



# SUSQUEHANNA RIVER BASIN COMMISSION

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**TRANSFERRED**

To: City of DuBois

Date: April 14, 2026

**Docket No. 20060304-1**  
**Approval Date: March 15, 2006**  
**Modification Date: June 16, 2017**

## CITY OF DUBOIS

**Surface Water Withdrawal (Peak Day) of up to 3.000 mgd,  
Consumptive Use (Peak Day) of up to 3.000 mgd, and  
Out-of-Basin Diversion (Peak Day) of up to 3.000 mgd  
from Anderson Creek Reservoir to the Ohio River Basin**

### Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, 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 City of DuBois's diversion of up to 3.000 million gallons per day (mgd) from the Anderson Creek Reservoir on Anderson Creek is recognized in the Commission's Comprehensive Plan as an authorized "pre-Compact" diversion. The expansion of the project sponsor's service of bulk supply to Falls Creek Borough Municipal Authority (FCBMA) is not covered by the pre-Compact authorization and is subject to Commission review and approval.

This modification approval authorizes the expansion of service area through interconnection and bulk water supply to FCBMA, which is consistent with the decision resulting from an engineering analysis completed in accordance with a Consent Order Agreement (COA) between the Pennsylvania Department of Environmental Protection (PADEP) and FCBMA.

The project maintains the diversion of water from Anderson Creek Reservoir in Union Township, Clearfield County, from the Susquehanna River Basin to the Ohio River Basin for public water supply. The project sponsor has not requested changes to the quantity of the diversion of water from the basin or increases to the withdrawal from Anderson Creek Reservoir as part of this modification. The withdrawal, diversion, and consumptive use quantities identified in the existing approval will remain effective.

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

## Section 2. Project Information

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

<b>Project Information</b>	
<b>Project Sponsor:</b>	City of Dubois
<b>Approval Types:</b>	Surface Water Withdrawal, Consumptive Use, and Out-of-Basin Diversion to the Ohio River Basin
<b>Original Docket No.:</b>	20060304
<b>Authorized Water Use Purpose:</b>	Public Water Supply
<b>Municipality:</b>	Union Township
<b>County:</b>	Clearfield County
<b>State:</b>	Pennsylvania

## Section 3. Source Information

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

<b>Source Information</b>	
<b>Approved Source:</b>	Anderson Creek Reservoir
<b>Subbasin:</b>	West Branch Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205020102 (Anderson Creek)
<b>Withdrawal Location (degrees)*:</b>	Lat: --                      Long: --
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

## Section 4. Approved Out-of-Basin Diversion Quantities and Limitations

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

<b>Approved Out-of-Basin Diversion Quantities and Limitations</b>	
<b>Peak Day Diversion Amount (mgd):</b>	3.000 (Not to Exceed)

The out-of-basin diversion is also subject to all other conditions set forth in this docket approval.

### Section 5. Approved Consumptive Use Quantities and Limitations

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

<b>Approved Consumptive Use Quantities and Limitations</b>	
<b>Source for Project Consumptive Use:</b>	Anderson Creek Reservoir
<b>Peak Day Consumptive Use Amount (mgd):</b>	3.000 (Not to Exceed)
<b>Authorized Project Consumptive Use:</b>	Public Water Supply
<b>Consumptive Use Mitigation Type:</b>	Payment of consumptive use mitigation fee

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

### Section 6. Existing Approved Withdrawal and Consumptive Use

Quantities applicable to the existing approved withdrawal and consumptive use are listed in the tables below.

<b>Existing Approved Surface Water Withdrawal</b>			
<b>Source</b>	<b>Peak Day Withdrawal (mgd)</b>	<b>Commission Docket No.</b>	<b>Docket Expiration Date</b>
Anderson Creek Reservoir	3.000	20060304	March 15, 2031

<b>Existing Approved Consumptive Use</b>			
<b>Source</b>	<b>Peak Day Consumptive Use (mgd)</b>	<b>Commission Docket No.</b>	<b>Docket Expiration Date</b>
Anderson Creek Reservoir	3.000	20060304	March 15, 2031

### Section 7. Grandfathering Determination – Withdrawals and Consumptive Use

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

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

<b>Grandfathered Consumptive Use</b>		
<b>Consumptive Use</b>	<b>Source</b>	<b>Peak Day Consumptive Use (mgd)</b>
Public Water Supply for Pre-1971 Service Area	Anderson Creek Reservoir	2.500

The grandfathered quantity identified in the table above is based on information submitted by the project sponsor that was reviewed by the Commission under Commission Docket No. 20060304, approved on March 15, 2006. The grandfathered quantity or the grandfathered status is subject to change if information becomes available that demonstrates consumptive use 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. 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 that accounts for all water withdrawn, consumptively used, and diverted out of the Susquehanna River Basin 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 diversions, 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, consumptive use, and diversion and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and 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. 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 or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR § 808.12.

7. In accordance with Commission Regulation 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under Commission Regulation 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

8. In accordance with Commission Regulation 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of this approval to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

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

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

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

## Section 9. Special Conditions

17. Decision Items 4, 7, 8, 9, 12, 15, 16, and 17 of Commission Docket No. 20060304 are hereby rescinded.

18. Prior to any expansion of service areas located outside of the Susquehanna River Basin, beyond the existing service areas of the City of DuBois, Sandy Township, Sykesville Borough, Union Township Municipal Authority, and FCBMA, the project sponsor shall apply for, and obtain approval of, modification of this docket.

19. The project's consumptive water use as calculated in accordance with the approved metering plan is subject to mitigation requirements, as per Commission Regulation 18 CFR §806.22(b). For the purposes of this project, 2.500 mgd of consumptive use within the project sponsor's pre-Compact service area (City of DuBois, Sandy Township, and Sykesville Borough) is considered to be grandfathered and is not subject to consumptive use mitigation requirements. Water consumptively used within the pre-Compact service area in excess of the grandfathered quantity, and all water consumptively used outside the pre-Compact service area (Union Township Municipal Authority and FCBMA), is subject to 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.

20. The date of the last meter certification for the raw water line meter was April 16, 2015, and the date for the meter to supply bulk sales to Union Township Municipal Authority was May 28, 2015; therefore, the next meter certifications are due no later than May 28, 2020. Thereafter, 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.

21. Prior to any bulk supply to FCBMA, the project sponsor shall install and maintain metering on the interconnection 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 within five (5) percent of actual flow. Bulk supply shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.


22. All other limitations and conditions in Commission Docket No. 20060304 not inconsistent herewith shall remain effective.

**Section 10. Term**

23. This modified approval shall be effective July 1, 2017. The term of Commission Docket Nos. 20060304 and 20060304-1 shall remain effective until March 15, 2031. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 14, 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 June 16, 2017.

Dated: June 19, 2017

  
Stephanie L. Richardson