



December 24, 2019

National Fuel Gas Supply Corporation  
c/o Mr. Wayne Graham  
1100 State Street  
Erie, PA 16512

Re: Incompleteness Review Letter  
FM 100 Project  
Application No. ESG830019003-00  
APS ID No 1008279; AUTH ID No. 1299840  
Cameron, Clearfield, Clinton, Elk, McKean  
& Potter Counties

Dear Mr. Graham:

The Department of Environmental Protection (DEP) has reviewed the above-referenced application and has determined that it is incomplete. The following list specifies the items that must be included in the resubmittal of your application and/or the submission of additional information. The Pennsylvania Erosion and Sediment Pollution Control Program Manual and the Pennsylvania Stormwater Best Management Practices Manual include information that will aid you in responding to some of the items listed below. The items are based on applicable laws and regulations, and the guidance sets forth the DEP's preferred means of satisfying the applicable regulatory requirements.

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#### **Items for Resubmittal or Submission of Additional Information**

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##### **Project Wide Incompleteness**

1. A screening of the Pennsylvania Natural Diversity Inventory (PNDI) has revealed potential conflicts with ecological resources of special concern. Please contact the agency as directed on the enclosed copy of the PNDI Internet Database Search Results to resolve the conflict. Submit a copy of a letter from the referenced agencies, indicating that the conflict is resolved. [25 Pa Code §102.6(a)(2)]
2. Please provide copies of the municipal and county return receipts. [25 Pa Code §102.6(a)(1)]
3. A review of Appendix A found that the table references those streams identified as naturally reproducing trout (wild trout) waters as listed by the PA Fish and Boat Commission. The table also lists whether in-stream work restrictions (based on wild trout spawn periods) are applicable in the specified water bodies. In the Clearfield County section of the table, several streams are identified as "Yes/NRT", but under the "In-Stream Work Restrictions" column those same streams have the word "None", indicating no in-stream work restrictions will be required in those streams that are designated as naturally

reproducing wild trout. This is incorrect. A quick scan of the table found the same inconsistencies in other counties as well.

### Clinton County

1. Completeness Review Checklist Item “General”
  - a. Notice of Intent (NOI) is not considered to be fully complete.
    - i. Page 2 of NOI, Primary Location block (County/Municipality) refers to Attachment A. Attachment A could not be located. Please clarify that the “Attachment A” reference should be “Attachment 1”, or please provide Attachment A.
    - ii. Page 6 of NOI, Receiving Waters does not appear to include the watershed in Clinton County or the applicable Chapter 93 Designated Use/Existing Use.
    - iii. Regarding the Tamarack Compressor Station, Pages 12-14 of the NOI appear to combine information or omit information. Please clarify or adjust as needed.
2. There are Project Site / Limit of Disturbance (LOD) inconsistencies with the project in Clinton County. [25 Pa Code §102.8(b)]
3. Regarding Project Site: Page 12 of the ESCGP-3 Narrative refers to 546.3 acres, Clinton County E&S Application Form refers to 547 acres, and NOI refers to 555.8 acres. Please revise for consistency throughout the submission. [25 Pa Code §102.8(b)]
4. Regarding LOD in Clinton County: Clinton County E&S Application Form refers to 6.6 acres, but the E&S Narrative refers to 15.6 acres. Please revise for consistency throughout the submission. [25 Pa Code §102.8(b)]

### McKean County

1. NOI, Section C. Site Information – Please check the appropriate box indicating if the site has a 911 address or not. [25 Pa Code §102.6(1)]
2. NOI, Section E. Project Information, #1 – The Total Project Area and Disturbed Acreage are the same. Only the LOD is shown on the plan drawings. It is recommended that the Total Project Area be greater than the Disturbed Acreage indicated on the plan drawings by separate boundary lines for the LOD and the Permit boundary. [25 Pa Code §102.6(1)]
3. NOI, page 8, d. Thermal Impacts Analysis does not address compressor station information and NOI, page 11 c. Thermal Impacts Analysis only addresses PCSM site facilities and does not reference any pipeline work. [25 Pa Code §102.6(1)]

4. NOI, page 12, Summary Table For Calculation and Measurement Data - Please provide a watershed name. [25 Pa Code §102.6(1)]
5. Location Map does not include the name of the appropriate 1:24,000 scale USGS 7.5-minute series quadrangle maps where the project is located. [25 Pa Code §102.4(b)(5)(i); 25 Pa Code §102.8(f)(1)]
6. Earth Disturbance Activity does not include county-specific earth disturbance acreages. Site-specific details for each county are not clearly stated. A list of proposed structures is listed but specific earth disturbance information is not broken out by county. [25 Pa Code §102.4(b)(4); 25 Pa Code §102.4(b)(5)(iii)]

#### Cameron County

1. The Erosion and Sedimentation Control Plan does not identify the names of the appropriate USGS 1:24,000 scale USGS 7.5-minute series quadrangle maps in which the project is located. [25 PA Code § 102.4(a)(5)]
2. The Erosion and Sedimentation Control Plan does not identify riparian forest buffers impacted by the SR 120 North Access. Plan drawings show an access road being constructed along Johnson Run, Chapter 93 designated use HQ-CWF MF, existing use EV. This access road is described as being 0.4 mi. long with 1.4 acres of earth disturbance (appendix E, Geologic Units Crossed). On the plan drawings, the edge of the limit of disturbance is shown to be located at a distance varying from 10 feet to approximately 75 feet from the top of the stream bank. The area of earth disturbance of the proposed access road is located in its entirety within the riparian buffer, which is an existing riparian forest buffer, except for the first 200 feet of the access road which is through a yard. [25 PA Code § 102.4(b)(5)(xv)]
3. In the Notice of Intent, Item 10 in Section E. Project Information, it is incorrectly stated that the project is not located in a watershed of impaired surface water where the cause of the impairment is identified as siltation. The portion of the project located in Cameron County is located in the Chesapeake Bay Watershed for which there is a TMDL for siltation impairment. [25 PA Code § 102.6(a)(1)]
4. The Post Construction Stormwater Management Plan drawings fail to identify the names of the USGS quadrangle maps in which the project is located. [25 PA Code § 102.8(f)(1)]

#### Clearfield County

1. Show the proposed ESCGP boundary on the plan map(s) (page 398 in the E&SPC Manual). This must include all proposed earthmoving as well as all proposed E&S BMPs and all structural PCSM BMPs. [25 PA Code §102.11(a)(1)]

2. Show the proposed limits of construction on the plan maps. All proposed earthmoving (including E&S BMPs and structural PCSM BMPs) must be within the limits of construction (Item 3 on page 2 and page 398 in the E&SPC Manual). [25 PA Code §102.11(a)(1)]

As stipulated in 25 Pa. Code § 102.6(c) of DEP's Chapter 102 rules and regulations (regarding complete applications) information requested by this office must be received within sixty (60) calendar days from the date of this letter, on or before **February 24, 2020**, or DEP will consider the application to be withdrawn by the applicant and no further action will be taken on the application. Fees are not refunded when an application is considered to be withdrawn.

You may request a time extension, in writing, before **February 24, 2020**, to respond to the deficiencies beyond the sixty (60) calendar days. Requests for time extension will be reviewed by DEP and considered. You will be notified in writing of the decision either to grant or deny, including the specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code § 102.6(c).

DEP has developed a standardized review process and processing times for all permits or other authorizations that it issues or grants. Pursuant to its Permit Review Process and Permit Decision Guarantee Policy (Document # 021-2100-001), DEP guarantees to provide permit decisions within the published time frames, provided applicants submit complete, technically adequate applications/registrations that address all applicable regulatory and statutory requirements, in the first submission. Since you did not submit a complete and/or technically adequate application, DEP's Permit Decision Guarantee is no longer applicable to your application.

If you have questions about your application, please contact Michael Luciani at 570-826-2597 or [mluciani@pa.gov](mailto:mluciani@pa.gov) and refer to the project references above.

Sincerely,



Rebecca Albert, P.G.  
Environmental Group Manager  
Regional Permit Coordination Office

cc: Mott MacDonald, LLC  
Cameron County Conservation District  
Clinton County Conservation District  
Clearfield County Conservation District  
Elk County Conservation District  
McKean County Conservation District  
Potter County Conservation District  
Borough of Driftwood  
Gibson Township

Grove Township  
Lumber Township  
Huston Township  
Lawrence Township  
Leidy Township  
Benezette Township  
Jay Township  
Jones Township  
City of Saint Mary's  
Liberty Township  
Norwich Township  
Sergeant Township  
Allegany Township  
Clara Township  
Hebron Township  
Pleasant Valley Township  
Portage Township  
Roulette Township  
Wharton Township