



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

June 28, 2018

PennEast Pipeline Company, LLC
c/o Mr. Anthony Cox
1 Meridian Boulevard
Suite 2C01
Wyomissing, Pa 19610

RE: Extension Request
PennEast Pipeline Project – Luzerne, Carbon, Northampton and Bucks Counties
DEP Application No's E40-780, E13-185, E48-435, E09-998 and ESG02000160001

Dear Mr. Cox:

The Department of Environmental Protection (DEP) recently received correspondence dated June 15, 2018, from Sarah Binckley, AECOM. The letter responds to the Department's January 4, 2018 letter which provided an extension to June 30, 2018 to submit the necessary information to adequately response to the Department's December 23, 2016 Incompleteness Review Letters. The Department's letters were the 3rd incompleteness letters sent in response to the four pending Chapter 105 and one ESCGP permit applications. The June 15, 2018 letter requests a six month extension of the June 30, 2018 deadline.

As stated in earlier time extensions, your notification that the applications are not anticipated to be complete for another six months remains concerning as certain aspects of the applications have become out of date.

Therefore, upon resubmission and in addition to the items identified in prior correspondence, for each of the four pending Joint Permit Application's please update and return:

- a Joint Permit Application form with a revised date of August 2016 and
- an Environmental Assessment form with a revised date of June 2017. Each Environmental Assessment must be compliant with new guidance as follows and published in the PA Bulletin on (and having an effective date of) December 16, 2017.

DEP ID: 310-2137-006. Title: Chapter 105 Water Obstruction & Encroachment Permit Comprehensive Environmental Assessment of Proposed Project Impacts. Description: This final technical guidance is intended to clarify the process for completing the information requirements for a Water Obstruction and Encroachment Permit application, Environmental Assessment Form No. 3150-PM-BWEW0017. Currently, the permit application requirements generally address proposed project impacts to waters of the Commonwealth associated with small scale projects located in a single county and covered by a single permit

application. Large scale projects, however, often cross more than one county and are covered by multiple permit applications necessitating the need for a comprehensive environmental review of all proposed impacts to waters of the Commonwealth for the entire project. This final guidance provides the permit applicant with an outline of the information that the applicant should submit to the Department as part of a comprehensive environmental assessment to meet the regulatory standards in 25 Pa. Code Chapter 105 (relating to dam safety and waterway management).

For each of the four pending Joint Permit Application's where new or revised survey data along the pipeline route identifies new or revised impacts to wetlands, streams and floodways, please submit:

- Updated Application Fees and Worksheets
- Copies and Proof of receipt of Act 14 Notifications – Act 67/68/127
- Cultural Resource Notice (Notice, return receipt and PHMC review letter, as appropriate)
- PASPGP-5 Reporting Criteria Checklist
- Bog Turtle Habitat Screening (copy of “No Effect” determination from the Army Corps of Engineers OR copy of documented clearance from the US Fish and Wildlife Service)
- Pennsylvania Natural Diversity Inventory (signed PNDI Receipt showing Avoidance Measures or Potential Impacts and proof of delivery to the appropriate jurisdictional agency (ies) where further coordination is required, as appropriate)
- Location Map
- Project Description Narrative including PNDI avoidance measures (if applicable) AND Aquatic Resource Impact Table
- Color Photographs with map showing location taken
- Erosion and Sediment Control Plan
- Alternatives Analysis
- Mitigation Plan

All aspects of the ESCGP application will need to be revised where new or revised survey data along the pipeline route identifies new or revised impacts to wetlands, streams and floodways. Please review the Notice of Intent (NOI) Administrative Completeness Checklist for the ESCGP-2 application and supplement the application accordingly.


Also, for all other areas of the applications that will be considered out of date at the time of resubmission (such as PNDI receipts and agency clearance letters), please provide updated information at that time.

All updated forms with current revision dates can be found on the Department's website at www.dep.pa.gov.

The Department hereby grants an extension of the timeline to submit the necessary information. All information necessary to make the applications complete and technically adequate, including those aspects mentioned within this correspondence and previous Incompleteness Letters, should be submitted by December 31, 2018 or the Department may consider the applications withdrawn by the applicant and no further action will be taken on the applications. Fees are not refunded when an application is considered to be withdrawn.

Should you have any questions about this correspondence, please contact Mr. Abdel Nassani about Application No E09-998 or Mr. Michael Luciani about Applications Nos E40-780, E13-185, E48-435, or ESG02000160001.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Buczynski', with a large, sweeping flourish at the end.

Joseph J. Buczynski, P.E.
Assistant Regional Director
Northeast Regional Office

cc: Sarah Binckley, AECOM
Bucks County Conservation District
Carbon County Conservation District
Northampton County Conservation District
Luzerne County Conservation District
US Army Corps of Engineers, Philadelphia District
PA Fish and Boat Commission, Division of Environmental Services