



August 26, 2019

Matthew L. Gordon  
Sunoco Pipeline, L.P.  
535 Fritztown Road  
Sinking Spring, PA 19608

Re: Technical Deficiency  
E07-459 Piney Creek Major Amendment  
Application No E07-459  
APS No. ID No. 879354  
Woodbury Township, Blair County

Dear Mr. Gordon:

The Department of Environmental Protection (DEP) has reviewed the above referenced application package and has identified the following significant technical deficiencies.

#### **Technical Deficiencies**

1. Provide a clearance letter from the US Fish and Wildlife Service. *[25 Pa. Code § 105.14(b)(4)]*
2. An existing deteriorated corrugated metal pipe crossing is located within the proposed LOD. Clarify if any modifications to this crossing are proposed as part of this project and revise all relevant documentation in the application, as appropriate. *[25 Pa. Code § 105.21(a)(1)]*
3. The Joint Permit Application Form was not included within the application for the major modification. Provide a complete Joint Permit Application Form, including a current signature page. *[25 Pa Code § 105.13(a) & § 105.13(c)(vi)]*
4. The Erosion and Sediment Control Plan approval from the Blair County Conservation District or DEP for the scope of this modification of construction is required. DEP acknowledges that the E&S Control Plan review is pending and that final action on the E&S Control Plan is subject to the DEPs withholding of permit approvals, dated February 8, 2019. *[25 Pa Code § 105.13(c)(vi) & § 105.13(g)]*

You must submit a response, in triplicate, for each of the above deficiencies. You may request a time extension, in writing, before October 25, 2019 to respond to deficiencies beyond the sixty (60) calendar days. Requests for time extensions will be reviewed by DEP and considered. You will be notified in writing of the decision either to grant or deny, including a specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code §105.13a(b).

DEP has developed a standardized review process and processing times for all permits or other authorizations that it issues or grants. Pursuant to its Permit Review Process and Permit Decision Guarantee Policy (021-2100-001), DEP guarantees to provide permit decisions within the published time frames, provided applicants submit complete, technically adequate applications/registrations that address all applicable regulatory and statutory requirements, in the first submission. Since you did not submit a complete and/or technically adequate application, DEP's Permit Decision Guarantee is no longer applicable to your application.

Pursuant to 25 Pa. Code §105.13a of DEP's Chapter 105 Rules and Regulations you must submit a response fully addressing each of the significant technical deficiencies set forth above. Please note that this information must be received in triplicate within sixty (60) calendar days from the date of this letter, on or before October 25, 2019 or DEP may consider the application to be withdrawn by the applicant.

If you believe that any of the stated deficiencies is not significant, instead of submitting a response to that deficiency, you have the option of asking DEP to make a decision based on the information with regard to the subject matter of that deficiency that you have already made available. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency. Please keep in mind that if you fail to respond, your application may be withdrawn or denied.

Should you have any questions regarding the identified deficiencies, please call Matthew Zeigler at 717.705.4738, and refer to Application No. E07-459 to discuss your concerns or to schedule a meeting. The meeting must be scheduled within the 60-day period allotted for your reply, unless otherwise extended by DEP. You may also follow your application through the review process via *eFACTS on the Web* at:  
<http://www.ahs2.dep.state.pa.us/eFactsWeb/default.aspx>.

Sincerely,



Edward J. Muzic, P.E.  
Civil Engineer Manager, Hydraulic  
Dam Safety, Waterways & Wetlands Section

cc: Robert Simcik, P.E., Tetra Tech Inc.