



PUBLIC NOTICE

**PROPOSED RELICENSING OF THE
CONOWINGO HYDROELECTRIC PROJECT
APPLICATION FOR WATER QUALITY CERTIFICATION**

DATE: July 10, 2017

Pursuant to Code of Maryland Regulations (COMAR) 26.08.02, Regulation .10 Water Quality Certification, the Maryland Department of the Environment (“the Department”) is required to give public notice of this application. Section 401 of the federal Clean Water Act prohibits the issuance of a federal license or permit for any activity that will result in any discharge into navigable waters unless the State certifies that the activity will not violate State water quality standards and limitations. The purpose of this public notice is to solicit comments from the public regarding the work described below.

Background: On August 30, 2012, Exelon Corporation filed with the Federal Energy Regulatory Commission (FERC) an application for a New License for the Conowingo Hydroelectric Project. On January 30, 2014, Exelon filed with the Department an application for a Clean Water Act, Section 401 Water Quality Certification (WQC) for the project. The WQC is required as part of FERC’s relicensing process. Recognizing that the State had one year to make its decision and did not have sufficient information upon which to base its decision, Exelon withdrew its application in December, 2014. In addition, Exelon agreed to provide up to \$3.5 million to further study the effects of sediment and associated nutrients on the water quality of the lower Susquehanna River and Chesapeake Bay.

While the sediment study was ongoing, Exelon agreed to withdraw and resubmit, in accordance with FERC requirements, its application for the WQC until the results of the sediment study are available. On May 16, 2017, the Department received Exelon’s current application for the required WQC. The Department anticipates making a final decision on the WQC based on this current application. The State has one year, or until May 15, 2018, to render its final decision.

Applicant: Exelon Generation Company, LLC
300 Exelon Way
Kennett Square, PA 19348

Application # 17-WQC-02
Lower Susquehanna River and Upper Chesapeake Bay
Use I & 2 Waters

Project Description: Exelon Corporation, on behalf of its wholly owned subsidiary, Exelon Generation Company, LLC (Exelon), has filed with the Federal Energy Regulatory Commission (FERC) an application for a New License for the operation of the Conowingo Hydroelectric Project. Under federal law and as part of FERC’s relicensing process, Exelon is required to obtain a Clean Water Act, Section 401 Water Quality Certification (WQC) from the

Department for the continued operation of the facility. Exelon's application for the WQC and supporting information is available on the Department's website at the following link:

<http://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/ExelonMD-Conowingo-WQCApp.aspx>

Any person interested in commenting on the water quality impacts of this project is invited to submit written comments to Elder Ghigiarelli, Jr., Deputy Program Administrator, Wetlands and Waterways Program, Water Management Administration, Maryland Department of the Environment, 1800 Washington Boulevard, Suite 430, Baltimore, MD 21230, or email comments to elder.ghigiarelli@maryland.gov. Comments must be received by the close of business on August 9, 2017.

Subsequent to the close of the comment period, the Department intends to hold a public hearing on this application in the fall, 2017. A public notice announcing the hearing will be advertised in the Maryland Register, placed on the Department's website, and mailed to the Wetlands and Waterways Program interested persons list.