

February 8, 2022

National Fuel Gas Supply Corporation
c/o Mr. Daniel Young
1100 State Street
Erie, PA 16501

Re: Third Technical Deficiency Letter
Erosion and Sediment Control (E&S) Permit
FM120 Insertion Project
DEP Application No. ESG830021001
APS No. 1030859; AUTH ID No. 1340381
Shippen Township, Cameron County
City of St. Mary's and Jones Township, Elk County
Sergeant Township, McKean County

Dear Mr. Young:

The Department of Environmental Protection (DEP) and County Conservation Districts (District) has reviewed the above referenced NOI and have identified the technical deficiencies listed below. The *Pennsylvania Erosion and Sediment Pollution Control Program Manual* (E&S Manual) and the *Pennsylvania Stormwater Best Management Practices Manual* (BMP Manual) include information that may aid you in responding to some of the deficiencies listed below. The deficiencies are based on applicable laws and regulations, and the guidance sets forth DEP's established means of satisfying the applicable regulatory and statutory requirements.

Technical Deficiencies

E&S Plan [identified by the District unless otherwise noted]

1. Adjustments are needed to the following BMPs on Sheet #26 of the E&SC Plan Drawings: §102.4(b)(5)(ix)
 - a. A compost filter sock (CFS) is needed downslope of the rock construction entrance (RCE) with wash rack, between the RCE and Big Run.
 - b. On the south side of the Big Run crossing, west of the timber mats, there is no CFS shown between the timber mat and Big Run at the crossing.
 - c. There is a gap in the CFS between the two branches of SPA-CDK-002, allowing direct overland flow of runoff into this small stream. Additionally, current CFS placement shows the CFS in the stream.

2. Please verify why Dam and Pump Drawing Number 21 was added to E&SC Plan Sheet 34A. This detail is different and missing several key notes from the Standard Construction Detail #13-2 Typical Utility Line Stream Crossing With Pump Bypass on Sheet 33. It appears this detail could create confusion. [DEP Comment] §102.4(b)(5)(ix)
3. Fawn Tall Fescue is included in NFG Seed Mixture No. 1. DEP recently received clarification from the Department of Conservation and Natural Resources (DCNR) that this is considered an invasive species. Please remove from seed mix or utilize a different seed mix. [DEP Comment] §102.4(b)(5)(ix)

Pursuant to 25 Pa. Code § 102.6(c) of DEP's rules and regulations, you must submit a response fully addressing each of the technical deficiencies set forth above. Please note that this information must be received within ten (10) calendar days from the date of this letter, on or before February 18, 2022, or DEP may consider the application to be withdrawn by the applicant.

You may request a time extension in writing before February 18, 2022, to respond to deficiencies beyond the ten (10) calendar days. Requests for time extensions will be received by DEP and considered. You will be notified in writing of the decision either to grant or deny, including a specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code § 102.6(c).

Please submit 1 copy of the revised E&S plan to the District at the provided address and an electronic copy of the revised information to the Department.

If you believe that any of the stated deficiencies are not significant, instead of submitting a response to that deficiency, you have the option of requesting that DEP make a permit decision based on the information you have already provided regarding the subject matter of that deficiency. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency. Please keep in mind that if you fail to respond, your application will be considered withdrawn.

If you have any questions about your NOI, please contact Nick Rossi by phone at 717-772-5667 or by email at nicrossi@pa.gov and refer to Application No. ESG830021001, to discuss your concerns or to schedule a meeting. Please attempt to request a meeting within 5 days of the date of the letter to better ensure a meeting can be scheduled, held, and allow time for you to provide a response within the response time allotted for your reply.

Sincerely,



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

cc: GAI Consultants (by email)
Northwest Regional Waterways and Wetlands PM (by email)
Northcentral Regional Waterways and Wetlands PM (by email)
Cameron County Conservation District (by email)
Elk County Conservation District (by email)
McKean County Conservation District (by email)
Jones Township (by email)
Sergeant Township (by email)
Shippen Township (by email)
City of St. Mary's (by email)