

January 22, 2022

Transcontinental Gas Pipe Line Company, LLC
c/o Mr. Joseph Dean
2800 Post Oak Blvd
Level 11
Houston, TX 77056

Re: Technical Deficiency Notification
Water Obstruction & Encroachment Permit
Regional Energy Access Expansion Project

DEP Application No. E4083221-006
APS ID No. 1036224; AUTH ID No. 1349631
Buck Township, Bear Creek Township, Plains Township, Jenkins Township, Kingston
Township, Dallas Borough, Wyoming Borough, West Wyoming Borough & Laflin
Borough
Luzerne County

DEP Application No. E4583221-002
APS ID No. 1036240; AUTH ID No. 1349660
Ross Township, Chestnuthill Township & Tunkhannock Township
Monroe County

Dear Mr. Dean:

The Department of Environmental Protection (DEP) has reviewed the above referenced application and has identified the following technical deficiencies. **Chapter 105 Dam Safety and Waterway Management regulations** includes information that will aid you in responding to some of the deficiencies listed below. The deficiencies are based on applicable laws and regulations, and the guidance sets forth the DEP's established means of satisfying the applicable regulatory and statutory requirements.

Technical Deficiencies

All Counties

1. In a letter dated January 5, 2021, the Pennsylvania Historical and Museum Commission (PHMC) requested additional information. Please provide final reports and clearances and update the application accordingly. [25 Pa. Code §§ 105.21(a)(1) and 105.14(b)(5)]
2. Please have the applicant sign all final Pennsylvania Natural Diversity Inventory (PNDI) receipts. [25 Pa. Code §§ 105.21(a)(1) and 105.24(a)]

3. Please provide final clearances from the U.S. Fish and Wildlife Service regarding the Perin Mitigation Site. [25 Pa. Code §§ 105.21(a)(1) and 105.24(a)]
4. On the Chapter 105 Impact Drawings, please indicate the stream crossing and wetland crossing methods for construction. [25 Pa. Code §§ 105.13(e) and 105.21(a)(1)]
5. Please indicate within the application why wetlands are designated as Exceptional Value (EV) per PA Code §105.17. [25 Pa. Code §§ 105.21(a)(1) and 105.17]
6. Please update any table in the Environmental Assessment (EA) which may relate to changes to the Aquatic Resource Impact Table (ARIT). [25 Pa. Code §105.21(a)(1)]
7. The EA Module S2.C, indicates concurrent review for the PNDI coordination. Please provide final reports and final clearances from applicable agencies and revise the application accordingly. [25 Pa. Code §§ 105.21(a)(1) and 105.24(a)]
8. Within the EA Module S2.D.2(i – v), provide the HGM classification to greater detail, as listed in the PA_HGM_Key_1.0, referenced within the instruction of the EA (3150-PM-BWEW0017). [25 Pa. Code § 105.15(a)(1)]
9. Rapid assessment condition indexes were not provided for streams labeled as “ephemeral.” Please note, the instructions of the EA (3150-PM-BWEW0017) requests such information on “all aquatic resources present that may be affected by the project.” Please provide material and adjust application as necessary. [25 Pa. Code § 105.21(a)(1)]
10. Within the EA Module S3H, please provide a detailed cumulative impact analysis specific to the wetlands within the application. Please expand discussion on the nature of impacts from other projects and further discuss why those impacts are not anticipated to produce a major impairment of the wetland resources. [25 Pa. Code §§ 105.21(a)(1) and 105.14(b)(14)]
11. Within Appendix S3-1, please do not use OTHER subfacility. These impacts can be placed with Wetland Temporary Impact (TMPWI), Floodway Temporary Impact (TFIM), or Stream Temporary Impact (TSIM), which may be used for impacts to temporary workspaces. Impacts from equipment mats do not need to be recorded within the subfacilities. [25 Pa. Code § 105.21(a)(1)]
12. Within EA Module S4, Table B-1 appears to only lists noxious weeds, not all invasive species. Please review the application to ensure the terms noxious weeds and invasive species are not used interchangeably and consider adding all invasive species present on the pipeline to Table B-1. [25 Pa. Code § 105.21(a)(1)]
13. EA Module S4.D states, “Post-Construction Wetland and Watercourse Monitoring shall occur annually for a period of 5 years following construction.” Please verify monitoring will occur in the spring and fall the first three years at both on- and off-site mitigation areas, to reflect the Department’s guidance for Wetlands Replacement/Monitoring, Department

document 363-0300-001. Please correct throughout application and adjust language in the Invasive Species Management Plan. [25 Pa. Code § 105.21(a)(1)]

14. Provide details pertaining to adaptive management plan in the Onsite Wetland and Riparian Reforestation plan. [25 Pa. Code §§ 105.13(e) and 105.21(a)(1)]
15. Within the Wetland and Riparian Reforestation Plan, streams labeled as “ephemeral” do not have Riparian Buffer Plantings. Please consider replanting riparian buffers in all special protection (High quality (HQ) or EV) streams, regardless of size. [25 Pa. Code §§ 105.13(e) and 105.16(d)]
16. The Performance Standard in Appendix S4 – 2 Onsite Wetland and Riparian Reforestation Plan within EA Module S4 does not address performance standards noted in other areas of the application. In addition to planted woody vegetation survivability, please including the following parameters or similar: “the entire revegetated areas will have at least 85% cover of hydrophytic species (FAC, FACW, and/or OBL), invasive species or noxious weed percent aerial cover, if present, does not exceed the abundance of invasive species in the adjacent areas that were not disturbed by construction, and the site maintained hydrology for both wetland and water resources”. In addition, include language stating that Transco will evaluate whether the activities authorized by this permit caused any loss of hydrology and will submit an evaluation to the Department for review. [25 Pa. Code §§ 105.18a(b)(2), 105.20a(a), and 105.21(a)(1)]
17. The Appendix S4 – 2 Onsite Wetland and Riparian Reforestation Plan, EA Module S4.D, and Appendix S4 – 1 Transco Project-Specific Wetland and Waterbody Construction and Mitigation Procedures do not always align in their specific parameters regarding post construction procedures, requirements, and performance standards. Please review and make sure the application is consistent. [25 Pa. Code § 105.21(a)(1)]
18. Within Appendix S4 – 1, the Transco Project-Specific Wetland and Regional Energy Access Expansion Waterbody Construction and Mitigation Procedures Section 7 states, “Where a dry-ditch crossing not required”. Note that all open cut crossings need to be in the dry. Please review the standard FERC language and confirm all sections are consistent within the application. [25 Pa. Code § 105.21(a)(1)]
19. The ARIT and the Impact Drawings have impacts to resources that are 0.0000; however, there are impacts to the resource. Please include an impact which should be no less than 0.0001. Please revise accordingly. [25 Pa. Code § 105.21(a)(1)]
20. In the ARIT, please place stream length X width values consistently within the Watercourse Impact column, so that the entire length of stream impacts can be correctly calculated. [25 Pa. Code § 105.21(a)(1)]
21. In the ARIT there are many lines for each recourse. It is difficult to associate the lines to the appropriate map polygon to evaluate the total impacts for any given resource. Consider combining lines on the ARIT. Generally, for each unique resource location there should

- be one line for temporary impacts, one line for permanent impacts, and a line for equipment crossing impacts. Floodway and streams impacts may be listed on the same line. If a resource has the same name in two unique locations (i.e. a meandering wetland) please provide additional identification on the map and ARIT (e.g. W1-T1-i). [25 Pa. Code § 105.21(a)(1)]
22. Please provide the stream bank stabilization method on the E&S Plans. The stream bank stabilization method should be included for each stream that will be crossed by the pipeline and/or access roadway. Please revise accordingly. [25 Pa. Code § 105.13(g)]
 23. It is expected that some stream crossings will require blasting of bedrock. Please add this to the construction sequence. [25 Pa. Code §§ 105.21(a)(1) and 105.13(g)]
 24. Within the Bridge Equipment Crossing (BEC) detail, consider additional language stating the siderails will be wrapped in geotextile to deter sediment from entering the stream. [25 Pa. Code §§ 105.21(a)(1) and 105.13(g)]
 25. When possible, the Department does not recommend stockpiling soils within wetlands. Evaluate the ability to stockpile soils outside wetland boundaries throughout the Project. When necessary, geotextile and matting should be placed between the stockpile soil and existing ground. Please add a note to the wetland crossing and restoration details and discuss within the Alternative Analysis minimization section. [25 Pa. Code §§ 105.21(a)(1), 105.13 (e)(1)(viii), and 105.17]
 26. Please discuss the ability to use naturally decomposing fiber matting in lieu of bio-or photo-degradable plastic mesh erosion control blankets near wetlands and watercourses. [25 Pa. Code §§ 105.16(d) and 105.13(g)]
 27. In Tables 11.3 and 11.4 on E&S Plans Notes Sheets, several mixtures contain crown vetch and tall fescues. The Department does not recommend these species. Please consider removing these upland seed mix options. [25 Pa. Code §§ 105.13(e) and 105.21(a)(1)]
 28. Discuss how sensitive resources will be protected and/or proper vegetation establishment will be assured before agriculture land is handed over to landowner for use. [25 Pa. Code § 105.21(a)(1)]

Luzerne County

29. In Requirement G-2, Table 2.2-1 is referenced; however, no table is labeled as such. The same paragraph then references seven species in Table 2.2-2, but only two species are listed. Please revise. [25 Pa. Code § 105.21(a)(1)]
30. Per the Pennsylvania Fish and Boat Commission (PFBC), Gardner Creek enters Mill Creek below Mill Creek's wild trout designation and is not a wild trout stream. Additionally EA Module S2 states, "With the exception of the Susquehanna River and Abrahams Creek, all other watersheds are considered wild trout streams" while Module S3 states, "With the

exception of Gardner Creek and the Susquehanna River, all of the stream crossings associated with the Project cross wild trout streams.” Please revise the application as appropriate including the Watercourse Resource Summary Tables. [25 Pa. Code §§ 105.14(b)(6) and 105.21(a)(1)]

31. The Pennsylvania Fish and Boat Commission (PFBC) manages the *watersheds* of Shades Creek and Mill Creek as Class A wild trout. Please revise application including the Watercourse Resource Summary Table, the text of S2.D.1(iv - v), and the E&S Plans where seasonal restrictions are indicated. [25 Pa. Code §§ 105.14(b)(6) and 105.21(a)(1)]
32. It appears that an impact for Wetland W8-T4 for Access Road AR-LU-043 has not been accounted for in the Impact Drawings. Please review and revise accordingly. [25 Pa. Code § 105.21(a)(1)]
33. Please explain the necessity of REL-AR-1. Consider using the existing road at the Compressor Station to avoid wetland impacts. [25 Pa. Code §§ 105.21(a)(1) and §105.18a(b)(2)]
34. The Project Description states two hundred and eighty-four wetlands (with multiple Cowardian classifications) were delineated, while Table S1.B.3-1 (within JPA Requirement L-2) indicates that 306 wetlands were delineated. Please revise the application as appropriate. [25 Pa. Code § 105.21(a)(1)]
35. Off-right of way wetlands W72-T2 and W73-t2 are not shown on the Impact Map, but these wetlands are shown in other maps provided in the application. Please verify all resources and layers are displayed throughout the project. [25 Pa. Code §§ 105.13(e) and 105.21(a)(1)]
36. Requirement L-5 and Requirement L-3 title pages are not correct. Please correct. [25 Pa. Code § 105.21(a)(1)]
37. In Table S2.D.1-1 Riverine Resource Classification, AR-LU-001 is listed twice. Please verify if this is a duplicate or if a stream is missing. [25 Pa. Code § 105.21(a)(1)]
38. Please review Table S2.D.2-1 Wetland Resource Classification. W6-T11-REL-14 and W1-T10-REL-46 appear to not be included and W15-T5b appears to be a typo. [25 Pa. Code § 105.21(a)(1)]
39. Within Appendix D-2 of the Wetland and Watercourse Delineation Report, both Stream S8-T3 and S69-T2 are labeled as SP6 on the Wetland Delineation and Photographic Documentation Map. It appears there are no photographs of S8-T3. Please verify throughout the report that all resources are uniquely labeled and that photographs are provided for all resources. [25 Pa. Code § 105.21(a)(1)]
40. Review of aerial imagery and modeled wetland mapping indicates that the area around W15b-T5 and W49-T1 near MP 4.5 may have more wetland acreage than delineated by

this Project. Please review the extent of wetlands in this area and provide further documentation of the onsite conditions. [25 Pa. Code §§ 105.13(e)(1)(i)(A) and 105.21(a)(1)]

41. On crossing 23, W4-T12 and W84-T2 are identified as “other” wetlands, while potentially hydrologically connected to EV wetland W9-T5. Please review resource designation of W4-T12 and W84-T2 and provide documentation that the wetlands are not hydrologically connected. [25 Pa. Code § 105.17(i)(ii)]
42. On crossing 5, W38-T3 is identified as an “other” wetland, while potentially hydrologically connected to EV wetland W103-T2. Please review resource designation of W5-T11 and provide documentation that the wetlands are not hydrologically connected. [25 Pa. Code § 105.17(i)(ii)]
43. On crossing 86, W5-T11 is identified as an “other” wetland, while surrounded on three sides and potentially hydrologically connected to EV wetland W81-T2. Please review resource designation of W5-T11 and provide documentation that the wetlands are not hydrologically connected. [25 Pa. Code § 105.17(i)(ii)]
44. Please provide an Aids to Navigation Plan (ATON) for activities on the Susquehanna River Water Trail as discussed in EA Module S3.B.1.i. [25 Pa. Code §§ 105.14(b)(6) and 105.21(a)(1)]
45. Please list within EA Module S3.B.1.vi any water supplies or wells which will be monitored during the Direct Pipe Crossing, similar to Table S3.B.6-2. [25 Pa. Code §§ 105.21(a)(1) and 105.302(6)]
46. The EA Module S3.D.2(i) states, “Two watercourses (S49-T2 and S52-T2) [...] will be conventionally bored,” while the subfacility tables within Appendix S3-1 indicates S49-T2, S52a-T12 and S52-T2 will be bored. Please verify. [25 Pa. Code § 105.21(a)(1)]
47. Please further discuss the necessity to place a bore pit in stream S52a-T12. Discuss why the pipeline cannot be shifted south to avoid the resource, or why the bore cannot be extended. Discuss how the bore pit will be isolated/or protected from the flow of stream S52-T2. [25 Pa. Code § 105.21(a)(1)]
48. If drilling fluid is going to be utilized during the removal/replacement of the 42-inch sacrificial pipe with the 30-inch carrier pipe under the Susquehanna River, measures should be put in place to monitor fluid for the risk of an inadvertent return. Additionally, please provide details in the plans to fill the annular void space remaining as a result of the pipe replacement. [25 Pa. Code § 105.14(a)]
49. The Department recommends geo-technical borings to be installed whenever trenchless technology is utilized to cross a resource (i.e. Trout Brook in Luzerne County). [25 Pa. Code § 105.14(a)]

50. All recommendations presented within the Alternative Analysis Appendix S-5: Direct Pipe Design Services Plan should be followed. Primarily, a PE or PG should be given an opportunity to review the tunneling plan prepared by the Direct Pipe (DP) contractor to confirm that the considerations outlined in the report were adequately addressed. The Department recommends that a PE or PG be on-site to document the installation process in real time to increase the potential for a successful installation of the DP. [25 Pa. Code § 105.14(a)]
51. DEP recommends adding the following to the Direct Pipe Monitoring, Inadvertent Return Response, and Contingency Plan. Should an inadvertent return occur in an aquatic resource during drilling operations, a Re-evaluation Report should be submitted to the Department by the PE or PG examining the drilling alignment and ensuring that another inadvertent return is unlikely. The Department will need to review this submitted information and approve the restarting of drilling operations. [25 Pa. Code § 105.14(a)]
52. EA Module S4.C. Compensatory Mitigation states, “To mitigate for the temporary and permanent functional conversion of PSS and PFO wetlands associated with the Effort Loop, an offsite mitigation area has been designated to offset functional losses by providing a total of 6.91.” Please verify this compensation is for the Regional Energy Lateral Route. [25 Pa. Code § 105.21(a)(1)]
53. It appears that W10a-T4 may have the wrong Mitigation Ratio within Appendix D Offsite Compensatory Wetland Mitigation Summary. Please review. [25 Pa. Code § 105.21(a)(1)]
54. It appears that there are inconsistencies between the ARIT and the Impact Drawings. Please review the impacts to the following resources for consistency:
 - a. W108-T2, the impact numbers are inconsistent
 - b. W31-T3, PFO impact area of 0.0894, 0.0779 and 0.0173, the ARIT has an Impact Type of Permanent and the Impact Drawings Table has Temporary
 - c. S4a-T5, impact numbers are inconsistent
 - d. S6-T5, impact numbers are inconsistent. [25 Pa. Code § 105.21(a)(1)]
55. The Impact Drawing table lists impacts to S80-T2, W156-T2 and W159-T2 for REL-AR-5; however, these impacts cannot be located on the Impact Drawings, ARIT, nor the E&S Plans. The ARIT has an impact for REL-AR-5 of W8-T4, which is not accounted for on the Impact Drawings. Please review and revise the Plans, ARIT, or Impact Drawings accordingly for REL-AR-5. [25 Pa. Code § 105.21(a)(1)]
56. The Impact Drawings and the E&S Plans have a Resource Name of S5-T11; however, the Impact Table on the Impact Drawings and the ARIT have the Resource Name as S4-T11. Please review crossings REL-15 and REL-84 and revise accordingly. [25 Pa. Code § 105.21(a)(1)]

57. S2-T12 does not list any floodway impacts associated with the pipeline or the pipeline construction. Please include in the floodway impacts for S2-T12 on the Impact Drawing Table and the ARIT. [25 Pa. Code § 105.21(a)(1)]
58. S49-T12 appears labeled on the E&S Plans on sheet 60 but not on the Impact Drawings Sheet 77 nor on the ARIT. Verify this resource throughout the application. [25 Pa. Code §§ 105.13(g) and 105.21(a)(1)]
59. Please review the ARIT for stream S52-T2-REL-AR-23 and S52-T2-REL-84, as the Water Name is listed as both UNT to Trout Brook and Trout Brook. [25 Pa. Code §§ 105.13(g) and 105.21(a)(1)]
60. Please review the Existing Use Classification for Mill Creek and its tributaries. Update the application accordingly. [25 Pa. Code § 105.21(a)(1)]
61. Sheet 43 of the Impact Drawings and the ARIT have a resource impact for S72-T2; however, this impact is not shown on the Impact Drawings or on the E&S Plans. Please review crossings REL-38 and REL-82 and revise accordingly. [25 Pa. Code § 105.21(a)(1)]
62. The ARIT appears to be missing a temporary impact to Stream S4a-T5. [25 Pa. Code § 105.21(a)(1)]
63. At approximately station 548+50, at Stream S19-T1, a rock construction entrance is proposed to be placed within the streambed. Please either revise the E&S Plans to remove the rock construction entrance from the streambed, or provide a temporary pipe crossing of Stream S19-T1. [25 Pa. Code § 105.13(g)]
64. The Dry Extended Detention Basin that is proposed to be a PCSM BMP for volume control at the mainline valve site MLV515RA20 is located within the floodway of a tributary to Mill Creek. Please analyze if that dry extended detention basin can be moved or re-configured so that the basin will not be within the floodway of the tributary to Mill Creek (S76-T2). [25 Pa. Code § 105.13(g)]
65. The calculations provided for the stream re-location of S4a-T5, S4-T5 and S5-T5 and S6-T5, are difficult to differentiate. The calculation call outs (REL_Laflin_LD-DC-001, etc.) do not correspond to the ARIT or the Impact Drawings (S4a-T5, etc.). Please revise accordingly. [25 Pa. Code § 105.21(a)(1)]
66. It appears from the proposed Impact Drawings that stream S5-T5 will not rejoin the proposed realigned channel S6-T5. Please revise the Impact Drawings to show that Stream S5-T5 will flow into stream S6-T5 and will not cause any bank erosion to S6-T5. [25 Pa. Code §§ 105.21(a)(1) and 105.13(g)]
67. The relocated streams (S4a-T5/S4-T5 and S5-T5/S6-T5) are noted to be lined with RipRap. Please evaluate the ability to incorporate natural stream design. Please also include the

Stabilization Drawing sets within this application. [25 Pa. Code §§ 105.16(d) and 105.21(a)(1)]

68. If there is a potential that riprap bank stabilization may be required, please provide a Riprap Bank Stabilization Detail on the E&S Plans. [25 Pa. Code § 105.13(g)]
69. On Sheet 70 of 91 of the E&S Plans, Note 5 under Temporary and Permanent Stabilization and the note beneath the ERNMX 178 table do not align in regards to seed pounds per acres and the use of nurse crops. Verify nurse crops specifications within E&S Plans and EA Module S4. Please also verify if the wetland seeds will require a nurse crop. [25 Pa. Code §§ 105.21(a)(1) and 105.13(g)]
70. The Susquehanna River crossing (S1-T5-REL-57) is not shown within the Appendix a- Public Water Supply Report. Please add. [25 Pa. Code §§ 105.21(a)(1) and 105.302(6)]

Monroe County

71. Throughout the application the spelling of both *Pohopco Creek* and *Pohopoco Creek* are used. Please revise accordingly. [25 Pa. Code § 105.21(a)(1)]
72. Please review all wetland designations based on surveys completed for Threatened and Endangered species (e.g. W14-T2-EL-11). [25 Pa. Code §§ 105.17(1)(i) and 105.24(a)]
73. The Pennsylvania Fish and Boat Commission (PFBC) manages Pohopoco Creek (Poplar Creek through linkage), Sugar Hollow Creek, and UNT to Pohopoco Creek (RM 22.92), and their watersheds as Class A wild trout fishery streams. Please revise application as appropriate including the Watercourse Resource Summary Table, the text of S2.D.1(iv - v), and the E&S Plans where seasonal restrictions are indicated. [25 Pa. Code §§ 105.14(b)(6) and 105.21(a)(1)]
74. The Project Description states there are 9 streams, including 3 floodways only impacts. Table S2.d1-1 shows seven streams. Please review. [25 Pa. Code § 105.21(a)(1)]
75. The Project Description states thirty-three wetlands (with multiple Cowardian classifications) were delineated, Table S1.B.3-1 indicates that 45 wetlands were delineated, and the Section 3 of Appendix C states 32 wetlands. Please review and revise the application as appropriate. [25 Pa. Code § 105.21(a)(1)]
76. Long Pond Reserve is mentioned in EA Module S3.D.2(iv), but not within EA Module S3.B.1(i). Please review if this feature should be added to the Table S3.B.1-1. Please also include discussion of Long Pond Preserve Important Bird Area (IBA) where appropriate. [25 Pa. Code § 105.21(a)(1)]
77. The EA Module S3.D.2(i) states, “One wetland resource (W1-T2) will be conventionally bored,” while the subfacility tables within Appendix S3-1 indicates W2-T2 will be bored. Please verify and revise the application as appropriate. [25 Pa. Code § 105.21(a)(1)]

78. There appear to be inconsistencies on the Impact Drawings, ARIT, and E&S Plans. Please review the labeling and impacts to the following resources for consistency:
- a) W2-T2 and W1-T2
 - b) S7-T2 and S2-T1
 - c) S4-T1 and S5-T1. [25 Pa. Code § 105.21(a)(1)]
79. Please review the Existing Use Classification for Sugar Hollow Creek and Tributary to Pohopoco Creek. [25 Pa. Code § 105.21(a)(1)]
80. W8-T1 is listed as EV, while W10-T1 is listed as “other,” which is adjacent to the same floodway. Please review. [25 Pa. Code § 105.17(iii)]
81. It appears that trench plugs are missing at some resources throughout the project (e.g. W4-T6). Please review all crossings and verify trench plug placement. [25 Pa. Code § 105.21(a)(1)]
82. On Sheet 38 of 53 of the E&S Plans, Note 5 under Temporary and Permanent Stabilization and the note beneath the ERNMX 178 table do not align in regards for seed pounds per acres and the use of nurse crops. Verify nurse crops specifications within E&S Plans and Module S4. Please also verify if the wetland seeds will require a nurse crop. [25 Pa. Code §§ 105.21(a)(1) and 105.13(g)]

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 within sixty (60) calendar days from the date of this letter, on or before **March 8, 2022**, or DEP may consider the application to be withdrawn by the applicant.

You may request a time extension, in writing, before **March 8, 2022** 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.

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 contact Michael Luciani at 570-826-2597 or mluciani@pa.gov and refer to the Application Number referenced above 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,



Kevin S. White, P.E.
Environmental Group Manager
Regional Permit Coordination Office

cc: Ryan Nelson, WHM Consulting, LLC (by email)
U.S. Army Corps of Engineers, Baltimore District (by email)
U.S. Army Corps of Engineers, Philadelphia District (by email)
PA Fish & Boat Commission, Division of Environmental Services (by email)
Luzerne County Conservation District (by email)
Buck Township (by email)
Bear Creek Township (by email)
Plains Township (by email)
Jenkins Township (by email)
Kingston Township (by email)
Dallas Borough (by email)
Wyoming Borough (by email)
West Wyoming Borough (by email)
Laflin Borough (by email)
Monroe County Conservation District (by email)
Ross Township (by email)
Chestnuthill Township (by email)
Tunkhannock Township (by email)
Northeast Regional ARD (by email)
Northeast Regional Waterways and Wetlands (by email)