

December 23, 2024

National Fuel Gas Supply Corporation  
c/o Lauren McMillan  
1100 State Street  
Erie, PA 16501

Re: Incompleteness Letter  
Tioga Pathway Project  
NPDES Application No. ESG830024001-00  
APS No. 1112281; AUTH ID No. 1481858  
Harrison & Allegany Township, Potter County  
Middlebury Township, Tioga County  
Liberty Township, McKean County

Dear Ms. McMillan:

The Department of Environmental Protection (DEP) has reviewed the above referenced application for an Individual NPDES Permit and has determined that it is incomplete. The list below specifies the items that must be included in the resubmittal of your application and/or the submission of additional information. The *Pennsylvania Erosion and Sediment Pollution Control Program Manual* (E&S Manual) and the *Pennsylvania Stormwater Best Management Practices Manual* (BMP Manual) include information that may aid you in responding to some of the items listed below. The items are based on applicable laws and regulations, and the guidance sets forth the DEP's preferred means of satisfying the applicable regulatory requirements.

Please note that pursuant to 25 Pa. Code § 102.6(c)(2), this information must be received within 60 calendar days by **February 23, 2025**, or DEP may consider the application withdrawn.

#### **Items for Resubmittal or Submission of Additional Information**

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1. E&S and PCSM plans need to be final for construction with professional seal. [25 Pa Code §102.4 (b)(3), §102.8 (c), §102.8 (d)]
2. Worksheet #1 for the silt socks needs to be submitted. [25 Pa Code §102.4 (b)(5)(viii)]
3. Hydric soils are present and wetlands are shown on plans but no delineation report was found in package. [25 Pa Code §102.4 (b)(5)(v)]
4. Only limit of disturbance and environmental survey limit was listed on the plans. No permit boundary was listed. [25 Pa Code §102.4 (b)(5)(iii), §102.8 (f)(3)]

5. Is this a site restoration project? If so question #5 on page 1 of the NOI needs to be checked. [25 Pa Code §102.8 (n)]
6. The plans need to show any existing utilities (electric, etc.). [ 25 Pa Code §102.b)(5)(iii), §102.8 (f)(3)]
7. Drawings don't show test pits that were used for infiltration testing. [25 Pa Code §102.8 (g)(1)]
8. Drawings don't show floodway or floodplain within project site. [25 Pa Code §102.4 (b)(5), §102.8 (f)(5)]
9. Please show the limit of disturbance on the PCSM Plans. [25 Pa Code §102.8 (f)(9)]
10. Please provide each watershed boundary on the E&S and PCSM Plans. [25 Pa Code §102.8 (f)(9)]
11. Module 2 states that there was not a pre-development site characterization completed, however the data was provided for this project. Please revise accordingly. [25 Pa Code §102.8 (f)(8)]
12. Please provide all PCSM Spreadsheets for any area that will be proposing impervious cover. This includes McCutcheon Hill Opp Station, YM59 Valve site, permanent gravel access roads, etc. [25 Pa Code §102.8 (f)(8)]
13. Please provide all proposed stormwater discharge points for both during and after construction (for portion of the pipeline that will create a point source discharge). [25 Pa Code §102.8 (f)(9)]

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 (Document # 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.

As stipulated in 25 Pa. Code § 102.6(c)(2) of DEP's Chapter 102 rules and regulations (regarding complete applications), information requested by this office must be received within sixty (60) calendar days from the date of this letter, or DEP may consider the application to be withdrawn by the applicant and no further action will be taken. Fees are not refunded when an application is withdrawn.

Please submit 2 copies of the revised information to the Tioga County Conservation District at 1867 Shumway Hill Road, Wellsboro, PA 16901, Potter County Conservation District at 107 Market St, Coudersport, PA 16915-9683, and McKean County Conservation District at 17137 Rte

6, Smethport, PA 16749, and an electronic copy of the revised information to DEP via Public Upload.

Resubmittal Info: yes; Reference ID: 270681; PIN: 598843.

Should you have any questions regarding the identified deficiencies, please contact Michael Luciani by phone at 570-826-2597 or by email at [mluciani@pa.gov](mailto:mluciani@pa.gov) and refer to Application No. ESG830024001-00, to discuss your concerns or to schedule a meeting. Please attempt to request a meeting within 15 days of the date of the letter to better ensure a meeting can be scheduled, held, and allow time for you to provide a response with the response time allotted for your reply.

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>. (for individual permits only).

Sincerely,



Rebecca M. Albert, P.G.  
Environmental Group Manager  
Regional Permit Coordination Office

cc: Robin Dingle, Tetra Tech, Inc.  
Tioga County Conservation District  
Potter County Conservation District  
McKean County Conservation District  
Harrison Township  
Allegany Township  
Middlebury Township  
Liberty Township