



March 6, 2026

Mr. Karl M. Gross, P.E.  
Civil Engineer Manager  
Waterways and Wetlands Program  
Indiana County Conservation District  
435 Hamill Road  
Indiana, Pennsylvania 15701

Dear Mr. Gross:

Subject: Response to Technical Deficiencies  
Individual NPDES Permit – HCPP Pipeline  
Burrell, Black Lick and Center Townships, Indiana County, Pennsylvania  
Homer City Generation LP  
NPDES Permit No. PAD320011  
CEC Project 354-010

Civil & Environmental Consultants, Inc. (CEC), on behalf of Homer City Generation LP (HCG), is submitting this response to comments to the Individual National Pollution Discharge Elimination System (NPDES) application for the HCPP Pipeline project in Burrell, Black Lick and Center Townships, Indiana County, Pennsylvania. The comments were provided via email from the Indiana County Conservation District (ICCD) dated January 26, 2026.

One copy of the revised information and documents have been submitted via email to the ICCD and to Pennsylvania Department of Environmental Protection (PADEP) via Public Upload as requested.

To expedite review, the ICCD's comments are provided in **bold** type followed by HCG's response.

**1. PHMC consultation indicates that archeological and historical resources may be present in the project area. Please provide clearance from PHMC to construct the project. [25 Pa. Code § 102.6(a)(1)]**

RESPONSE: A copy of the clearance letter from the Pennsylvania Historical and Museum Commission (PHMC) is provided with this comment response.

**2. The PNDI search receipt indicates potential conflicts with the Pennsylvania Game Commission and the United States Fish and Wildlife Service. Please provide clearance from both agencies. [25 Pa. Code § 102.6(a)(2)]**

RESPONSE: The Pennsylvania Natural Diversity Inventory (PNDI) review using the Pennsylvania Conservation Explorer website (PNDI-823013) indicated potential impacts to listed species under the Pennsylvania Game Commission (PGC) and the U.S. Fish and Wildlife Service (USFWS). To resolve potential impacts to bats, a mist net survey was conducted within

the limit of disturbance (LOD) and reports of the findings were submitted to the PGC and the USFWS on September 3, 2025. The PGC responded on October 21, 2025, and after additional consultation, issued a letter on December 23, 2025, requiring winter tree clearing. HCG will comply with the following requirements:

- From the northern end of the project area (40.518890°N, 79.207580°W) south to McConnell Road (40.479484°N, 79.226783°W), all trees or dead snags greater than 3 inches in diameter at breast height that need to be harvested or trimmed are to be cut between November 16 and March 31.
- Within the remainder of the project area, tree clearing is to take place between October 16 and March 31.

The USFWS responded on December 10, 2025, and stated concurrence with the findings of the bat surveys of probable absence of Indiana, northern long-eared, and tricolored bats within the project area. The USFWS requested the determination keys in the Information for Planning and Consultation (IPaC) system be completed. The Northeast Determination Key resulted in a “may affect – not likely to adversely affect” determination for the Indiana bat, and the Northern Long-Eared Bat and Tricolored Bat Determination Key resulted in a “may affect” determination for the northern long-eared and tricolored bats. Although the technical assistance letter for the Northern Long-Eared Bat and Tricolored Bat Determination Key indicates a finding of “may affect”, the USFWS email dated December 10, 2025, indicates the USFWS’s determination of probable absence for both species. Therefore, it is our understanding that the project will have no effect on federally-listed species.

The PGC and USFWS correspondence, including the species list and technical assistance letters, are provided with this comment response. In addition, the tree clearing avoidance measure has been added to the Erosion and Sedimentation Control (E&S) Drawings.

- 3. The application indicates geological formations with the potential to discharge contaminants are present in the project area and may be disturbed during construction. Reclaimed areas that were formerly strip mined are present in the project area and testing provided indicates that acid producing rock (APR) is present in the project area. Subsurface drains along the pipeline are proposed in these locations, and it appears that there is a risk of discharge of contaminated groundwater from the outlet of the proposed drains. Please provide a technically sound explanation that ensures the construction of the project will not result in contaminated discharge to waters of the Commonwealth. [25 Pa. Code § 102.4(b)(5)(xii) and 102.8(f)(12)]**

RESPONSE: Per the meeting held between PADEP, HCG, and CEC on February 5, 2026, it is understood the area of concern is approximately between Stations (Stas.) 98+00 and 110+00, which sits approximately 150 feet or greater downgradient of Test Pit No. 17 (TP-17). TP-17 had a total

sulfur content of 0.52%, which exceeded the 0.5% threshold that constitutes APR per the PADEP fact sheet. The use of total sulfur percentage for determination of APR potential comes from Reference No. 3 in the PADEP Fact Sheet, *Overburden Sampling and Testing Manual (1988) D.A. Noll, et al.* This reference document indicates a Total Sulfur determination is an “adequate estimation of the sulfide sulfur content (pyrite) and is an easier test to perform”. Pyrite is the primary cause of acid mine drainage. While a total sulfur test may be easier to perform, the testing performed on the material sampled on this project, including at TP-17, was a Forms of Sulfur test, which goes a step further and breaks down the sulfur content into three components: Pyritic sulfur (acid producing), organic sulfur (non-acid producing), and sulfate sulfur (potentially acid producing). As noted, organic sulfur is non-acid producing. With this in mind, TP-17 has an acid producing sulfur content of 0.18%, as the organic component of the sulfur content was 0.35% as noted in the APR Management Plan. Given this, the material associated with TP-17 is not anticipated to be potential APR.

- 4. The plans and modules provided with the application do not clearly identify all discharge points to all surface waters of the Commonwealth. Please identify all discharge points for the entire project area on the plans and the appropriate modules, as well as the flow path from all discharge points to surface waters. In addition, as per the erosion potential analysis FAQ document and the application instructions, please provide an EP analysis for all discharge points where required. [25 Pa. Code § 102.8(g)(2), 102.4(b)(5)(iv) and NPDES Individual Permit Application Instructions]**

RESPONSE: The Stormwater Discharge Information section of the Individual NPDES application previously included locations of temporary (during construction) and permanent (after construction and stabilization) Discharge Point (DP) locations where concentrated flow will originate within the project boundary. Per the February 5, 2026 meeting and subsequent email correspondence between PADEP, HCG, and CEC, it is understood additional DPs for each surface water receiving runoff from the project site also need to be listed within the Individual NPDES application. Given the number of surface waters with potential to receive runoff from the project site, the DPs are now listed on separate tables attached to the application.

In addition to being added to the application, the DPs have been added to Index Sheets that were created per PADEP request to accompany the E&S and Post-Construction Stormwater Management/Site Restoration (PCSM/SR) Plan drawings.

Erosion Potential (EP) Analyses have been prepared for DPs 003 and 004 (formerly 001). DP 001 (formerly 004) has been fitted with a permanent level spreader while DPs 012 (formerly CFSD1) and 013 (formerly CFSD2) have been fitted with temporary piped level spreaders with flow depths less than 0.1-foot, and therefore do not require EP Analysis in accordance with the EP Analysis Instructions. Detail 11 for the permanent level spreader has been added to Plan Sheet C343, and Detail 30 has been added to Plan Sheet C942 for the temporary piped level spreaders.

- 5. The critical stages listed in Module 2 do not show all of the critical stages expected for the SCMs proposed in the project. Please revise the critical stages to include all of the critical stages of construction of the SCMs. [25 Pa. Code §102.8(k)]**

RESPONSE: The critical stages of construction have been updated in Module 2, on Drawing Sheets C337, C339, C340, C341, and C342, and in the PCSM/SR Narrative.

- 6. The copy of E&S Module 1 included with the application indicates on question 2 f. that no contamination is present on the site, while testing provided shows that contamination is present. Please provide a revised copy of module 1 that adequately explains and characterizes the contamination on site. [25 Pa. Code § 102.4(b)(5)(xii)]**

RESPONSE: Module 1 has been revised to indicate the project may encounter potential APR between Stations 141+00 and 147+00 and provides discussion to refer to the APR Management Plan for the handling, management, and treatment if potential APR is encountered during construction.

- 7. The application indicates that infiltration based SCMs are proposed as part of the project, while the PCSM plans do not specify the need to conduct confirmation infiltration testing as required. Please revise the PCSM plans to include the requirement to conduct confirmation infiltration testing after SCM construction. [25 Pa. Code § 102.11(a)(2)]**

RESPONSE: Note 17 of the Construction Sequence in the E&S Narrative and on E&S Drawing C937 has been revised to include scarifying/decompacting the soils on the subgrade of infiltration Stormwater Control Measures (SCMs) and conducting confirmation infiltration testing as required. The PCSM/SR Construction Sequence has been revised within the PCSM/SR Narrative, and the revised sequence has been added to the plans on Sheet C337. This sequence includes notation to conduct confirmation infiltration testing after scarifying/decompaction the subgrade of infiltration SCMs and prior to the placement of planting soils.

- 8. The following issues were noted with the Erosion and Sedimentation Control Plan. [25 Pa. Code § 102.4]:**

- a. The Rumble Pad location and detail are missing.**

RESPONSE: The Rumble Pad checked in Section 5 of Module 1 refers to the FODS Trackout Control System proposed on Sheet C928 and associated Detail 15 on Sheet C940.

**b. Water Deflector locations are missing.**

RESPONSE: The water deflectors are shown on previously provided E&S Drawing C932 and are also shown as contingent E&S Best Management Practices (BMPs) on new E&S Drawings C907A and C907B.

**c. An inspection schedule is not included on the drawings.**

RESPONSE: General Note 10 on E&S Drawing C937 provides the inspection schedule (weekly and after runoff event) and wording of the note has been updated to indicate as such. In addition, the E&S BMP details provided on Drawings C938 through C941 contain BMP specific inspection schedules and maintenance requirements.

**9. On Module 1, silt fence needs to be marked and the amount added to Section 5. [25 Pa. Code § 102.6]**

RESPONSE: The project does not propose use of standard silt fence. Siltron fence, a Multi-layer Geotextile Filter Fence and PADEP approved alternative, is proposed to be used as the primary perimeter control BMP. Multi-layer Geotextile Filter Fence, along with the number of sections of fence, were previously provided at the end of Section 5 of Module 1 under Alternative. Section 5 has been updated to note Multi-layer Geotextile Filter Fence is Siltron.

In addition to the above, and as discussed previously between Mr. Charles Kane of CEC, Ms. Marisa Matlin of the ICCD, and Mr. Karl Gross of PADEP, a temporary access route is being added to the project for purposes of monitoring the Horizontal Directional Drilling (HDD) bore crossing of Blacklick Creek. Use of the access route for HDD bore monitoring is not anticipated to result in disturbance; however, it is being added to the LOD, and E&S BMPs have been designed in the event inadvertent disturbance occurs. An additional 3.1 acres of LOD have been added to the project as a result.

Furthermore, during coordination with the PGC, an additional seed mix was requested to be added to the project for use during site restoration/revegetation within state game lands. The additional seed mix has been added to the vegetative stabilization detail within the E&S and PCSM)/SR plan drawings.

Lastly, notifications have been made to the county and municipalities describing the change to the project and providing revised notification forms and plan drawings.

The noted changes resulted in revisions to the NPDES Individual Permit for Discharges of Stormwater Associated with Construction Activities Application (General Information – Section 8 and Project and Earth Disturbance Information – Section 1), E&S Narrative (Section 1.0), PCSM/SR Narrative (Section 1.0), E&S Drawings (C907, C907A, C907B, C908, C939, and C942), and PCSM/SR

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Drawings (C307, C307A, C307B, C308, and C337). These revisions as well as proof of county and municipal notifications are provided with this letter.

An additional disturbed acreage fee in the amount of \$300 will be mailed to ICCD concurrent with the submission of the technical revision.

We trust the above responses sufficiently address your comments. However, should you have questions regarding these responses, please do not hesitate to contact us at (724) 327-5200.

Sincerely,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



Steven C. Taylor, E.I.P.  
Project Manager



Charles R. Kane, P.E., CPESC  
Principal

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