

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF WATERWAYS ENGINEERING AND WETLANDS

| Permit No. | ESG0300015002 | |
|------------|---------------|--|
| Report No. | 1 | |

| EARTH DISTURBANCE INSPECTION REPORT | | | |
|--|--|--|--|
| Project Name PA Pipeline Project/Mariner East 2 | Inspection Date 8/15/2017 Inspection Time 1515 | | |
| Weather Conditions Partly cloudy, warm, light winds ar | nd humid. Total Project Area | | |
| Location West of Mt. Wilson Road | Total Disturbed Area | | |
| Municipality South Annville Township | County Lebanon | | |
| Receiving Water(s) Bachman Run | Designated/Existing Use TSF | | |
| Responsible Party(s) Sunoco Pipeline, L.P Matthew | Gordon Welded Construction, L.P Andrew Mack | | |
| (name & address) <u>525 Fritztown Road</u> | P.O. Box 470 | | |
| Sinking Spring, PA 19608 | Perrysburg, OH 43552 | | |
| Phone () | () | | |
| Site Representative (name) Rob Robertson/Frank Cruz (title) Lead El/Environmental Coordina | Inspector (name) Ron Eberts tor-Welded (title) Compliance Specialist | | |
| Type of Inspection (check only one) | Photographs Taken Yes ⊠ No □ | | |
| Routine complete Routine partial Follow | /-up ☐ Complaint ⊠ Final ☐ | | |
| Site Description & Observations Present during this | inspection were Ron Eberts of PA Department of Environmental | | |
| Protection ("Department"); Rob Robertson, Lead Enviror | nmental Inspector, and Frank Cruz, Environmental Coordinator for | | |
| Welded. The area inspected ("Site") is an open cut to E | Bachman Run (S-A15). During the inspection it was observed that | | |
| the open trench was receiving water as a result of multi | iple spring seeps. The responsible parties ("RPs") were pumping | | |
| sediment laden water from the trench into two filter bags | s on the downstream east side of the trench/ROW. The filter bags | | |
| were in a containment area surrounded by geo-fabric | and haybales. The containment area was located between two | | |
| unstabilied spoil piles. Runoff from the containment ar | rea was coming into contact with the unstabilized spoil piles, and | | |
| running downslope and into Bachman Run, causing an | unauthorized pollution event to a water of the Commonwealth (v). | | |
| No effective E&S BMPs were installed downslope of the | e containment area (d). I then proceeded downstream of the Site. | | |
| On the immediate downslope property are two spring of | channels feeding into Bachman Run-one from the east side and | | |
| one from the west side. | | | |
| ⊠ Contin | ued on page 3 of <u>3</u> . | | |
| Permit and Plan Requirements | Type of Activity (check as many as appropriate) | | |
| Y N | ☐ Other | | |
| ☐ Written Erosion & Sediment Plan required | ☐ Pub. Road Constr./Maint. (PRC) ☐ Pvt. Road/Residence (PRRS) | | |
| ☐ ☑ Written Post Construction Stormwater Management Plan required | Res. Subdivision (RSBD) Comm./Indust. Dev. (CMIN) | | |
| Erosion & Sediment Plan requested | Govmt. Facilities (GOV) Recreation Facilities (RECF) | | |
| Post Construction Stormwater Management Plan requested | Utilities Facilities (UTL) Agricul. Activities (AGA) | | |
| ☐ | □ Sewer/Water Systems (SWS) □ Pipeline (PL) □ Remediation/Restoration (RRES) □ Silviculture (SILV) | | |
| ☐ NPDES Permit required ☐ Phased Constr. ☐ Non-Phased Constr. | - Remediation/Restolation (RREs) - Shaloning (Sirv) | | |
| Permit #: Exp. Date: | | | |

3150-FM-BWEW0092 Rev. 1/2016 pennsylvania DEPARTMENT OF ENVIRONMENTAL PROTECTION

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| | on Findings violations observed at this time. | Reference ☐ (N/A) |
|-----|--|----------------------|
| a. | Failure to develop a written Erosion and Sediment (E&S) Plan. | |
| b. | Failure to have an E&S Plan available onsite. | [] (102.4) |
| C. | Failure to submit an E&S Plan as requested. | (102.4) |
| d. | Failure to implement effective E&S Best Management Practices (BMPs). | X (102.4) |
| e. | Failure to maintain effective E&S BMPs. | (102.4) |
| f. | Failure to use Antidegradation Best Available Combination of Technologies (ABACT) BMPs for discharges to High Quality or Exceptional Value Waters. | [] (102.4) |
| g. | Failure to obtain an NPDES Permit for Stormwater Discharges Associated with Construction Activities. | (102.5) |
| h. | Failure to obtain an E&S Permit. | (102.5) |
| i. | Failure to prepare and implement a Preparedness, Prevention, and Contingency (PPC) Plan. | (102.5) |
| j. | Failure to submit a Notice of Termination (NOT). | (102.7) |
| k. | Failure to develop a written Post Construction Stormwater Management (PCSM) Plan/Restoration Plan. | ☐ (102.8) |
| 1. | Failure to have PCSM Plan/Restoration Plan available onsite. | (102.8) |
| m. | Failure to submit PCSM Plan/Restoration Plan as requested. | (102.8) |
| n. | Failure to implement effective PCSM BMPs. | (102.8) |
| Ο. | Failure to maintain effective PCSM BMPs. | [] (102.8) |
| p. | Failure to perform reporting and recordkeeping as required. | (102.8) |
| q. | Failure to implement riparian buffer or riparian forest buffer. | (102.14) |
| r. | Failure to meet regulatory requirements for riparian forest buffer. | (102.14) |
| S. | Failure to provide temporary stabilization of the earth disturbance site. | (102.22) |
| t. | Failure to provide permanent stabilization of the earth disturbance site. | (102.22) |
| u. | Failure to comply with permit conditions. | |
| ٧. | Sediment or other pollutant was discharged into waters of the Commonwealth. | |
| W. | Site conditions present a potential for pollution to waters of the Commonwealth. | ☐ (402 CS |
| Χ. | Failure to comply with a Department Order. | (402, 61 |
| у. | Failure to comply with PCSM long-term operation and maintenance requirements. | (102.8) |
| Z. | Failure to conduct a preconstruction meeting. | (102.5) |
| aa. | Failure to provide proof of consultation with the Pennsylvania Natural Heritage Program regarding the presence of a State or Federal threatened or endangered species on a project site requiring a Chapter 102 permit. | ☐ (102.6) |
| bb. | Failure to withhold a building or other permit or approval from those proposing or conducting earth disturbance activities, which require a Department permit, until the Department or conservation district has approved/acknowledged the Chapter 102 permit. | [] (102.43) |

Inspection of this project has revealed site conditions which constitute violations of 25 Pa. Code Chapters 92a and/or 102 and the Clean Streams Law, the act of June 22, 1937, P.L. 1987, 35 P.S. §691.1 et seq.

Additional information regarding these violations can be found on the back of this page.



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Project Name PA Pipeline Project/Mariner East 2 Inspection Date 8/15/2017 Inspection Time 1515

| Continuation Sheet |
|---|
| Site Description & Observations There was evidence, via sediment staining, to suggest that runoff from the Site had |
| once made it into the eastern spring channel. Within this spring channel was a raceway with trout. The spring channel |
| was running clear at the time of my inspection, and no dead fish were observed. I then proceeded downstream to |
| determine how far downstream the sediment impacts could be observed. I stopped at 5 downstream locations. Rt. 322 |
| (approximately 5 miles downstream of the Site), Bender Lane (.85 miles), Forney Lane (1.5 miles), Bucher Lane (2 |
| miles), and Copenhaver Lane (2.6 miles). Sediment impacts were documented down to Bucher Lane. Bachman Run |
| was clear at Copenhaver Lane. No dead agautic fauna were observed during the time of my inspection. The rock |
| construction entrances along the east and west side of Mt. Wilson Road were not installed as per the approved E&S |
| Control Plan, and were not maintained (d, u). Prior to me leaving the Site the RPs had installed a plastic liner over all |
| unstabilized areas downslope of the containment area. Two sections of coconut logs were also installed along the top of |
| the stream bank to Bachman Run. The treated water from the containment area then flowed over the plastic liner to avoid |
| coming into contact with the unstabilized spoil piles. The Site is also associated with Permit No. E38-194. |
| Compliance Assistance Measures |

| * Continue to implement : | and maintain F&S BMPs as noted in the approved | d E&S Control Plan |
|---------------------------|--|--------------------|

* Submit a non-compliance report within 5 business days to both the Department and the Lebanon County Conservation District, as required by Part A.III.E on page 5 of permit ESG0300015002

| Follow-up inspection will occur on or about (date) | As needed | |
|---|-------------------------|----------------------------|
| Written in the office and mailed/emailed to RPs on 8/16/17 (Signature of Site Representative) (Date) | (Inspector's Signature) | <u>8/16/2017</u> (Date) |

The Site Representatives' signature acknowledges that they have read the report and received a copy and that they were given an opportunity to discuss it with the inspector. The signature does not necessarily mean the signee agrees with the report.

This report is official notification that a representative of the Department of Environmental Protection has conducted an inspection of your earth disturbance activity to determine compliance with Title 25, Chapter 92a, National Pollutant Discharge Elimination System, Title 25, Chapter 102, Erosion and Sediment Control, and the Pennsylvania Clean Streams Law. This representative may be an employee of the local County Conservation District, which by delegation agreement with the Department of Environmental Protection, is authorized to investigate complaints, inspect earth disturbance activities and conduct compliance actions. Any violations observed by the Department/Conservation District have been noted on this report form and constitute unlawful conduct as defined in Section 611 of the Clean Streams Law.

There will be no written confirmation of those violations from the Department. Failure to take corrective actions to resolve the violations may result in administrative, civil and/or criminal penalties being instituted by the Department of Environmental Protection as defined in Section 602 of the Clean Streams Law of Pennsylvania. The Clean Streams Law provides for up to \$10,000 per day in civil penalties, up to \$10,000 in summary criminal penalties, and up to \$25,000 in misdemeanor criminal penalties for each violation.

This report does not constitute an Order or appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

For further information or assistance please contact:

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