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COMMITTEES

AGING AND OLDER ADULT SERVICES
ENVIRONMENTAL RESOURCES AND ENERGY
HUMAN SERVICES

October 7, 2021

Mr. Domenic Rocco, PE
Director, Regional Permit Coordination Office
Department of Environmental Protection
400 Market St.
Harrisburg, PA 17101

Submitted via email to: ra-epregionalpermit@pa.gov

RE: Public Comment Period, Permit Application
Transcontinental Gas Pipeline Company (Transco) Regional Energy Access Extension

Dear Mr. Rocco,

I am writing to respectfully request that the Department of Environmental Protection extend the comment period for the state water quality certification, water obstructions and encroachments, and erosion and sediment control permit applications your agency is considering for the Transcontinental Gas Pipeline Company's (Transco) Regional Energy Access Extension.

These three categories of DEP approvals were noticed for a 30 day-comment period in the PA Bulletin on September 18, 2021, which would make comments due on October 18, 2021. Thirty days is simply not enough time for the public to adequately review and comment on these significant proposed authorizations, which include highly technical information. I believe a 90-day comment period and public hearings in each affected county are warranted for several reasons, including:

- This pipeline would affect a sizable area of Pennsylvania, extending across three DEP regions and seven counties: three counties in the Northeast Region (Luzerne, Monroe, Northampton), three counties in the Southeast Region (Bucks, Chester, Delaware), and one county in the Southcentral Region (York).
- The comment period applies to all three authorizations requested by Transco, and effectively encompasses 11 separate permits – 7 (one per county) for Water Obstruction and Encroachment Permits under Chapter 105 of DEP regulations; three (one per DEP

region) for Erosion and Sediment Control Permits under Chapter 102; and a general permit for discharge from hydrostatic testing under the NPDES.

- Just this week, we have seen the potential pitfalls in granting permits of this scope without due diligence, reflected in the Grand Jury report that resulted in 48 criminal charges against Energy Transfer in connection with the Mariner East 2 project.

The grand jury report noted that “Mariner East 2 was a massive construction project that literally spanned the state. It was thus beyond the scope of previous oversight efforts.” In light of these findings, it is vital that DEP’s ability to provide adequate oversight be factored into the consideration of the Transco permit requests.

- Finally, this project involves a number of crossings of Exceptional Value Waters. The Department is required by law to hold a public hearing on any proposed new, additional, or increased discharge to Exceptional Value Waters.

In order to give the public ample opportunity to meaningfully review and comment on these three types of authorizations across this significant section of the Delaware River watershed, I respectfully request that DEP extend the comment period to 90 days and hold public hearings on these applications in the affected counties.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Danielle Friel Otten". The signature is written in a cursive, flowing style.

Danielle Friel Otten
State Representative
155th Legislative District

Cc: Secretary Patrick McDonnell, Pennsylvania Department of Environmental Protection