



June 2, 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. Provide final reports and final PNDI clearances from applicable agencies and revise the application accordingly. [25 Pa. Code §§ 105.21(a)(1) and 105.24(a)]
2. Provide final reports and clearances from the Pennsylvania Historical and Museum Commission (PHMC) and update the application accordingly. [25 Pa. Code §§ 105.21(a)(1) and 105.14(b)(5)]

Luzerne County

3. Original Comment # 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)]

Provide the impacts to the floodway in the ARIT.

4. Provide a signed copy of the August 20, 2021 letter from the National Park Service regarding the Captain John Smith Chesapeake National Historic Trail. [25 Pa. Code §§ 105.21(c)(1) and 105.24]
5. Confirm resource type of S13. This resource is listed as UNT to Shades Creek in the ARIT. However, Photo 13 within Requirement K – Color Photos and Maps indicates that this is a wetland. [25 Pa. Code § 105.21(a)(1)]
6. Discuss why the access road (maintenance only) located directly adjacent to the proposed pipeline from MP 2.9 – MP 4.9 is required. Utilization of this access road requires that some resources, such as W96 and S40-T2, be crossed or impacted at two different locations and creates a temporary limit of disturbance greater than 200 linear feet in some locations. [25 Pa. Code § 105.13(e)(1)(viii)]
7. Provide trench plugs at resource WT-T13 (PFO) near station 984+00. [25 Pa. Code § 105.13(e)]
8. Update the mitigation plan so that it includes the amount of acreage at each offsite mitigation site being used to offset functional loss in Luzerne County. [25 Pa. Code § 105.13(e)(1)(ix)]
9. Confirm the presence of an existing culvert crossing at station 599 + 00 and update plans as necessary. [25 Pa. Code § 105.13(e)(1)(i)]
10. Clarify why the WEC/BEC/VCR1 crossing of the wetland resources (PSS, EV) at station 1152 + 00 is being proposed when the pipeline will be installed via trenchless technologies and there is an existing adjacent access immediately south of the crossing which does not impact wetland resources. [25 Pa. Code § 105.13(e)(1)(ix)]

Monroe County

11. Update the mitigation plan so that it includes the amount of acreage at each offsite mitigation site being used to offset functional loss in Monroe County. [25 Pa. Code § 105.13(e)(1)(ix)]
12. The impacts to S4-T1-EI-16 as detailed in the ARIT table and the plan drawings are not consistent. Update as necessary. [25 Pa. Code § 105.21(a)(1)]

13. Clarify why the WEC crossing of the wetland resources (PSS, other) at station 885 + 00 is being proposed when the pipeline will be installed via trenchless technologies and there is an existing adjacent access immediately adjacent to the crossing which does not impact wetland resources. [25 Pa. Code § 105.13(e)(1)(ix)]
14. Provide documentation that S4-T2 near station 1126 + 00 does not continue through the existing culvert or the existing drainage swale and will subsequently not be impacted by project activities. [25 Pa. Code § 105.13(e)(1)(i)]

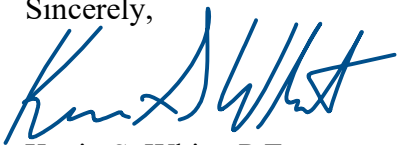
Pursuant to 25 Pa. Code §105.13a of DEP's Chapter 105 Rules and Regulations you must submit a response fully addressing each of the significant technical deficiencies set forth above. Please note that this information must be received within sixty (60) calendar days from the date of this letter, on or before **August 1, 2022**, or DEP may consider the application to be withdrawn by the applicant.

You may request a time extension, in writing, before **August 1, 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).

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)