

November 18, 2020

Mr. John Monahon, General Manager
Hamilton Liberty LLC
151 Liberty Lane
Towanda, PA 18848

Re: Reissuance Due to Name Change;
from Panda Liberty LLC to Hamilton Liberty LLC;
Asylum Township, Bradford County, Pennsylvania;
Commission Approval by Rule Nos. ABR-201301007 and ABR-201301007-1

Dear Mr. Monahon:

The Susquehanna River Basin Commission (Commission) received a Request for Reissuance of Approval (Commission Form #86) on August 28, 2020, for Commission Approval by Rule Nos. ABR-201301007 and ABR-201301007-1. This request indicated that effective June 16, 2020, Panda Liberty LLC had changed its name to Hamilton Liberty LLC (Hamilton Liberty). Upon review of the project and the submitted request for reissuance, it was determined that the request is in compliance with the regulations and consistent with 18 CFR § 806.6(c). Therefore, the approvals listed above are hereby reissued effective November 18, 2020.

A copy of the above-referenced approvals are available on the Commission's Water Application and Approval Viewer (WAAV) at www.srbc.net/waav.

In accordance with the Commission's Regulatory Program Fee Schedule, the facility continues to be subject to the Annual Compliance and Monitoring fee (ACMF). The ACMF is contained in the Regulatory Program Fee Schedule, which may be modified over the term of the approvals. The ACMF will be invoiced separately.

Please be advised that, under 18 CFR § 808.11, you have a duty to comply with all provisions of the Susquehanna River Basin Compact (Compact), as well as the Commission's rules, regulations, orders, approvals, conditions of approval, and any other requirements of the Commission. It is your obligation to fulfill all conditions of this approval within the specified time limits and provide written notification to the Commission, as appropriate, and comply with all conditions set forth therein. Failure to meet any term or condition within the specified time may subject you to enforcement action and imposition of civil penalties pursuant to 18 CFR Part 808, Subpart B, and Section 15.17 of the Compact. Penalties range from \$50 to \$1,000 per

day, per condition (which includes exceeding approved quantities), with every day being a separate offense.

Pursuant to 18 CFR § 808.2 relating to administrative appeals, any appeal to this action must be made to the Commission within 30 days of receipt of this notice. All appeals must be made in writing on the Commission's Notice of Appeal form and conform to the requirements of 18 CFR § 808.2. Pursuant to 18 CFR § 808.2(i), an appeal made under this section stays the commencement of the 90-day appeal period to Federal Court contained in Section 3.10(6) of the Compact.

Should you have any questions, please contact Todd Eaby, Manager of Project Review, at (717) 238-0423, extension 1234, or via e-mail at teaby@srbc.net.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew D. Dehoff".

Andrew D. Dehoff
Executive Director

cc: Douglas A. Post – Cogentrix Energy Power Management, LLC



SUSQUEHANNA RIVER BASIN COMMISSION

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391

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

Web <http://www.srbc.net>

CONSUMPTIVE WATER USE APPROVAL BY RULE 18 CFR Section 806.22(e)

A. Project Sponsor:

Moxie Energy, LLC
612 Center Street South, Suite 200
Vienna, VA 22180

B. NOI Number: 2012-0373

C. Project Approval: ABR-201301007

D. Project Location Information:

Facility ID: Moxie Liberty, LLC Facility

Municipality: Asylum Township

County: Bradford County

State: Pennsylvania

This APPROVAL AUTHORIZES the Project Sponsor to consumptively use water of up to 0.079 million gallons per day (mgd) for:

☐ Incorporation Into Product ☒ Transpiration/Irrigation ☐ Evaporative Cooling

☒ Other: Sampling, Leaks, and Other Unrecoverable Losses

From:

Public Water Supply System(s)

Maximum Daily Quantity (mgd)

Towanda Municipal Authority

0.060 mgd (subject to system availability)

The Project Sponsor shall comply with consumptive water use mitigation requirements in accordance with 18 CFR §806.22(b) by the payment of consumptive use mitigation fees in accordance with the Commission's Regulatory Program Fee Schedule. The amount of the consumptive use mitigation fee, upon notice to Project Sponsors using this method of compliance, is subject to change at the discretion of the Commission

AUTHORIZATION

You are hereby authorized to consumptively use water, as indicated above, in compliance with 18 CFR Parts 801, 806, and 808, and subject to the terms and conditions of this approval.

The Notice of Intent referenced above, and all plans, specifications, and documents submitted by the Project Sponsor in support thereof are incorporated herein by reference and are a part of this Approval.

This Approval is issued by the Executive Director pursuant to the authority set forth in 18 CFR §806.22(e).

This Approval is subject to the conditions attached hereto and incorporated herein by reference.

SUSQUEHANNA RIVER BASIN COMMISSION

APPROVAL ISSUED:

Date: January 18, 2013

APPROVAL EXPIRES:

Date: January 18, 2028

By: _____

A handwritten signature in black ink, appearing to read "Paul O. Swartz".

Paul O. Swartz, Executive Director

CONDITIONS

This approval is also subject to the following special conditions:

1. The project sponsor shall comply with all Commission regulations.
2. The project sponsor shall keep daily records of the project's consumptive water use, and shall electronically report the data to the Commission quarterly, and as otherwise required. Quarterly monitoring reports are due within thirty (30) days after the close of the preceding quarter.
3. The project sponsor shall submit a metering plan for its consumptive use within thirty (30) days from the date of this approval for review and approval by Commission staff. The project sponsor shall document to the Commission that all meters have been installed prior to consumptively using water so as to provide a continuous, accurate record of consumptive use.
4. 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.
5. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.
6. This approval is effective until January 18, 2028.
7. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.