

May 6, 2026

Kendra Schiappa {kendraschiappa@penngeneralenergy.com}
Pennsylvania General Energy Co LLC
120 Market St.
Warren, PA 16365

Re: Denial of Permit Application
Saluda Access Road and Staging Area
DEP File No. E4129225-017
Gamble & Cascade Townships, Lycoming County

Dear Ms. Schiappa:

On October 3, 2025, the Department of Environmental Protection (“DEP”) received the above-referenced application package. On October 14, 2025, you were notified that the application was complete, and that a technical review would be performed. Subsequently, on November 20, 2025, DEP issued its first technical deficiency letter, which included a list of the deficient items. You responded to the technical deficiency letter on January 7, 2026.

The response to the technical deficiency letter contained significant design changes and failed to resolve all the previously identified deficiencies. As such, a Pre-Denial Technical Deficiency Letter was issued on February 9, 2026. Although the DEP provided a deadline for response on March 13, 2026, it granted your request for an extension to March 20, 2026. Additionally, on November 12, 2025, December 19, 2025, February 18, 2026, and March 9, 2026, the DEP met with you to discuss project concerns and deficiencies. During these meetings, DEP gave you the opportunity to voluntarily withdraw the application. Ultimately, you responded to the Pre-Denial Technical Deficiency Letter on March 20, 2026, but again, there were significant design changes and continuing unresolved deficiencies. The regulatory timeframe of 60 days to provide full and complete responses to the February 9, 2026 Pre-Denial Technical Deficiency Letter has expired.

The deficiencies noted in the DEP’s technical deficiency letters are based on applicable laws and regulations, as set forth therein. Your responses failed to adequately address all the deficiencies noted in the letters, thus the application remains deficient. As such, the DEP hereby denies application E4129225-017 for a permit, and no further action will be taken by DEP. Fees are not refunded when an application is denied unless requested and eligible under PAYback.

The deficiencies in the application that have not been adequately addressed are as follows:

Technical Deficiencies

1. Plan drawings and cross sections (“plans”) have been updated based on responses to technical deficiency notices sent by the Department on 11/20/2025 & 02/09/2026 but still include at least the following deficiencies:
 - Plans at station 32+50 depict the proposed access road cut within existing grades lower than the grades proposed on either side of the roadway. The proposed grading fails to:

- i. Maximize protection of existing drainage by maintaining flow of the proposed stream relocation within the proposed stream channel as required by 25 Pa. Code §105.13(e)(1)(x)
 - ii. Manage stormwater runoff from the access roadway through the designed SCM (infiltration berm 2-1) as required by 25 Pa. Code §105.13(e)(1)(v)
 - Plans provided are inconsistent with each other not meeting the requirements of 25 Pa. Code §105.13(e)(1)(i). Sheets C314 & C914 depict Culvert 23A with a drop inlet structure located approximately at ST140+50 and a bridge located approximately at ST139+50 but sheets C401 and C503 depict Culvert 23 at ST139+58.
 - Plans have been updated to show sheet piling installed for the bridge construction at Wallis Run located near ST4+00 to detail excavation limits. Sheet piling is proposed immediately adjacent to Wing B but plans appear to indicate a spread footing design for wingwalls. Pursuant to 25 Pa. Code §105.13(e)(1)(i).
 - Plans have been revised to show additional bridge crossings at multiple locations but provide only typical abutment construction details with the note “Abutment and wingwalls for bridge structure will be designed by the bridge manufacture in accordance with appropriate loading and will accommodate the grading as shown on these plans” despite the bridges ranging from 50 to 100 feet in length. Geotechnical studies have not been performed at these locations to evaluate whether excavation limits for bridge construction can remain within the LOD. *See* 25 Pa. Code §§105.13(e) and 105.151.
2. Module S4 of the Environmental Assessment states that mitigation is required for 116.6 linear-feet (LF) of permanent stream impacts. Review of the Compensatory Mitigation Summary Table (Table 8-4) indicates that mitigation is not being provided for the relocation of a portion of Stream 20230822-1412-JT, but no justification is provided so that the terms of 25 Pa. Code §105.13(e)(1)(ix) are not satisfied.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (“Board”) pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A. The Board’s address is:

**Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457**

TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at www.ehb.pa.gov or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

The PAYback program amends the former Permit Decision Guarantee program. Executive Order 2023-07 requires the Department to abide by established review times for each authorization. The PAYback program became effective November 1, 2023, as required by Executive Order 2023-07. Chapter 105 applications or applications received by the Department on or after that date are subject to this policy and are potentially eligible for Pennsylvania's PAYback program. More information is available on the PAYback website.

Should you have any questions regarding the identified deficiencies, please contact Chris Mileto at 570-327-3760 or cmileto@pa.gov, and refer to Application No. E4129225-017, Authorization No. 1544360.

Sincerely,



Alexandria Barravecchio
Environmental Program Manager
District Oil and Gas Operations

cc: Peter Staudenmeier, Civil & Environmental Consultants, Inc. pstaudenmeier@cecinc.com
PA Fish and Boat Commission - Northcentral Region
File