



NORTHCENTRAL REGIONAL OFFICE

December 18, 2017

**CERTIFIED MAIL NO. 7011 2970 0002 9461 0922**

Transcontinental Gas Pipeline Co., LLC  
Attention: Mr. Joseph Dean  
2800 Post Oak Blvd.  
Houston, TX 77251

Re: Notice of Violation  
Atlantic Sunrise Pipeline Project  
Permit Nos. ESG03000150001, E19-311, and E49-336  
Spread #5  
Columbia and Northumberland Counties

Dear Mr. Dean:

On December 6, 2017, the Columbia County Conservation District (District) inspected Spread #5 of the Atlantic Sunrise Pipeline Project (Pipeline). During the inspection, the District observed or determined the following:

- 1) Activities occurring on site were not consistent with the Erosion and Sedimentation (E & S) Plan and there were inadequate Best Management Practices (BMPs), resulting in an unauthorized discharge of sediment to a stream and the danger of pollution. Recommendations to address these concerns were listed in the Inspection Report which has been provided to Transcontinental Gas Pipeline Co., LLC (Transco).
- 2) In-stream, concrete block bridge supports were installed at three (3) stream crossings, located near stations 4845+00 and 4805+00 that have disturbed the stream banks at the middle and southern crossings of Roaring Creek. A recommendation was provided in the Inspection Report to cease in-stream work unless the current impacts are authorized by the Department and the PA Fish and Boat Commission.

The concrete block bridge supports were placed within unnamed tributaries and the main stem of South Branch Roaring Creek which are designated as Class A Wild Trout Waters and restricted from construction between October 1 and April 1. The above-referenced permits authorize temporary bridge crossings with no impacts.

On December 8, 2017, the Department received an electronic message from Transco confirming that Transco's contractors had placed in-stream supports at three crossings during the restriction period for Class A Wild Trout Streams (between October 1 and April 1). The identified crossings were: Happy Valley South, WW-T51-11001; and Happy Valley Middle, WW-T47-

11001, in Columbia County, and WW-T47-11002, in Northumberland County (Identified Stream Crossings).

Based upon the above findings, the Department has determined the following violations of Water Obstruction and Encroachment Permits E19-311 and E49-336, E & S Control Permit No. ESG03000150001, and the Clean Streams Law, 35 P.S. § 691.1 et seq.:

- Failure to comply with seasonal restrictions for in-stream work at the Identified Stream Crossings, represents violations of Water Obstruction and Encroachment Permits E19-311 and E49-336, Condition 20, Special Condition RR.
- Failure to construct the Identified Stream Crossings in accordance with approved plans and specifications constitutes a violation of Water Obstruction and Encroachment Permit No. E19-311 and E49-336, Page 2, Paragraph 3, and Condition 20, Special Conditions HHH, III, JJJ, and LLL.
- Failure to implement and monitor the E&S Control Plan prepared in accordance with Chapter 102, 25 Pa. Code § 102.1 et seq. is a violation of Water Obstruction and Encroachment Permits No. E19-311 and No. E49-336, Condition 16.
- Failure to construct the Identified Stream Crossings in accordance with the BMPs specified in the approved E&S Control Plan, specifically the “Quantities Set for Bridge Equipment Crossings” constitutes violations of E & S Permit No. ESG03000150001, Page 1, Item #2 and Part B(II)(A) and Section 402 (b) of the Clean Streams Law, 35 P.S. § 691.402(b).
- Failure to implement Best Management Practices at the Bethel Staging Area to prevent sediment from entering streams and wetlands constitutes violations of E & S Permit No. ESG03000150001, Part A(II)A, Part B(II)(A) and Section 402 (b) of the Clean Streams Law, 35 P.S. § 691.402(b).

Violations of the Dam Safety and Encroachments Act, 32 P.S. § 693.1 et seq., and the Clean Streams Law are subject to the penalties provided within the law and should be corrected immediately. Failure to initiate corrective actions may result in escalated enforcement action.

The December 8, 2017 electronic message from Transco indicated that Transco has contacted the Pennsylvania Fish and Boat Commission and is awaiting guidance. Additionally, Transco has indicated that it is preparing a self-reported non-compliance document with photographs and upon completion this will be provided to the Department.

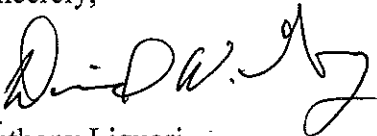
The Departments requests that the self-reported non-compliance document be completed and received by the Department by December 29, 2017. Please ensure that the document includes the following:

- 1) Administrative and technical corrective actions taken to ensure compliance will be maintained for future operations.
- 2) Copies of all visual inspection reports for the Identified Stream Crossings that are required under E & S Permit No. ESG03000150001, Part A, Item III (C)(4) and in accordance with Part A, Item IV (C).
- 3) A permit modification request for the temporary bridge crossings where Transco is proposing to use an alternate design. Concrete blocks are not approved as a pier design for temporary bridge crossings.

This Notice of Violation is neither an order nor any other final action of the Department of Environmental Protection. It neither imposes nor waives any enforcement action available to the Department under any pertinent statutes. If the Department determines that an enforcement action is warranted, you will be notified of the action.

If you have any questions concerning this letter, or your obligations or responsibilities under the Clean Streams Law or the Dam Safety and Encroachments Act, please feel free to contact me at 570.327.3592.

Sincerely,



*FOR* Anthony Liguori  
EP Compliance Specialist  
Waterways and Wetland Program

cc: Columbia County Conservation District  
Northumberland County Conservation District  
D. Garg  
P. Havens  
D. Chuprinski  
A. Eldred  
J. Buczynski NERO  
L. Dorman  
File