SUSQUEHANNA RIVER BASIN COMMISSION
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Docket No. 20231205
Approval Date: December 14, 2023

EQT ARO LLC

Surface Water Withdrawal (Peak Day) of up to 0.720 mgd from Pine Creek

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no 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 the project which was previously approved by Commission Docket No. 20181202 on December 6, 2018. The project sponsor has not requested any changes to the project. Commission staff recommended special flow protection requirements consistent with 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:	EQT ARO LLC
Approval Type:	Surface Water Withdrawal
Previous Docket No.:	20181202
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Watson Township
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	
Approved Source:	Pine Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020506 (Lower Pine Creek)
Water Use Designation:	Exceptional Value (EV)
Withdrawal Location (degrees):	Lat: 41.247717 N Long: 77.323804 W
Site Flow Statistics (cfs):	Q7-10 = 39.8; Average Daily Flow = 1,440
Drainage Area (square miles):	956
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):	0.720 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	500 (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 01549700; Pine Creek below Little Pine Creek near Waterville, Pennsylvania	
Passby Schedule:		
Month	*On-Site Flow Protection Rate (cfs)*	*Off-Site Monitoring Threshold for Flow Protection (cfs)**
January	--	--
February	--	--
March	--	--
April	--	--
May	--	--
June	--	--
July	121	122

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
Month	*On-Site Flow Protection Rate (cfs)*	*Off-Site Monitoring Threshold for Flow Protection (cfs)**
August	76	77
September	71	72
October	88	89
November	183	183
December	--	--
mgd – million gallons per day 1 cfs = 448.8 gallons per minute (gpm) * Flow Protection Threshold	USGS – U.S. Geological Survey -- – No special flow protection required	

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

Section 5. Standard Conditions

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

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with 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, 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 adhere to the intake design reviewed and approved by Commission staff. Prior to any modifications of the intake design or changes to the intake location, the project sponsor shall contact Commission staff to determine appropriate application requirements for submittal for review and, if appropriate, approval prior to undertaking such modification(s).

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 approval by Commission staff in accordance with 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. 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.gov), 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.

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 18 CFR § 808.12.

8. In accordance with 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 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

9. In accordance with 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 all approvals to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

10. The project sponsor shall comply with the water conservation requirements specified in 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 surface water 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 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 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 that would exceed the amounts listed herein.

Section 6. Special Conditions

19. Effective January 1, 2024, 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 May 27, 2020; therefore, the next meter certification is due no later than May 27, 2025. 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. The project sponsor should adhere to the recommendations provided by PFBC for avoiding adverse impact to a rare species in the waterway. The project sponsor should avoid instream construction, maintenance, and modification of the intake from August 1 through November 30, unless otherwise approved by PFBC, in writing, and submitted to the Commission.

23. During any instream work, the project sponsor shall adhere to an invasive species disinfection protocol to prevent the spread of the invasive algal species, Didymo, which is documented as occurring at the project location. Disinfection protocol shall include treatment of all equipment and infrastructure that is placed into and removed from the stream, and all personal gear of any personnel entering the stream at the project location using, at a minimum, one of the following practices:

a. Thermal treatment shall consist of pressure washing with water that is hotter than 140 degrees Fahrenheit to ensure that the species cannot be spread beyond the project site.

b. Personal gear or equipment is allowed to dry to the touch plus an additional 48 hours, before coming into contact with another waterbody.

The project sponsor shall submit a disinfection plan for Commission staff review and approval prior to using alternative disinfection protocol other than that described above.

24. In consideration of documented invasive species, water withdrawn under this authorization or commingled with such water shall not be discharged to any surface water without proper treatment and disinfection. Any water from this source used for hydrostatic testing shall not be discharged to any surface water without proper treatment and disinfection or shall be returned to proper storage facilities for additional use.

25. Except as authorized pursuant to Special Condition 27, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered or received approval pursuant to 18 CFR § 806.22(f), as applicable.

26. 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 27, including daily quantities supplied.

27. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a minor modification application under 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 7. Term

28. This approval shall be effective January 1, 2024, and shall remain effective until December 31, 2028. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 30, 2028, the project sponsor may continue operation of this

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

29. Commission Docket No. 20181202 shall remain effective through December 31, 2023, whereupon it shall expire.

CERTIFICATION: I, Jason E. Oyler, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 14, 2023.

Dated: December 15, 2023

Jason E. Oyler, Esq.