



Pennsylvania
**Department of
Environmental Protection**

January 26, 2026

Wes Brown
Homer City Generation LP
1750 Power Plant Road
Homer City, PA 15748-8009

Re: Notice of Draft Individual NPDES Permit – Intent to Issue
Notice of Technical Deficiencies
HCPP Pipeline
NPDES Permit No. PAD320011
Authorization ID No. 1549571
Indiana County

Wes Brown:

The Department of Environmental Protection (DEP) has prepared the enclosed **draft** Individual NPDES Permit for Discharges of Stormwater Associated with Construction Activities (“Draft Individual NPDES Permit”) for your review and comment.

Also enclosed is a copy of a public notice that, in accordance with DEP regulations at 25 Pa. Code § 92a.82(b), you are required to post near the entrance to your premises and, if the facility or discharge location is remote from these premises, at the entrance to the facility (project site) or at the discharge location. These postings shall remain for 30 days.

DEP will publish notice of the draft permit in the *Pennsylvania Bulletin* in the near future. You may provide written comments on the draft permit up to 30 days following publication of this notice. Following the 30-day public comment period (which may be extended by 15 days at DEP’s discretion), DEP will consider any comments received and make a decision on whether to issue a final permit.

Please be advised that your application contains technical deficiencies that must be corrected prior to DEP taking final action on your application. The technical deficiencies void the permit decision guarantee and any agreements that have been made regarding the timeline for the permit application review. DEP will continue to follow the permit review process in the review and processing of this permit application.

Technical Deficiencies

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)]
2. The PNDI search receipt indicates potential conflicts with the Pennsylvania Game

Commission and the United State Fish and Wildlife Service. Please provide clearance from both agencies. [25 Pa. Code § 102.6(a)(2)]

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)]
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]
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)]
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)]
7. The application indicates that infiltration based SCMs are proposed as a 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)]
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.
 - b. Water Deflector locations are missing.
 - c. An inspection schedule is not included on the drawings.
9. On Module 1, silt fence needs to be marked and the amount added to Section 5. . [25 Pa. Code § 102.6]

You must submit a response fully addressing each of the technical deficiencies set forth above. Please note that this information **must be received within 30 calendar days from the date of**

this letter, on or before February 25, 2026, or DEP may consider the application to be withdrawn.

Please submit one copy of the revised information electronically to the Indiana County Conservation District at m.matlin@iccdpa.org and to DEP via Public Upload at:.

Please be advised that if your response does not satisfy the technical deficiencies, in general your application will proceed to an Elevated Review. If you do not believe the technical deficiencies can be fully addressed within the required timeframe, you should consider a voluntary withdrawal. If a permit application is denied, there is no recovery of fees available; however, if you voluntarily withdraw the application and then submit a new application for the same project, previously paid disturbed acreage fess will be reapplied to the new application.

If you believe that any of the stated deficiencies are not significant, instead of submitting a response to that deficiency, you have the option of requesting that DEP make a permit decision based on the information you have already provided regarding the subject matter of that deficiency. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency.

If you have any questions, please contact Daniel Foust at 814.332.6661 or via email at dfoust@pa.gov and refer to Application No. PAD320011, to discuss your questions or to schedule a meeting. You must attempt to schedule any meeting within the 30 calendar days allotted for your reply.

Sincerely,



Karl M. Gross, P.E.
Civil Engineer Manager
Waterways and Wetlands Program

Enclosures

cc: Charles Kane, Civil & Environmental, Inc.
Indiana County Conservation District