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**Subject:** FM 100 Project Incompleteness Items  
**Date:** Thursday, March 5, 2020 3:53:00 PM

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Mr. Kittka,

The Department of Environmental Protection (DEP) has reviewed the Incompleteness Resubmission received on February 5, 2020 for the above-referenced application and has determined that it is remains to be 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.

1. Original Comment #2: **Please provide copies of the municipal and county return receipts. [25 Pa Code §102.6(a)(1)]**

Specifically in Elk County, municipal notifications were sent to Jones Township, the City of St. Marys, Jay Township and Benezette Township. However, according to the maps, it does not appear that there is any proposed work within those municipal limits. Please verify that the project will be proposing earth disturbance within these municipalities.

2. Original Comment #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.**

Please revise Appendix A to include all applicable naturally reproducing trout waters as listed in the PA Fish and Boat Commission. (Tributary to Medix Run in Elk County is an example).

#### **New Comments**

1. Pg. 7, NOI, Section b: The box for alternative BMP or design has been checked. In review of the proposed project, it has been noticed that there are erosion and sediment control BMP's from the New York E&S Manual. Should these proposed erosion and sediment control BMPs be proposed for use during construction activities within Pennsylvania, they will have to be reviewed by the Bureau of Waterways Engineering and Wetlands as an alternative erosion and sediment control BMP. If this was not the intent, please revise the Erosion and Sediment Control Plans and include the erosion and sediment control BMPs from the Pennsylvania Erosion and Sediment Pollution Control Program Manual, dated March 2012.

2. On the Erosion and Sediment Control Plans, please clearly identify which section of pipeline will be proposed as new construction, and which section of pipeline will be abandonment. It appears that the pipelines (abandonment and new) are the same color on the alignment sheets. Please revise accordingly.
3. Within Clearfield County, the appendices/tables are blank from Pages 44 to 67. These include the “Waterbodies Crossed by the Project”, “Wetlands Located with Project Work Area”, “Floodplains Crossed by the Project”, and “Water Supply Wells and Springs within 150-feet of Project Work Area”. Please provide these appendices/tables.
4. Legends on the Plan Drawings are missing, incomplete or inconsistent. Please revise accordingly.

Please have this information to the Department on or before **Tuesday, March 10, 2020**,

You may request a time extension, in writing, before **Tuesday, March 10, 2020**, to respond to the deficiencies. 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).

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