



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20180908

Approval Date: September 7, 2018

Correction Issue Date: February 19, 2020

LANCASTER COUNTY SOLID WASTE MANAGEMENT AUTHORITY

**Consumptive Use (Peak Day) of up to 0.950 mgd
from Wastewater**

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 renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 19880901 that was originally approved September 8, 1988, modified November 9, 1989, as Commission Docket No. 19880901-1, modified September 27, 1994, as Commission Docket No. 19880901-2, modified May 11, 1995, as Commission Docket No. 19880901-3, and modified December 11, 2003, as Commission Docket No. 19880901-4. The project sponsor operates a small withdrawal from a well for potable use at de minimis quantities which does not require Commission review and approval. The project sponsor did not request, and Commission staff did not recommend, any changes to the project.

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: | Lancaster County Solid Waste Management Authority |
| Approval Type: | Consumptive Use |
| Past Docket Nos.: | 19880901, 19880901-1, 19880901-2, 19880901-3, and 19880901-4, |

| Project Information (continued) | |
|--|--|
| Authorized Water Use Purpose: | Operation of a Municipal Waste Resource Recovery Facility and Small Power Production Facility, Bulk Supply for Soybean Processing, and all Related Incidental Uses |
| Municipality: | Conoy Township |
| County: | Lancaster County |
| State: | Pennsylvania |

Section 3. 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.

| Approved Consumptive Use Quantities and Limitations | |
|--|---|
| Source for Project Consumptive Use: | Wastewater – Elizabethtown Wastewater Treatment Plant Effluent |
| Peak Day Consumptive Use Amount (mgd): | 0.950 (Not to Exceed) |
| Authorized Project Consumptive Uses: | <ol style="list-style-type: none"> 1. Operation of a municipal waste resource recovery facility and small power production facility 2. Bulk supply for soybean processing 3. Related incidental uses |
| Consumptive Use Mitigation Type: | Release of water for flow augmentation (see Special Condition 16) |
| mgd – million gallons per day | |

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

Section 4. 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 consumptive use 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 consumptive 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 consumptive 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 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. 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.

11. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the consumptive use 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.

12. 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.

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

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

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

Section 5. Special Conditions

16. The project's consumptive use is subject to mitigation requirements, as per Commission Regulation 18 CFR § 806.22(b). To satisfy the Commission's current mitigation requirements, the project sponsor shall adhere to the consumptive use mitigation plan reviewed and approved by Commission staff. Any modifications proposed for the consumptive use mitigation plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with Commission Regulation 18 CFR § 806.22(b). Modifications shall not be made until the project sponsor receives written approval of the amended plan.

17. The date of the last meter certifications were April 10, 2015; therefore, the next meter certifications are due no later than April 10, 2020. 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.

18. Prior to supplying water for any use not authorized pursuant to Sections 2 or 3 of this approval, the project sponsor shall first submit a request for minor modification under Commission Regulation 18 CFR § 806.18(c)(4) 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 6. Term

19. This approval shall be effective October 1, 2018, and shall remain effective until September 30, 2033. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2033, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

20. Commission Docket Nos. 19880901, 19880901-1, 19880901-2, 19880901-3, and 19880901-4 shall remain effective through September 30, 2018, 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 7, 2018.

Dated: September 10, 2018



Stephanie L. Richardson