

Attachment E Permits and Approvals in support of Texas Eastern's Request for State Water Quality Certification

Construction contractor(s) engaged by Texas Eastern will be required to observe and comply with all applicable laws and regulations that apply to the conduct of the work. During the performance of the work, contractors will be required to comply with the Minimum Federal Safety Standards adopted by the US Department of Transportation under the Natural Gas Pipeline Safety Act of 1968, as amended, Occupational Safety and Health Administration guidelines, and Texas Eastern's own internal standards.

Notwithstanding anything to the contrary set forth in this section, nothing stated herein shall be construed to indicate that any state, regional, or local agency referred to has the power to impose any requirement inconsistent with federal law or to refuse to issue or to unreasonably delay the issuance or processing of any state, regional, or local permit, license, certificate, approval, review, or other requirement; nor shall this document be construed to limit Texas Eastern's legal rights under the Natural Gas Act (15 United States Code [USC] § 717, et seq.), Pipeline Safety Improvement Act (49 USC §§ 60101, et seq.), or the U.S. Constitution, including, but not limited to, the Supremacy Clause and the Commerce Clause.

The construction, operation, and maintenance of the Projects will require multiple permits and regulatory approvals from various federal and state agencies, as well as ongoing consultations with Native American tribes and other interested parties. Written agency correspondence and consultation records related to threatened and endangered species are provided as Attachment F. The applicable permits and approvals, responsible agencies, and the filing status and schedule for these permits and approvals are identified in the table below.

Anticipated Environmental Permit, Review and Consultation List for the Appalachia to Market II and Armagh and Entriiken HP Replacement Projects

Agency	Permit/Approval/Consultation	Submittal Date (Anticipated)	Approval Date (Anticipated)
Federal			
Federal Energy Regulatory Commission	Certificate of Public Convenience and Necessity under Section 7(c) and Authorization to Abandon Facilities under Section 7(b) of the Natural Gas Act	July 7, 2022	(4 th Quarter 2023)
U.S. Army Corps of Engineers, Baltimore and Pittsburgh District(s)	Authorization under Clean Water Act Section 404	(July 2022)	(3 rd Quarter 2023)
U.S. Department of Interior, Fish and Wildlife Service, Pennsylvania Field Office	Section 7 of Endangered Species Act Consultation and Migratory Bird Treaty Act Coordination	May 12, 2022	(4 th Quarter 2022)
U.S. Department of Agriculture (USDA), Natural Resources Conservation Service	Consultation regarding lands enrolled in the Wetland Reserve Program, Wetland Reserve Easements Program, or other Agricultural Conservation Easement Programs	May 12, 2022	May 18, 2022
USDA, Farm Service Agency	Consultation on lands enrolled in the Conservation Reserve Program	May 12, 2022	May 18, 2022

Agency	Permit/Approval/Consultation	Submittal Date (Anticipated)	Approval Date (Anticipated)
State			
Pennsylvania Department of Environmental Protection (PADEP) Regional Permit Coordination Office	Clean Water Act Section 401 Water Quality Certification	August 2022	(3 rd Quarter 2023)
	PADEP Chapter 105 Water Obstruction and Encroachment Permit	August 2022	(3 rd Quarter 2023)
	PADEP Chapter 102 E&S Individual Permit	August 2022	(3 rd Quarter 2023)
PADEP Clean Water Program, Southcentral and Northwest Regional Offices	NPDES PAG-10s Temporary Construction Discharge Permits	(3 rd Quarter 2023)	(4 th Quarter 2023)
PADEP Clean Air Program, Southcentral and Northwest Regional Offices	Plan Approval	(4 th Quarter 2022)	(4 th Quarter 2023)
Pennsylvania State Historic Preservation Office	National Historic Preservation Act of 1966, Section 106 Consultation	April 2022	July 28, 2022
Pennsylvania Department of Conservation and Natural Resources	State listed species consultation.	April 21, 2022 [Pipeline and Yards] and May 9, 2022 [Stations]	April 21, 2022 [Pipeline and Yards] and May 9, 2022 [Stations]
Pennsylvania Fish and Boat Commission	State listed species consultation.	April 21, 2022 [Pipeline and Yards] and May 9, 2022 [Stations]	April 21, 2022 [Pipeline and Yards] and May 9, 2022 [Stations]
Pennsylvania Game Commission	State listed species consultation.	April 21, 2022 [Pipeline and Yards] and May 9, 2022 [Stations]	April 21, 2022 [Pipeline and Yards] and May 9, 2022 [Stations]
County/local			
Lebanon County Conservation District (LCCD)	Line 28 Loop and Proposed Receiver Site E&S IP review will be coordinated with both PADEP and LCCD.	(July 2022)	(3 rd Quarter 2023)
Indiana County Conservation District (ICCD)	Armagh Compressor Station Modifications E&S IP review will be coordinated with both PADEP and ICCD.	(July 2022)	(3 rd Quarter 2023)
Huntingdon County Conservation District (HCCD)	Entriken Compressor Station Modifications E&S IP review will be coordinated with both PADEP and HCCD	(July 2022)	(3 rd Quarter 2023)