



SUSQUEHANNA RIVER
BASIN COMMISSION

NY ■ PA ■ MD ■ USA

4423 N. Front Street | Harrisburg, PA 17110-1788 | 717.238.0423 | www.srbc.gov

NOTICE OF APPEAL

By filing this Notice of Appeal with the Susquehanna River Basin Commission, you choose to initiate a legal proceeding asking the Board of Commissioners to review an action of the Executive Director of the Commission. Appeals to the Commission are governed by 18 C.F.R. § 808.2. Failure to follow the regulations may result in the dismissal of your appeal.

The Notice of Appeal and any required documents must be filed with the Commission in accordance with the following deadlines:

For Project Sponsors and those receiving direct notice from the Executive Director - within 30 days after your receipt of actual notice of the Executive Director's action that you are appealing.

For all others - within 30 days after publication of action in the *Federal Register*.

For bid protests – within 10 days consistent with 18 C.F.R. § 801.15(c).

You may mail, fax and mail, or hand-deliver your Notice of Appeal to:

**Secretary to the Commission
Susquehanna River Basin Commission
4423 North Front Street
Harrisburg, PA 17110
FAX: (717) 238-2436**

NOTICE OF APPEAL FORM
APPEAL INFORMATION

1. Name, address, telephone number, and email address of Appellant:

2. What action is being appealed? Please check the appropriate action below. *(NOTE: If you received written notification of the action, you must attach a copy to this form.)*
 - A determination that a project requires review and approval under § 806.5;
 - An approval or denial of an application for transfer under § 806.6;
 - An approval of a Notice of Intent under a general permit under § 806.17;
 - An approval of a minor modification under § 806.18;
 - A determination regarding an approval by rule under § 806.22(e) or (f);
 - A determination regarding an emergency certificate under § 806.34;
 - Enforcement orders issued under § 808.14;
 - A finding regarding a civil penalty under § 808.15(c);
 - A determination of grandfathered quantity under § 806.44;
 - A decision to modify, suspend, or revoke a previously granted approval;
 - A records access determination made pursuant to Commission policy; or
 - A bid protest under § 801.15(c); or
 - Other: _____.

3. What is the location of the project that is the subject of the action (state, county, municipality)?

4. How, and on what date, did you receive notice of the Commission's action?

5. State the basis of your appeal, setting forth the factual and legal bases to your objections to the Executive Director's action in separate, numbered paragraphs. *(NOTE: The objections must be specific. Issues not raised in this single filing shall be considered waived for purposes of the instant proceeding. Attach additional sheets, if necessary.)*

6. If you are not the project sponsor or person directly subject to the Executive Director's action, identify your interest in bringing this appeal. *(NOTE: Where the Appellant is appealing a final determination on a project application and is not the project sponsor, the Appellant shall serve a copy of the appeal upon the project sponsor within five (5) days of its filing. A certificate of service must be filed with the Commission.)*

7. The Commission will determine the manner in which it will hear the appeal. If an appeal raises disputes of material facts, the Commission may schedule a hearing before a hearing officer, as appropriate. If a hearing is not granted, the Commission may set a briefing schedule and decide the appeal based on the record before it. The Commission may, in its discretion, schedule and hear oral argument on an appeal.

Do you wish to request a hearing before a hearing officer in this matter? Yes No

8. If you have requested a hearing above, set forth any and all material facts that you contend are in dispute regarding the action. (*Attach additional sheets, if necessary*).

NOTICE OF APPEAL FORM

SIGNATURE PAGE

By filing this Notice of Appeal with the Susquehanna River Basin Commission, I hereby certify that the information submitted is true, accurate, and correct to the best of my information, knowledge and belief.

Signature of Appellant or Appellant's Counsel

Date: _____

If you have authorized counsel to represent you, please supply the following information:

Attorney Name (Type or Print)

Address

Telephone No.: _____

Email: _____