



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20240318**

**Approval Date: March 14, 2024**

## **POST CONSUMER BRANDS, LLC**

**Groundwater Withdrawal (30-Day Average) of 0.530 mgd from Well 6, and  
Consumptive Use (30-Day Average) of up to 0.400 mgd  
from Wells 3, 6, and PW-7 and Public Water Supply**

### **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.

The project sponsor maintains and operates a system to supply water for a pet food production facility that includes three groundwater sources (Wells 3, 6, and PW-7). The project sponsor also maintains a public water supply service connection for potable and consumptive use. Based on information provided by the project sponsor, no other sources are operated by the project.

The Commission previously approved the withdrawal of 0.530 million gallons per day (mgd) from Well 6 and the consumptive use of water for process applications of 0.800 mgd (peak day) under Commission Docket Nos. 19910709 and 19910709-1. The project sponsor submitted a groundwater withdrawal renewal application requesting approval to withdraw up to 0.530 mgd (30-day average) from Well 6 and consumptively use up to 0.800 mgd (peak day) for process applications. This approval authorizes continued withdrawals at the requested rate and consumptive use at the reduced rate of 0.400 mgd (30-day average basis).

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	
<b>Project Sponsor:</b>	Post Consumer Brands, LLC
<b>Approval Types:</b>	Groundwater Withdrawal and Consumptive Use
<b>Previous Docket Nos.:</b>	19910709 and 19910709-1
<b>Authorized Water Use Purpose:</b>	Pet Food Manufacturing; Non-Contact Cooling Water; Heating, Ventilation, and Air Conditioning; Related Incidental Uses; and Public Water Supply
<b>Municipality:</b>	South Centre Township
<b>County:</b>	Columbia County
<b>State:</b>	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	
<b>Withdrawal Type:</b>	Groundwater
<b>Approved Source:</b>	Well 6
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010710 (Lower Susquehanna River)
<b>Withdrawal Location (degrees):</b>	Lat: -- Long: --
<b>Special Flow Protection Required:</b>	No

### Section 4. Aquifer Testing

Commission staff determined that sufficient data was available to complete the necessary hydrogeologic evaluation and approved an Alternative Hydrogeologic Evaluation (AHE) for Well 6 on February 20, 2024. In support of the AHE, the project sponsor provided the required groundwater availability analysis, historical withdrawal data, the results of historical aquifer testing and recent operational testing, and analysis and comparison of current operational data to historical testing results. Commission staff determined that the withdrawal from Well 6 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.

<b>Approved Withdrawal Quantities and Limitations</b>	
<b>30-Day Average Withdrawal (mgd):</b>	0.530
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	370 (Not to Exceed)
<b>Peak Day Withdrawal (mgd):</b>	0.533
gpm – gallons per minute	

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

## Section 6. 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>Sources for Project Consumptive Use:</b>	<ol style="list-style-type: none"> <li>1. Wells 3, 6, and PW-7</li> <li>2. Public Water Supply – Veolia Water Pennsylvania, Inc.</li> </ol>
<b>30-Day Average Consumptive Use Amount (mgd):</b>	0.400
<b>Authorized Project Consumptive Uses:</b>	<ol style="list-style-type: none"> <li>1. Pet Food Processing</li> <li>2. Non-Contact Cooling Water</li> <li>3. Building Heating and Cooling</li> <li>4. Evaporation from Treatment Lagoons</li> <li>5. Related Incidental Uses</li> </ol>
<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 7. Existing Approved Withdrawals and Consumptive Uses

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

<b>Existing Approved Groundwater Withdrawals</b>			
<b>Source</b>	<b>30-Day Average Withdrawal (mgd)</b>	<b>Commission Docket/Approval No.</b>	<b>Docket/Approval Expiration Date</b>
Well 3	0.334	20231222	October 17, 2028
Well PW-7	0.216	20030605	June 12, 2028

## Section 8. Grandfathering Determination – Withdrawals and Consumptive Use

All withdrawals and consumptive use used by the project have Commission approval.

## 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 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 consumptive 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's consumptive use is subject to mitigation requirements, as per 18 CFR § 806.22(b). To satisfy the Commission's current mitigation requirements for consumptive 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.

5. 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.

6. In accordance with 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal and consumptive use 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.

7. 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.

8. The project sponsor shall comply with the water conservation requirements specified in 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 water sources described herein, and adhere to reporting requirements 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 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 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 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.

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 10. Special Conditions

19. The project sponsor shall keep daily records of the project's withdrawal and consumptive use for the sources listed in Sections 3 and 7, 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 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.

20. 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 7. The project sponsor shall keep daily records of the project's groundwater elevations for Wells 6 and PW-7, 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.

21. The project sponsor shall install and maintain water level monitoring equipment in accordance with 18 CFR § 806.30 and the approved groundwater elevation monitoring plan for Well 3. The project sponsor shall notify the Commission, in writing, and submit a revised groundwater monitoring plan including make, model, serial number, and photographs of the Well 3 water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. Following installation of water level monitoring equipment for Well 3 and approval of implementation by Commission staff, the project sponsor shall keep daily records of the project's groundwater elevations for Well 3, 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.

22. The project sponsor shall maintain and monitor the accuracy of the measuring devices for sources listed in Sections 3 and 7 in accordance with the manufacturer's specifications. Any alternative measuring, monitoring, or accounting procedure 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.

23. The date of the last meter certifications for Well 6, the influent meter, and the effluent monitoring device was January 30, 2024; therefore, the next meter certifications for Well 6, the influent meter, and the effluent monitoring device are due no later than January 30, 2029. Certifications 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.

24. Prior to supplying water for any use not authorized pursuant to Sections 2 or 6 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 11. Term

25. This approval shall be effective April 1, 2024, and shall remain effective until March 31, 2039. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 30, 2038, 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 Nos. 19910709 and 19910709-1 shall remain effective through March 31, 2024, whereupon they 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 March 14, 2024.

Dated: March 15, 2024

  
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Jason E. Oyler, Esq.