.

Section 10. Term

21. 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.

22. This approval is effective until September 9, 2030. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 9, 2030, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 10, 2015.

Dated: September 11, 2015


STEPHANIE L. RICHARDSON



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20150907

Approval Date: September 10, 2015

MOXIE FREEDOM LLC

**Groundwater Withdrawal (30-Day Average) of 0.062 mgd
from Production Well 1,
and Consumptive Water Use (Peak Day) of up to 0.092 mgd
from Production Well 1 and Storage**

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 and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

The project sponsor is proposing to develop, construct, and operate a combined-cycle natural gas power plant using air-cooled condensers (dry cooling). The Commission formally encouraged the use of dry cooling technology in Resolution No. 2015-02 for the conservation of the waters of the Susquehanna River Basin. Consistent with Resolution No. 2015-02, the technical review of the Production Well 1 groundwater withdrawal and consumptive use applications was prioritized by Commission staff. The project will utilize Production Well 1 and storage of approximately 800,000 gallons to meet its consumptive water use demand. The project sponsor has indicated their intention to make application for an additional, redundant, groundwater source in the near future.

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

Section 2. Project Information

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

Project Information	
Project Sponsor:	Moxie Freedom LLC
Approval Types:	Groundwater Withdrawal and Consumptive Water Use
Authorized Water Use Purpose:	Construction and Operation of a Natural Gas Power Plant, including Potable and Process Water and Related Incidental Uses
Municipality:	Salem Township
County:	Luzerne County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Withdrawal Type:	Groundwater
Approved Source:	Production Well 1
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010704 (Middle Susquehanna River)
Withdrawal Location (degrees):	Lat: 41.117402 N Long: 76.157448 W
Special Flow Protection Required:	No

Section 4. Aquifer Testing

Due to project schedule constraints, the project sponsor requested that the pre-approval of the constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals be waived. In support of the waiver request, the project sponsor submitted the required groundwater availability analysis and a hydrogeologic report providing the results of an aquifer test of Production Well 1. The 72-hour, constant-rate aquifer test was conducted from January 21 through 24, 2015, pumping at an average rate of 43 gallons per minute (gpm). Commission staff was notified of the aquifer testing and an inspection of the monitoring network used was completed on July 1, 2015. The aquifer test included an extensive monitoring network consisting of fourteen monitoring wells (including the test well), thirteen piezometers to monitor wetlands and surface water features, and one weir. The completed aquifer testing and data analysis were sufficient for staff to complete the required technical review. Therefore, the prior approval of aquifer testing required pursuant to Commission Regulation 18 CFR §806.12 for Production Well 1 is hereby waived.

Commission staff finds that the withdrawal from Production Well 1 at the requested withdrawal rate should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below.

Section 5. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations	
30-Day Average Withdrawal (mgd):	0.062
Maximum Instantaneous Withdrawal Rate (gpm):	43 (Not to Exceed)
mgd – million gallons per day	

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

Section 6. Approved Consumptive Water Use Quantities and Limitations

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

Approved Consumptive Water Use Quantities and Limitations	
Source for Project Consumptive Water Use:	Production Well 1
Peak Day Consumptive Water Use Amount (mgd):	0.092 (Not to Exceed)
Project Consumptive Water Uses:	Development, Construction, and Operation of a Natural Gas Power Plant
Consumptive Water Use Mitigation Type:	Payment of consumptive use mitigation fee

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

Section 7. Existing Approved Withdrawals

The project does not have existing approved withdrawals.

Section 8. Grandfathering Determination – Withdrawals and Consumptive Water Use

The project did not utilize surface water withdrawals or groundwater withdrawals prior to November 11, 1995 or July 13, 1978, respectively.

The project did not consumptively use water prior to January 23, 1971.

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 reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with 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 or consumptive use from the source listed in Section 6, 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 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 or consumptive use shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

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

5. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the source listed in Section 3.. The project sponsor shall notify the Commission, in writing, and submit photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. 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 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. The project sponsor shall keep daily records of the project's consumptive water use and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. The daily quantity of water consumptively used shall be the quantity of water added to flowback for treatment. 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, approval by Commission staff. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

8. The project's consumptive water use as calculated above is subject to mitigation requirements, as per Commission Regulation 18 CFR §806.22(b). To satisfy the Commission's current mitigation requirements for consumptive water use, the project sponsor shall make quarterly payments to the Commission at the rate specified in the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission. Payments shall be made quarterly and shall be calculated by applying this rate to the total amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within thirty (30) days after the close of the preceding quarter. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

9. 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.

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

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

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

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

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

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

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

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

18. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal or consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Sections 3 and 6.

19. The project sponsor is required to apply for and obtain approval prior to any increase in the total system withdrawal that would exceed the approved total system withdrawal limits listed herein.

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

Section 10. Special Conditions

21. Per Commission coordination with jurisdictional agency(ies), the project sponsor shall adhere to recommendations for avoiding adverse impact to documented occurrences of rare, threatened, or endangered species at or in proximity to the project location. The documented species include the northern long-eared bat (*Myotis septentrionalis*) and the Indiana bat (*Myotis sodalis*).

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.

Section 11. Term

25. 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.

26. This approval is effective until September 9, 2030. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 9, 2030, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 10, 2015.

Dated: September 11, 2015



STEPHANIE L. RICHARDSON



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Docket No. 20150908

Approval Date: September 10, 2015

SENECA RESOURCES CORPORATION

**Surface Water Withdrawal (Peak Day) of up to 0.499 mgd
from Marsh 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 and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20110907 that was originally approved September 15, 2011, with a peak day withdrawal rate of 0.499 million gallons per day (mgd) and special flow protection requirements. The project sponsor has not requested any changes to the project. Commission staff 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	
Project Sponsor:	Seneca Resources Corporation
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20110907
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Delmar Township
County:	Tioga County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Marsh Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020503 (Marsh Creek)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.791792 N Long: 77.324285 W
Site Flow Statistics (cfs):	Q7-10 = 0.2; Average Daily Flow = 28
Drainage Area (square miles):	26.5
Aquatic Resource Class*:	2
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.499 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	347 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01516500; Corey Creek near Mainesburg, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	6.3	3.3
February	8.0	4.1
March	21	9.9
April	21	11
May	9.8	4.9
June	3.1	1.8
July	3.1	1.8

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
August	3.1	1.8
September	3.1	1.8
October	3.1	1.8
November	4.6	2.5
December	8.7	4.4
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm) * Flow Protection Threshold		

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, if appropriate, 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 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 flow and volume 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 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, if appropriate, 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 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. 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), 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 photographs as proof of installation of the updated sign.

8. 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.

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

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 Part 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 may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

14. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to 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.

18. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

19. Effective October 1, 2015, 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.

20. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, 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 appropriate, 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.

Section 7. Term

25. This approval shall be effective October 1, 2015, and shall remain effective until September 30, 2019. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 31, 2019, 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.

26. Commission Docket No. 20110907 shall remain effective through September 30, 2015, whereupon it shall expire.

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 September 10, 2015.

Dated: September 11, 2015



Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20150909

Approval Date: September 10, 2015

SHREWSBURY BOROUGH

**Groundwater Withdrawals (30-Day Averages) of 0.039 mgd from the Smith Well
and 0.0738 mgd from the Blouse Well, and
Total System Withdrawal Limit (30-Day Average) of 0.620 mgd**

Section 1. Approval

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

On January 14, 1982, the Commission approved the 30-day average groundwater withdrawal of 0.0648 million gallons per day (mgd) from the Blouse Well and a total withdrawal of 0.1128 mgd from the Blouse and Smith Wells. In its revised renewal applications, Shrewsbury Borough requested 0.039 mgd from the Smith Well and 0.0738 mgd from the Blouse Well, maintaining the total withdrawal of 0.1128 mgd from the two wells.

The Shrewsbury Borough public water supply system includes nine sources (Smith Well, Blouse Well, Meadow Well, Village Well, Woodlyn Springs Well, Well PW-1, Well PW-2, Thompson Well, and Lutheran Home Well), which are herein referred to as the "Total System." Based on information provided by Shrewsbury Borough, there are no other sources used by the project. Commission staff recommended approval of the Smith and Blouse Wells at the revised requested rates and that a total system limit of 0.620 mgd be established. This approval incorporates those recommendations.

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

Section 2. Project Information

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

Project Information	
Project Sponsor:	Shrewsbury Borough
Approval Type:	Groundwater Withdrawal
Original Docket Nos.:	19811203; 19820103
Authorized Water Use Purpose:	Public Water Supply
Municipalities:	Shrewsbury Borough and Shrewsbury Township
County:	York County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Withdrawal Type:	Groundwater
Approved Sources:	Smith Well and Blouse Well
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	
Smith Well	0205030616 (Deer Creek)
Blouse Well	0205030606 (South Branch Codorus Creek)
Withdrawal Location (degrees)*:	Lat: -- Long: --
Special Flow Protection Required:	No
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

Section 4. Aquifer Testing

The constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals was completed with prior Commission approval for both the Smith and Blouse Wells. A 72-hour, constant-rate aquifer test of the Blouse Well was conducted from September 16 through 19, 2013, pumping at an average rate of 62.7 gallons per minute (gpm). A 72-hour, constant-rate aquifer test of the Smith Well was conducted from December 16 through 19, 2013, pumping at an average rate of 42 gpm.

Staff analysis of the Blouse and Smith Wells aquifer testing data indicates that pumping at the requested 30-day average withdrawal rates of 0.0738 mgd from the Blouse Well and 0.039 mgd from the Smith Well should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below.

Section 5. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations		
	Smith Well	Blouse Well
30-Day Average Withdrawal (mgd):	0.039	0.0738
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	50	63
Total System Withdrawal Limit – Smith, Blouse, Lutheran Home, Thompson, PW-1, PW-2, Meadow, Village, and Woodlyn Springs Wells (30-Day Average) (mgd):	0.620	

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

Section 6. Existing Approved Withdrawals

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

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Meadow Well	0.100*	19890501	May 11, 2019
Village Well	0.180	19900105	January 18, 2020
Woodlyn Springs Well	0.240	19920501	May 14, 2022
Wells PW-1 and PW-2 (combined)	0.072	20040311	March 10, 2029
Well PW-2	0.0432	20040311	March 10, 2029
*Peak day instead of 30-day average.			

Section 7. Grandfathering Determination – Withdrawals

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

Grandfathered Groundwater Withdrawals	
Source	30-Day Average Withdrawal (mgd)*
Lutheran Home Well	0.099
Thompson Well	0.072
* Value(s) represent maximum documented 30-day average amounts that occurred prior to applicable regulatory effective date(s) or were maintained below the applicable regulatory threshold.	

The grandfathered quantities identified in the table above are based on historic withdrawal information submitted by the project sponsor and available reported historic withdrawal data for the Lutheran Home Well and Thompson Well sources downloaded from the PADEP's Pennsylvania State Water Plan website. The grandfathered quantities or the grandfathered status of the sources are subject to change if information becomes available that demonstrates withdrawals occurred at rates that are inconsistent with the data submitted and utilized to support this determination.

Section 8. Standard Conditions

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

2. Within one hundred twenty (120) days from the date of this approval, the project sponsor shall submit a comprehensive metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals listed in Sections 3, 6, and 7 of this approval.

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 flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. Within one hundred twenty (120) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with Commission Regulation 18 CFR §806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Sections 3, 6, and 7. Following approval, the project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter.

6. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and

are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. 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.

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

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

10. The project sponsor shall register with the appropriate agency all 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 Part 808.

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

13. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to 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. 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.

17. The project sponsor is required to apply for and obtain approval prior to any increase in the total system withdrawal that would exceed the approved total system withdrawal limits listed herein.

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.

Section 9. Special Conditions

19. Following approval of the metering plan required by Standard Condition 2, the project sponsor shall install and maintain metering in accordance with the approved plan on the sources listed in Sections 3, 6, and 7 of this approval and in accordance with Commission Regulation 18 CFR §806.30(a)(1). The project sponsor shall notify the Commission, in writing, and submit photographs of the meter(s) when installed and certify the accuracy of the measuring device(s) to within five (5) percent of actual flow.

20. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal from grandfathered sources that would exceed the amounts listed herein.

21. 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 records, and shall report the same to the Commission upon request, of all persons supplied water from the project that maintain a permanent connection to the public water supply system. The project sponsor shall also keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project that do not maintain a permanent connection to the public water supply system for uses other than hydrocarbon development, including daily quantities supplied.

Section 10. Term

23. This approval shall be effective October 1, 2015, and shall remain effective until September 30, 2030. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 31, 2030, 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.

24. Commission Docket Nos. 19811203 and 19820103 shall remain effective through September 30, 2015, whereupon they shall expire.

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 September 10, 2015.

Dated: September 11, 2015



Stephanie L. Richardson

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Docket No. 20150910

Approval Date: September 10, 2015

TALISMAN ENERGY USA INC.

Surface Water Withdrawal (Peak Day) of up to 1.000 mgd from Wappasening 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 and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20110621 that was originally approved June 23, 2011, with a peak day withdrawal rate of 1.000 million gallons per day (mgd) and special flow protection requirements. The project sponsor has not requested any changes to the project, but in the interest of minimizing cumulative stream impacts, the project sponsor will not operate the withdrawal from the subject site on days when withdrawal has occurred at their additional Wappasening Creek withdrawal (Commission Docket No. 20140910). In consideration of the reasonably foreseeable need for water, as demonstrated by historic usage of the source and development plans presented by the project sponsor, Commission staff recommended that the approved peak day withdrawal remain at 1.000 mgd. Commission staff also recommended that the special flow protection requirements be modified to reflect current policy and that site operations are restricted as offered. This approval incorporates those recommendations.

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

Section 2. Project Information

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

Project Information	
Project Sponsor:	Talisman Energy USA Inc.
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20110621
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Windham Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

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

Source Information	
Approved Source:	Wappasening Creek
Subbasin:	Upper Susquehanna
Watershed Boundary Dataset (WBD):	0205010307 (Wappasening Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.973902 N Long: 76.323278 W
Site Flow Statistics (cfs):	Q7-10 = 0.6; Average Daily Flow = 59
Drainage Area (square miles):	56.7
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations	
Peak Day Withdrawal Amount (mgd):	1.000 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	1,400 (Not to Exceed)
Flow Protection Type:	Seasonal passby expressed as monthly values
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01514850; Wappasening Creek near Windham Center, Pennsylvania

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	14	15
February	15	15
March	33	34
April	39	40
May	21	21
June	12	13
July	12	13
August	12	13
September	12	13
October	12	13
November	12	13
December	16	16
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm) * Flow Protection Threshold		

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, if appropriate, 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 flow and volume 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 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, if appropriate, 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 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. 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), 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 photographs as proof of installation of the updated sign.

8. 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.

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

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 Part 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 may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

14. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to 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.

18. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

19. Effective October 1, 2015, 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 is equal to or exceeds such flow protection threshold.

20. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, 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 appropriate, approval.

21. The date of the last meter certification was December 9, 2013; therefore, the next meter certification is due no later than December 9, 2018. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

22. Withdrawal from the source approved herein shall not occur on the same calendar day as the source approved in Commission Docket No. 20140910.

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

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

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

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

Section 7. Term

27. This approval shall be effective October 1, 2015, and shall remain effective until September 30, 2019. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 31, 2019, 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.

28. Commission Docket No. 20110621 shall remain effective through September 30, 2015, whereupon it shall expire.

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 September 10, 2015.

Dated: September 11, 2015



STEPHANIE L. RICHARDSON



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Docket No. 20090916-1

Approval Date: September 10, 2009

Modification Date: September 10, 2015

UGI DEVELOPMENT COMPANY – HUNLOCK CREEK ENERGY CENTER

**Surface Water Withdrawal (Peak Day) of up to 55.050 mgd from the Susquehanna River,
and Consumptive Water Use (Peak Day) of up to 2.396 mgd
from the Susquehanna River, Public Water Supply, and Stormwater**

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 and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves modification of the project described herein in accordance with the conditions set forth below.

This approval is a modification of Commission Docket No. 20090916 that was originally approved September 10, 2009, with a peak day withdrawal rate of 55.050 million gallons per day (mgd) from the Susquehanna River and consumptive water use of up to 0.870 mgd. The project sponsor requested an increase in the peak day consumptive water use for a proposed expansion adding a new 170-megawatts (MW) combined-cycle power block (identified as Units 7 and 8) to the existing facility, herein referred to as the expansion. Following technical review, and consistent with applicable regulatory standards, Commission staff recommended that the approved rate of consumptive water use be increased to 2.396 mgd, herein referred to as the modified rate. This approval incorporates those recommendations.

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

Section 2. Project Information

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

Project Information	
Project Sponsor:	UGI Development Company
Approval Types:	Surface Water Withdrawal and Consumptive Water Use
Original Docket No.:	20090916
Authorized Water Use Purpose:	Construction and Operation of a Thermoelectric Power Generation Facility and Related Incidental Uses
Municipality:	Hunlock Township
County:	Luzerne County
State:	Pennsylvania

Section 3. Approved Consumptive Water Use Quantities and Limitations

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

Approved Consumptive Water Use Quantities and Limitations	
Sources for Project Consumptive Water Use:	<ol style="list-style-type: none"> 1. Susquehanna River 2. Public Water Supply 3. Stormwater
Peak Day Consumptive Water Use Amount (mgd):	2.396 (Not to Exceed)
Project Consumptive Water Uses:	<ol style="list-style-type: none"> 1. Construction and Operation of a Thermoelectric Generation Facility 2. Related Incidental Uses
Consumptive Water Use Mitigation Type:	Payment of consumptive use mitigation fee

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

Section 4. Existing Approved Withdrawals

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

Existing Approved Surface Water Withdrawals			
Source	Peak Day Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Susquehanna River	55.050	20090916	September 10, 2024

Section 5. Grandfathering Determination – Withdrawals and Consumptive Water Use

The project does not maintain grandfathered status for any withdrawal sources at this project site.

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

Grandfathered Consumptive Water Use		
Consumptive Water Use	Source	Peak Day Consumptive Water Use (mgd)
Thermally Induced Evaporation	Susquehanna River	0.520

The grandfathered quantity identified in the table above is based on information submitted by the project sponsor. The grandfathered quantity or the grandfathered status are subject to change if information becomes available that demonstrates consumptive water use occurred at rates that are inconsistent with the data submitted and utilized to support this determination.

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 reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

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

4. The project sponsor shall keep daily records of the project’s withdrawals and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

5. The project sponsor shall keep daily records of the project’s consumptive water use and shall report the data to the Commission quarterly, and as otherwise required, in the form and

manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approval by Commission staff. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

6. The project's consumptive water use as calculated above is subject to mitigation requirements, as per Commission Regulation 18 CFR §806.22(b). For the purposes of this project, 0.520 mgd is considered to be grandfathered and is not subject to consumptive use mitigation requirements. To satisfy the Commission's current mitigation requirements for consumptive water use, the project sponsor shall make quarterly payments to the Commission at the rate specified in the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission. Payments shall be made quarterly and shall be calculated by applying this rate to the total amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within thirty (30) days after the close of the preceding quarter. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

7. 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.

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

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

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

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

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

13. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to 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. 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.

17. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal or consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Sections 3 or 4.

Section 7. Special Conditions

18. All other conditions in Commission Docket No. 20090916 not inconsistent herewith shall remain effective.

19. 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.

20. Within sixty (60) days from the date of this approval, the project sponsor shall submit an interim metering and accounting plan for review and, if appropriate, approval by Commission staff that accounts for all consumptive use and withdrawal to include incidental construction-related activities and commissioning activities undertaken with the expansion project that may consumptively use water.

21. Prior to the initiation of consumptive use for the interim period of construction and commissioning of the expansion, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30 and the approved plan. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter(s) when installed, provide the serial number of the meter(s), and certify the accuracy of the measuring device(s) to within five (5) percent of actual flow. Consumptive use for

construction and related incidental uses shall not commence until Commission staff has approved the implementation of the approved interim metering and accounting plan and notified the project sponsor of such approval.

22. No less than six (6) months prior to the initiation of consumptive use for operation of the expanded facility for electric generation, the project sponsor shall submit a metering and accounting plan for review and, if appropriate, approval by Commission staff that accounts for all withdrawals and consumptive use during operation of the facility.

23. Prior to initiation of the operation of the expanded facility for electric generation, the project sponsor shall install and maintain metering on the consumptive use in accordance with Commission Regulation 18 CFR §806.30 and the approved plan. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter(s) when installed, provide the serial number of the meter(s), and certify the accuracy of the measuring device(s) to within five (5) percent of actual flow. Consumptive use during operation of the expanded facility shall not commence until Commission staff has approved the implementation of the revised metering and accounting plan and notified the project sponsor of such approval.

Section 8. Term

24. This modified approval shall be effective immediately, and in accordance with the term of the original docket approval, shall remain effective until September 10, 2024. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 10, 2024, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 10, 2015.

Dated: September 11, 2015


STEPHANIE L. RICHARDSON



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20150911

Approval Date: September 10, 2015

XTO ENERGY, INC.

Surface Water Withdrawal (Peak Day) of up to 2.000 mgd from the West Branch 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 and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20110911 that was originally approved September 15, 2011, with a peak day withdrawal rate of 2.000 million gallons per day (mgd) and special flow protection requirements. The project sponsor has not requested any changes to the project. Commission staff 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	
Project Sponsor:	XTO Energy, Inc.
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20110911
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Chapman Township
County:	Clinton County

State:	Pennsylvania
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Section 3. Source Information

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

Source Information	
Approved Source:	West Branch Susquehanna River
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020304 (Lower West Branch Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.336068 N Long: 77.663800 W
Site Flow Statistics (cfs):	Q7-10 = 248; Average Daily Flow = 5,201
Impairment:	Abandoned Mine Drainage
Drainage Area (square miles):	3,101
Aquatic Resource Class*:	5
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

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

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	2.000 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,389 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Monitoring Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01545500; West Branch Susquehanna River at Renovo, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	--	--
February	--	--
March	--	--
April	--	--

May	--	--
June	--	--
Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
July	--	--
August	335	324
September	246	239
October	283	275
November	--	--
December	--	--
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		-- – No special flow protection required * Flow Protection Threshold

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, if appropriate, 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 flow and volume 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 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, if appropriate, 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 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, approval by Commission staff prior to implementing or modifying existing equipment or procedures. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

7. 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), 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 photographs as proof of installation of the updated sign.

8. 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.

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

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 Part 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

may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

14. The Commission may at any time reopen any project approval or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to 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.

18. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

Section 6. Special Conditions

19. Effective October 1, 2015, 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 is equal to or exceeds such flow protection threshold.

20. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, 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 appropriate, approval.

21. Within sixty (60) days of the date of this approval, the project sponsor shall submit current meter certification. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

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.

Section 7. Term

26. This approval shall be effective October 1, 2015, and shall remain effective until September 30, 2019. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 31, 2019, 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.

27. Commission Docket No. 20110911 shall remain effective through September 30, 2015, whereupon it shall expire.

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 September 10, 2015.

Dated: September 11, 2015


Stephanie L. Richardson