



February 08, 2018

Attn: Mr. Scott R. Williamson, Program Manager  
Department of Environmental Protection  
Waterways and Wetlands Program  
South-central Regional Office  
909 Elmerton Avenue  
Harrisburg, PA 17110

Re: Birdsboro Pipeline Project, DEP Permit Number E06-717  
Section 401 Water Quality Certification

Dear Mr. Williamson,

On behalf of DTE Midstream Appalachia, LLC (DTE), Dawood Engineering, Inc., would like to request a review of the information contained in this submittal package, in order to certify that the proposed Birdsboro Pipeline Project will comply with all of the water quality and effluent standards and limitations set out in Section 401 of the Federal Clean Water Act, 33 U.S.C. § 1341.

The Birdsboro Pipeline Project involves the proposed installation of approximately 13.2 miles of new 12-inch-diameter natural gas pipeline (Project) extending from a receipt point on Texas Eastern Transmission Company's (TETCO) pipeline in Rockland Township, Berks County, PA, to a delivery point at the proposed Birdsboro Power Facility located in the Borough of Birdsboro, Berks County, PA. The Project is proposed within five municipalities: Borough of Birdsboro, Union Township, Amity Township, Oley Township, and Rockland Township, all of which are located in Berks County, Pennsylvania. The overall design capacity of the pipeline is expected to be 79,000 dekatherms per day (Dth/d). No compression will be required. The Project will also include the construction of a minor aboveground facility (one meter /interconnect site) and associated facilities. The pipeline will serve as the fuel provider for the Birdsboro Power Facility and will have 100 percent of its capacity dedicated to the Facility. The pipeline will have a maximum allowable operating pressure (MAOP) of 1050 pounds per square inch gauge (psig) and will be built to a Class 3 location design. The proposed in-service date for the completed Project is June 30, 2018. Further information regarding proposed Project facilities can be found in the Federal Energy Regulatory Commission's (FERC) environmental assessment (EA) under Section A5 on Page 7. A Project overview location map is included under Section A6, Page 9 (Figure 1).

DTE is applying to the FERC for a Certificate of Public Convenience and Necessity under Section 7(c) of the Natural Gas Pipeline Safety Act of 1968 (NGA) for authorization to construct and operate the proposed Project under docket number CP17-409-000. Section A8 of the attached EA covers construction, operation, and maintenance procedures. Page 15 of the section indicates that FERC Plan and Procedures will be implemented by DTE to minimize the potential environmental impacts of the construction of the pipeline project. While these procedures will be adhered to, DTE commits to fully comply with the Commonwealth of Pennsylvania's Statutes, regulations and permits, including design requirements and best

management practice (BMP) implementation that may be more stringent than the Commission's plans or design requirements.

DTE has also submitted a Joint Permit Application for a Pennsylvania Water Obstruction and Encroachment Permit under Chapter 105 and a U.S. Army Corp of Engineers Section 404 Permit to Pennsylvania Department of Environmental Protection (PADEP) under Permit Number E06-717. A list of all permits, approvals, and consultations performed for the project is found in Table A-6 on Page 29 of the enclosed EA.

Immediately following this letter is a page entitled "Response to Information Request," which details the location of the information which was requested per your email dated March 08, 2017.

Should you have any questions or require further information, please feel free to contact me, Kevin Rucker, by email, [krucker@dawood.cc](mailto:krucker@dawood.cc), or by phone at 717-732-8576.

Sincerely,



Kevin Rucker  
Manager Environmental Permitting  
Dawood Engineering, Inc.

Attachments:

Response to Information Request  
Birdsboro Pipeline Project Environmental Assessment  
Site Plan  
Oley Township Avoidance Route Analysis  
Revised Wetland and Stream Delineation Report  
Limited Geoprobe Investigation Report  
Construction Monitoring and Waste Management Addendum

## Response to Information Request

### 1. Provide project details.

See Cover Letter above for a brief project description and also refer to Sections A5 and A6 of the enclosed EA for more detailed information. Page 7 references that four mainline valves (MLVs) are proposed, which is not accurate. The MLV along Kauffman Road was eliminated from the project to minimize impacts to the Oley Valley Historic District.

#### a) Type of federal application – License, Certificate, Permit, etc.

- i. A list of permits, approvals, and consultations performed for the project is found in Table A-6 on Page 29 of the enclosed EA.
  - The status column found in the table may not accurately reflect the status of coordination efforts for the proposed project. Status discrepancies will be pointed out as appropriate in the remaining sections of this application.

#### b) Type of project - Natural Gas Transmission line.

- i. Sections A5 and A6 (Pages 7-14) of the enclosed EA provide detailed information concerning the proposed natural gas pipeline project.
  - There are references throughout these pages to the installation of 4 mainline valves. This information is outdated as the project currently proposes installation of 3 mainline valves. The valve at milepost 9.7 (along Kauffman Road) was eliminated from the project.

#### c) Federal license/docket number, etc.

- i. The FERC Docket Number (CP17-409-000) is referenced throughout the submission package.

#### d) Project description, project timeline, project locational data and map(s). maps should be U.S.G.S. 7 1/2 Minute Quadrangle Map(s) where project(s) is located. Provide a copy of a location map depicting the project in its entirety. Need lats/Longs and Counties and Municipalities.

- i. Project Description - Sections A5 and A6 of the enclosed EA provide detailed information concerning the proposed natural gas pipeline project. Please note the project is only proposing construction of three main line valves and not four as stated in Section A5, Page 7 and other places.
- ii. Project Timeline – Section A7 (Page 15) of the enclosed EA describes the construction schedule for the proposed project. Construction is anticipated to begin winter 2018 and the scheduled in-service timeframe is summer 2018.
- iii. Project Location Map - A Location Map (Figure 1) is found on Page 9 within Section A6 of the enclosed EA. Additional topographic project location mapping is provided in Appendix A of the EA.

- iv. Project Coordinates (Approximate)  
Start: Lat 40.269613, Lon -75.799909  
End: Lat 40.410821, Lon -75.760636
- v. Counties and Municipalities – Discussed above in the body of the letter
- e) **List of permits that are being applied for (both to DEP and other agencies such as USACE and DRBC, etc). This list would include any permit applications to other DEP programs and not just 102 and 105 permits.**
  - i. A list of all permits, approvals, and consultations performed for the project is found in Table A-6 on Page 29 of the enclosed EA.
    - The status column of the table inaccurately states 105 permit modifications will be submitted to the Department in October 2017. This re-submission is anticipated for December 2017.
    - The status column of the table inaccurately states that a modification is anticipated to be submitted to PGC fourth quarter of 2017. PGC provided clearance for the project on October 30, 2017.
    - The status column for PHMC coordination is not correct. The revised Determination of Effects Report and Archaeological Site Avoidance Plans were submitted December 2017. A revised Phase I Archaeological Survey Report was also submitted December 2017.

**2. Provide a description of efforts to identify and consider all cultural resources and threatened and endangered species that may be impacted by the project.**

- a) A summary of efforts and measures taken to identify, avoid, and minimize or mitigate impacts to cultural resources is provided under Section B7 of the enclosed EA, Pages 88 - 97.
  - *Revised Determination of Effects Report* – Submission on 12/15/2017 to SHPO, Oley Valley Heritage Association, the Oley Township Historical Architectural Review Board, and Berks County Planning Commission
  - *Mitigation/Treatment Plans* are anticipated to be addressed in a Memorandum of Agreement for the project to complete the Section 106 process. Mitigation consultation will begin upon receipt of SHPO review of Determination of Effects Report and concurrence of Adverse Effects. The Advisory Council on Historic Preservation (ACHP) will be notified of the Adverse Effect and consultation will include the ACHP, the SHPO, and identified consulting parties (to include Oley Valley Heritage Association, the Oley Township Historical Architectural Review Board, and Berks County Planning Commission). Submission/Completion of the Mitigation is to be determined.
  - *Archaeological Site Avoidance Plans* – Submission on 12/15/2017 to SHPO, Delaware Tribe of Indians in Oklahoma, Stockbridge-Munsee Community in Wisconsin & New York

- *Archaeological Unanticipated Discovery Plan* – Submission on 12/15/2017 to Delaware Tribe of Indians in Oklahoma, Stockbridge-Munsee Community in Wisconsin & New York

b) A summary of efforts and measures taken to identify, avoid, and minimize or mitigate impacts to T&E species is provided under Section B4 of the enclosed EA, Pages 67 - 75.

- Page 73 of the enclosed EA incorrectly states that DTE is still consulting with the FWS regarding federally listed threatened and endangered species that may be present in the Project area as well as recently identified workspaces. USFWS responded via fax with approval on September 22, 2017.

**3. Provide a description of the measures to avoid and minimize impacts to resources and all efforts which have been or will be taken to avoid and minimize impacts to resources that may be impacted by the project.**

a) A summary of efforts and measures taken to identify, avoid, and minimize or mitigate impacts to geology and soils is provided under Section B1 of the enclosed EA, Pages 31- 44.

- There are multiple references in this section of the EA that incorrectly state USGS input regarding the degree of karst development along the pipeline route is pending or that PADCNR input was considered in DTE's karst evaluations. Both agencies declined review of the project route and Karst Mitigation Plan by indicating the project does not fall under the purview of either agency.
- Page 39 of the EA incorrectly states that 119.2 acres (84 percent) of land affected by the Project is classified as prime or statewide important farmland. The correct acreage is 123 acres (80%) and accounts for additional facilities (staging areas) that were added to the project.

b) A summary of efforts and measures taken to identify, avoid, and minimize or mitigate impacts to water resources and wetlands is provided under Section B2 of the enclosed EA, Pages 44 - 55.

- Private water wells are believed to be located within 450 feet of proposed Project activities. Public water supply service areas were used to determine the likelihood a given residence is serviced by municipal water. Any parcel not denoted within a public water supply service area is assumed to be reliant upon a private water well.
- Page 48 of the attached EA incorrectly states the proposed pipeline route would cross 10 perennial, 6 intermittent, and 6 ephemeral waterbodies. The proposed pipeline route does cross 22 streams but there are 9 perennial, 7 intermittent, and 6 ephemeral waterbodies crossed. BR15 was delineated and added to the project resource mapping, which accounts for the additional intermittent watercourse. It is believed the Schuylkill River was double counted inadvertently,

- resulting in the incorrect perennial stream count.
- Page 49 of the EA states the Schuylkill River is designated as a Pennsylvania Wild and Scenic River. The Schuylkill River is classified and protected for use as a modified recreational river under the PA Scenic Rivers Act.
  - Page 53 of the EA incorrectly states operation of the pipeline facilities would require right-of-way maintenance that would result in the permanent conversion of 0.8 acre of PFO wetland to PEM/PSS wetland and less than 0.1 acre of PSS wetland to PEM wetland. Approximately 1.01 acres of PFO wetland will be affected during construction, which would result in permanent conversion to PEM/PSS wetland. Approximately 0.06-acre of PSS wetland will be affected during construction, which would result in permanent conversion to PEM wetland.
- c) A summary of efforts and measures taken to identify, avoid, and minimize or mitigate impacts to vegetation, aquatic resources, and wildlife is provided under Section B3 of the enclosed EA, Pages 55 - 67.
- Table B-8 (Page 56), Construction and Operation Impacts on Vegetation Cover Types in the Project Area shows 1.0 acre of forested wetland to be impacted by construction. This number should be 1.03 acre as shown above.
- d) A summary of efforts and measures taken to identify, avoid, and minimize or mitigate impacts to land use and visual resources is provided under Section B5 of the enclosed EA, Pages 76 - 84.
- Table B-12 on Page 77 of the attached EA is out of date. An un-numbered page (Table 8.1-2) was inserted into the body of the EA after Page 77 and shows the correct acreages for the project.
- e) A summary of efforts and measures taken to identify, avoid, and minimize or mitigate impacts to socioeconomics is provided under Section B6 of the enclosed EA, Pages 84 - 88.
- f) A summary of cumulative project impacts is provided under Section B10 of the enclosed EA, Pages 117 - 128.
- g) The Armorcast site is currently undergoing remedial actions to render on-site soils and groundwater compliant with the non-residential Statewide Health Standard. Based on the investigations conducted to date, construction activities proposed on the parcel formerly occupied by Armorcast, are not anticipated to result in the spread of contamination to the aquifer or Schuylkill River. The Limited Geoprobe Investigation Report prepared by Dawood and dated June 2017 (revised July 2017) is included in this submission as an attachment. All work within this parcel will be governed by a Construction Monitoring and Waste Management Plan that is included as an attachment to this application package. This plan will ensure on-site contaminants, if encountered, are not mobilized and transported into the aquifer or nearby Schuylkill River as a result of the project. Additionally, DTE's pipeline installation activities will adhere to their Preparedness, Prevention, and Contingency (PPC) Plan and Control and Disposal Plan.

**4. Provide a copy of the Environmental Assessment, draft EIS and/or other appropriate and related documents (resource reports if the EA or EIS are not completed at the time of submission) submitted for federal license certificate or permit.**

- a) The November 2017 Birdsboro Pipeline Project Environmental Assessment is referenced throughout this document and enclosed for Department use.

**5. Provide a listing of all streams and or bodies of water (including wetlands) that may be affected by the project. Indicate if any of these water resources are listed as trout stocks waters, wild trout, high quality or exceptional value, if any of the waters are impaired or have a TMDL.**

- a) Please refer to the enclosed EA, Appendices F and G for respective listings of waterbodies and wetlands that may be affected by the project. The requested information is supplied in these tables.
- On page F-3, Appendix F of the attached EA, Waterbodies Crossed by the Project, the in-stream timing restrictions for stream SCH1 should state “No in-stream work between 10/01 - 12/31, and between 3/01 – 06/15.”
  - BR15 is missing from the Appendix F table since it was added to the resource mapping at a later date. BR15 (intermittent) is located at milepost 3.89, is an unnamed trib. to Monocacy Creek, measures 3.7 feet wide at the crossing, is designated as WWF, MF, is not impaired, is proposed for conventional trench crossing (dam and pump or flume), and has no in-stream construction restrictions.
- b) The Schuylkill River has a TMDL for PCBs.

**6. List all water resources or parts of them that are located near public water supplies (PWS).**

- a) A stream is considered near a PWS if the TOB is within 500’ of earth disturbance activities or any downstream portion of the watercourse is located within 0.5 river miles of the earth disturbance activity. The distance to a PWS was measured from the stream TOB to parcel boundary containing the PWS since the exact location of the source is unknown. The following watercourses are considered near PWS.
- a) FO2
  - b) MB13
  - c) KL3
  - d) CH3
  - e) Monocacy Creek (S4)
  - f) MU8
  - g) MU3

b) A wetland is considered near a PWS if it's delineated boundary is within 500' of a PWS. The distance to a given PWS was measured from the wetland boundary to the parcel boundary containing the PWS since the exact location of the source is unknown. The following wetlands are considered near PWS.

- a) MB4
- b) CO2
- c) KL1

**7. Indicate if the project will be located within or adjacent to National, state or local parks, forest or recreation areas; natural wild or wilderness areas; national natural landmarks; national wildlife refuge, or federal, state, local or private wildlife or plant sanctuaries; state game lands; and areas identified as prime farmland.**

a) The Project route is not located within any National, state, or local parks; forests or recreational areas; natural wild or wilderness areas; national natural landmarks; national wildlife refuges, or federal, state, local, or private wildlife or plant refuges; or state game lands. The Project area is located within the Schuylkill River National and State Heritage Area (2017) which includes all townships crossed by the Project. The Project crosses the Schuylkill River, which is classified as a modified recreational waterway under the Pennsylvania Scenic River Act and considered a Pennsylvania Water Trail suitable for canoes, kayaks, and small motorized watercraft. The proximity of the proposed Project route to local recreational areas can be seen on the Dawood Location Map included in Appendix A of the enclosed FERC EA. This map was not issued with the EA but appended within the EA appendix for convenience of the Department's review. More detailed information regarding the Project's impacts to and mitigation of impacts to "Public Land, Recreation, and Special Interest Areas" can be found Section B5.4 of the enclosed EA, Pages 81 – 83.

b) The attached Site Plan details areas where the proposed Project crosses soils denoted as Prime Farmland.

**8. List any violations of any permits issued by DEP or any regulated activities within the past five years and provide compliance status update and steps taken to achieve compliance.**

a) DTE Midstream Appalachia, LLC has not had any violations of any permits issued by PADEP or any regulated activities.