



September 8, 2020

Mr. Mark Valori  
 Adelpia Gateway, LLC  
 1415 Wyckoff Road  
 Wall, NJ 07719

Re: Erosion and Sediment Control General Permit Coverage Approval  
 Adelpia Gateway Project - Phase 2A  
 ESCGP Permit No. ESG 01 00 19 001  
 Lower Chichester Township  
 Delaware County

Dear Mr. Valori:

Under the authority of Pennsylvania’s Clean Streams Law, the Department of Environmental Protection (DEP) and the Delaware County Conservation District (DCCD) have approved your request for new coverage under the Erosion and Sediment Control General Permit for Stormwater Discharges Associated with Oil and Gas Activities (ESCGP). The latest versions of the Notice of Intent (NOI) and all supporting documents, including the Erosion and Sediment Control (E&S) Plan and Post-Construction Stormwater Management (PCSM) Plan, are incorporated into this approval, including the following plan drawings:

Sheet No	Sheet title	Revision Date
T-1	CoverSheet	August 10, 2020
I-1	Index Map	August 10, 2020
SR-1	General Notes	August 10, 2020
SR-2	General Notes	August 10, 2020
SR-3	General Notes	August 10, 2020
SR-4	General Notes	August 10, 2020
SR-5	Details	August 10, 2020
SR-6	Details	August 10, 2020
SR-7	E&SC Site Restoration Plan	August 10, 2020
SR-8	E&SC Site Restoration Plan	August 10, 2020
SR-9	E&SC Site Restoration Plan	August 10, 2020

Your coverage under the ESCGP, which has been assigned ESCGP Permit No. ESG 01 00 19 001, is effective on September 8, 2020 and will expire on September 7, 2025. If stormwater discharges associated with oil and gas activities are expected to continue beyond the expiration date of your ESCGP coverage, you must apply to renew your coverage at least 180 days prior to the expiration date.

Please review the ESCGP and the enclosed attachments carefully and contact this office if you have any questions. Please pay particular attention to the following requirements of the ESCGP:

- In accordance with 25 Pa. Code § 102.5(h), operators who are not the permittee shall be co-permittees. An operator is a person who either has oversight responsibility of an earth disturbance activity on a project site who has the ability to make modifications to the E&S Plan, PCSM Plan or site specifications, or has day to day operational control over an earth disturbance activity on a project site. Please be advised that after an operator (contractor) has been selected for the project, the permit must either be transferred to the operator or the operator must be made a co-permittee and enter into an agreement with the permittee. Please use the enclosed Co-Permittee Acknowledgement Form for Chapter 102 Permits (3800-FM-BCW0271a) to add a co-permittee.
- A pre-construction meeting is required as specified in 25 Pa. Code § 102.5(e), unless otherwise notified in writing by this office. The purpose of this meeting is to review all aspects of the permit with the permittee, co-permittees, operators, consultants, inspectors and licensed professionals or their designees who will be responsible for the implementation of the critical stages of the approved PCSM Plan. You must provide at least seven days notice of the pre-construction meeting to all invited attendees.
- You must conduct inspections of all best management practices (BMPs) on a weekly basis and after each stormwater event to ensure effective and efficient operation. The Visual Site Inspection Report Form (3800-FM-BCW0271d) is enclosed along with instructions. This form (or an equivalent electronic form providing the same information) can be used to document the required site inspections.
- For any property containing a PCSM BMP, the permittee or co-permittee must record an instrument with the recorder of deeds which will assure disclosure of the PCSM BMP and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP, provide for necessary access related to long-term operation and maintenance (O&M) for PCSM BMPs, and provide notice that the responsibility for long-term O&M of the PCSM BMP is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees. **You must record an instrument with the Recorder of Deeds within 45 days and provide proof of the recording at the time an application to transfer permit coverage is submitted, if applicable, and at the time a Notice of Termination (NOT) is submitted to this office.**
- If there are any changes to the PCSM BMPs or long-term operation and maintenance plan after the initial instrument recording and prior to permit termination, the permittee(s) will need to amend the initial recorded instrument at the Recorder of Deeds office prior to permit termination. Please note, most Recorder of Deeds offices require that the land

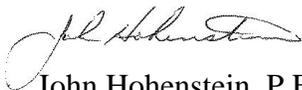
owner (at the time of actual recording) signs the instrument to be recorded. If the land owner changes and an amended instrument needs to be recorded, the Recorder of Deeds office will likely require the new land owner's signature on the amended instrument. It is recommended that for any sale or transfer of property to a new owner before this permit is terminated that the permittee seek legal counsel on how to structure the sale or transfer to allow the recorded instrument to be amended.

- The Notice of Termination (NOT) form is also enclosed and must be completed and filed when construction activities have ceased and final stabilization has been achieved. The NOT must identify the responsible person(s) for the long-term O&M of the PCSM BMPs. Please be advised that the permittee and any co-permittees remain responsible for all operational maintenance for this project site until the NOT has been filed and acknowledged. **It is important that you fulfill your obligations under the General Permit and submit a complete NOT to this office upon final stabilization of the site.**

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Natural Gas Act, 15 U.S.C. §717r(d) with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within the time prescribed in the law. Important legal rights are at stake, so you should show this document to a lawyer at once.

If you have questions, please contact Christopher Smith by e-mail at christopsm@pa.gov or by telephone at 484-250-5152 and refer to Permit No. ESG 01 00 19 001 Phase 2A.

Sincerely,



John Hohenstein, P.E.  
Program Manager  
Waterways and Wetlands

cc: Ms. Mathew (approval letter only)  
Mr. Smith (approval letter only)  
Delaware County Conservation District (approval letter only)  
Lower Chichester Township - Municipal Engineer (approval letter only)

Enclosures: ESCGP Permit  
Visual Site Inspection Report Form and Instructions  
Co-Permittee Acknowledgement Form for Chapter 102 Permits and Instructions  
Notice of Termination Form