

From: [Lutz, Samantha](#)
To: [Richard M. Watson](#)
Cc: [Stephan, Michael](#); [Milcic, Kareen](#); [Scott, Kenneth](#); [Reidenbaugh, Jeffrey](#); [Bailey, Brian \(P.E.\)](#); [Fraleigh, Lauren](#); [Kanouff, Paul](#); [Scicchitano, Vincent](#); [Scott M. Sweder](#); [Helbling, Emily](#)
Subject: B50 Temporary Aboveground Waterline JPA E0407222-001
Date: Monday, May 23, 2022 11:01:04 AM
Attachments: [image003.png](#)

Good Morning Mr. Watson,

The Department has reviewed the April 28, 2022 response to administrative comments for the B50 Temporary Aboveground Waterline JPA and has found the following outstanding deficiencies.

1. The Environmental Assessment Rev. 3/2022 form that was submitted as a response to Comment 1 was not signed or dated. Please submit a fully signed and dated form with this application.
2. The narrative associated with Module S4: Mitigation Plan of the newly submitted EA form was not updated to reflect the results of the Pennsylvania Function-Based Aquatic Resource Compensation Protocol. Module S4 needs to state that all aquatic resources associated with this project are only subjected to temporal direct and/or indirect impacts and will be repaired, rehabilitated, or restored within one year from initiation.
3. In response to Comment #3 and Comment #10, the E&S Control Plan was updated to include a construction detail of the proposed Dolphin Floating Suction Strainer, but the plan view (JP01:Detail 1) of the proposed intake was not updated to depict the intake placement within Big Sewickley Creek. As mentioned all plans need to depict the final construction plan. Please update Drawing JP01 Detail 1, or provide an additional plan view drawing, to show all (7) proposed strainers and associated piping within Big Sewickley Creek. 105.13 (e)

Please note that this information must be received within sixty (60) calendar days from the date of this letter, on or before May 29, 2022, or DEP will consider the registration withdrawn.

Thanks,

Samantha N. Lutz | Aquatic Biologist 2
Department of Environmental Protection | District Oil & Gas Operations
Southwest Regional Office
400 Waterfront Dr. | Pittsburgh, PA 15222
Phone: 412.442.4043 | Fax: 412.442.4328
www.dep.pa.gov

DEP has launched an Online Electronic permitting (ePermit) for Chapter 105 Wetland and Waterway Obstruction and Encroachment General Permits. **Before Registering, It is strongly recommended to view the Walkthrough Videos and guides found on our website:** <https://www.dep.pa.gov/Business/Water/Waterways/Pages/ePermitting.aspx>

From: Kanouff, Paul <pkanouff@cecinc.com>
Sent: Thursday, April 28, 2022 4:02 PM
To: Lutz, Samantha <samlutz@pa.gov>
Cc: Stephan, Michael <mstephan@pa.gov>; Milcic, Kareen <kmilcic@pa.gov>; Scott, Kenneth <kscott@pa.gov>; Reidenbaugh, Jeffrey <jreidenbau@pa.gov>; Bailey, Brian (P.E.)

<bribailey@pa.gov>; Fraley, Lauren <lfraley@pa.gov>; Richard M. Watson <RMWatson@pennenergyresources.com>; Scicchitano, Vincent <vsicchitano@cecinc.com>; Scott M. Sweder <smsweder@pennenergyresources.com>; Helbling, Emily <ehelbling@cecinc.com>
Subject: [External] RE: B50 Temporary Aboveground Waterline JPA E0407222-001

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Hi, Samantha.

We submitted the comment response package through OnBase, and a check for an additional review fee is being mailed (for an increase in the limit of disturbance at the withdrawal). If you need the PDF provided a different way or need anything else, please let me know.

Thanks,
Paul

Paul A. Kanouff, PWS | *Principal*
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From: Lutz, Samantha <samlutz@pa.gov>
Sent: Wednesday, March 30, 2022 8:57 AM
To: Richard M. Watson <RMWatson@pennenergyresources.com>; Kanouff, Paul <pkanouff@cecinc.com>
Cc: Stephan, Michael <mstephan@pa.gov>; Milcic, Kareen <kmilcic@pa.gov>; Scott, Kenneth <kscott@pa.gov>; Reidenbaugh, Jeffrey <jreidenbau@pa.gov>; Bailey, Brian (P.E.) <bribailey@pa.gov>; Fraley, Lauren <lfraley@pa.gov>
Subject: B50 Temporary Aboveground Waterline JPA E0407222-001

March 30, 2022

B50 Temporary Aboveground Waterline

E0407222-001; APS#: 1058722

Completeness Deficiency Notice

Good Afternoon Mr. Watson,

PennEnergy Resources, LLC submitted the subject Joint Permit Application (JPA) on March 14, 2022. During the administrative review, NWRO engineer, Jeff Reidenbaugh, and I identified the following deficiencies. The following list specifies the items which must be included in the resubmittal of your registration and/or the submission of additional information.

1. As of March 14, 2022, the Department's Function Based Aquatic Resource Compensation Protocol technical guidance is now required under all Joint Permit Applications. Update the JPA application to include the 3/2022 JPA Form and EA Form.
2. Provide a photo location and orientation map for the Site Photographs in Module S1.A.
105.13 (e) (1) (iv)
3. All plans submitted to the Department must be the "final construction plan". The current WMP proposes (3) options for an intake structure, and states that they will be utilized independently and or in combination. Please update Module S3.D.2 to state what intake, not potential intake options, that PennEnergy plans on utilizing. *105.13 (e)*
4. Update Module S3.D.4: Habitat Attributes to account for the 3.5% habitat loss this withdrawal will have on Big Sewickley Creek, in accordance with the SRBC 191 A.
5. The project state that the temporary waterline and intake will be removed and fully restored after this round of well development. Provide a timeline for the planned use of the intake for the well development of the B50 Well Pad. Does PennEnergy have any plans on utilizing the Big Sewickley Creek for future well developments? *105.13*
6. Provide the response letter from Ambridge Water Authority regarding the January 12, 2022 water request. *105.13 (e) (1) (viii)*
7. Verify the bank limits of both Big Sewickley Creek and North Fork Big Sewickley Creek (NF) on E&S Control Plan Drawing No. 3 and Drawing JP01. The banks of NF do not line up with the existing bridge on Cooney Hollow Road; and the banks of Big Sewickley are shown to be outside the FEMA delineated floodway. Please confirm if they are shown correctly for Big Sewickley and if you believe the discrepancy is due to the eroded banks limits along the withdrawal site differing from the bank limits that existed when the FEMA study was conducted. *105.1, 105.13 (e) (1) (i) (A)*
8. Update the LOD to include all intake structures at the withdrawal site.
9. Update the E&S Control Plan Construction Details to include a detail for the temporary super truss stream crossing.
10. Update E&S Control Plan Drawing JP01: Detail 1 to include the proposed fencing and to callout the type and size of the waterline that connects the pump to the floating intake structure. Also, if personnel trailers will be set up at the withdrawal site, they also need shown on this plan drawing. *105.13 (e) (1) (i) (C)*

11. Update E&S Control Plan Drawing JP01: Detail 2 to show the location of all stockpiles and BMPs associated with the road crossing of Cooney Hollow Road. *105.13 (e) (1) (i) (C)*
12. If equipment will travel within the limits of UNT 2 to Cooney Hollow (Temporary Road Crossing 2), BMPs should be placed along the LOD to protect the adjacent stream channel from sedimentation.
13. Provide justification on why a 100' x 100' temporary gravel pad is needed for the installation of a 0.9-mile-long temporary above ground waterline. Can the amount of earth moving, specifically tree clearing and grubbing, be avoided in this area since the proposed project is temporary in nature?
14. Please reevaluate the response to question 6.0 in the "Coordination Information" section of the General Information Form or provide further explanation.

Please note that this information must be received within sixty (60) calendar days from the date of this letter, on or before May 29, 2022, or DEP will consider the registration withdrawn.

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 registration, DEP's Permit Decision Guarantee is no longer applicable to your registration.

As stipulated in 25 Pa. Code §105.13a of DEP's Chapter 105 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, on or before May 29, 2022, or DEP will consider the registration to be withdrawn by the applicant and no further action will be taken on the registration. Fees are not refunded when a registration is considered to be withdrawn.

If you have questions about your registration, please contact me at 412-442-4043 and refer to Application No. E0407222-001; APS No. 1058722.

Thanks,

Samantha N. Lutz | Aquatic Biologist 2
Department of Environmental Protection | District Oil & Gas Operations
Southwest Regional Office
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