

January 16, 2026

Shawn Simmers
Homer City Generation, LP
1750 Power Plant Road
Homer City, PA 15748-8009

Re: Technical Deficiency
Homer City Generation, LP
Homer City Generation Power Block
APS ID# 1149646, Application No.: E3206225-004
Black Lick and Center Townships, Indiana County

Shawn Simmers:

The Department of Environmental Protection (DEP) has reviewed the above referenced application package and has identified the following significant deficiencies. The deficiencies are based on applicable laws and regulations, and guidance that set forth DEP's preferred means of satisfying the applicable regulatory requirements.

Technical Deficiencies

1. The application references proposed updates to the water intake structure on Two Lick Creek, including replacement of traveling screens to include a fish return system. Please provide additional details on the proposed updates to the water intake, including screen size, through screen velocity, and the fish return system – including upstream and downstream tie-ins. [105.14(b)(4)]
2. The project proposes impacts to a portion of Wetland W-38a, which is described in S.2.B as having hydrology supported, in part, by groundwater. Please discuss secondary impacts to the unimpacted portion of this wetland due to potential loss of hydrology [§ 105.14 (b)(12)]. If it cannot be demonstrated that no loss of hydrology will occur from these impacts, the remaining wetland area must be included in impact calculations.
3. The drainage area for the culvert to be replaced in stream S-02 is specified as under 100 acres in the application and is indicated as waived, but the exact drainage area is not specified. Additionally, only 70ft of pipe is to be replaced, but 162 feet of stream impact is indicated. Note that the waiver under 105.12(a)(2) applies only to water obstructions, not encroachment activities. Please provide a drainage area for the stream and provide an explanation of all impacts to this stream. [See 25 Pa. Code §105.12(a)(2)]
4. Several Wetland Determination Data Forms were completed incorrectly. STP-42 is shown as an upland plot for Wetland W-47 but significant errors were identified: The field observations on the hydrology worksheet indicates the presence of surface water, a water table and saturation but the hydrology determination was marked as No; and the soils worksheet identifies the presence of the F6 hydric soil indicator but the soil profile provided does not meet this indicator and the hydric soil determination was marked as

No. Please provide additional documentation that the boundary of Wetland W-47 does not need to be adjusted. STP-73 is shown as an upland plot for Wetland W-44 but significant errors were identified: the 50/20 rule was applied incorrectly, as calculated vegetation passes the dominance test, but the determination was marked as No, and the soil worksheet indicates the presence of the F3 hydric soil indicator but the determination is marked as No. Please provide additional documentation that the boundary of Wetland W-44 does not need to be adjusted. STP-77 is described in the photo log as both an upland sample point and a wetland sample point; and due to the presence of wetland hydrology and hydric soil at this location, ERDC/EL TR-12-9 Chapter 5, 5.a. should be applied to the dominance of *Lonicera morrowii*. Additionally, errors that do not affect the outcome of wetland determinations were also noted on the following Wetland Determination Data Forms: STP-02, STP-04, STP-05, STP-47, STP-48, STP-52, and STP-69. [25 Pa. Code §105.451]

5. The Alternatives Analyses within the EA is inadequate. The 'Offsite Alternatives' provides a list of land uses in the surrounding area and a general justification for why offsite alternatives are not considered, but the application does not adequately demonstrate the location of any alternate areas considered in this analysis. Similarly, 'Onsite Alternatives' discusses the project components and mentions that alternative configurations were considered but does not adequately demonstrate the location of any alternative areas considered in this analysis. Additionally, the Alternatives Analysis does not discuss the Laydown areas in relation to the project purpose and need nor does it adequately demonstrate that alternative on-site configurations without wetland impacts have been considered. Please provide additional documentation including but not limited to, plan sheets showing the specific areas and alternate layouts considered, and tables which clearly compare resource impacts for alternative locations and layouts. Please specifically address the layouts of the generation units and water treatment plant to demonstrate there are no practicable alternative configurations that would further minimize impacts to aquatic resources. [§105.13(e)(viii), 105.14(b)(7)]
6. The wetland restoration methods identified for temporary wetland impacts are too generalized. While the seed mix proposed appears to adequately replace the existing vegetative communities within the temporary wetland impact areas, it is unclear from the information provided that decompaction and supplemental topsoil is appropriate in all conditions. Please provide a more detailed discussion of the existing hydrologic conditions and soil content of each proposed temporary wetland impact with a clear assessment standard for restoration of the unique conditions of each wetland to be restored. [105.13(e)(1)(ix)]
7. The project proposes impacts to Wetland W-44 for the construction of a stormwater basin. Since this area is identified as a laydown area, all resource impacts should be restored upon completion of work. Please provide a plan to restore Wetland W-44. [105.13 (e)(1)(ix)]
8. The Department has received public comments on this project. Please review and provide a written response to all comments (attached). [25 Pa Code §105.21a]
9. The Department has not received E&S Approval for this application. Please provide a letter of approval from Indiana County Conservation District and a copy of the actual Erosion and Sedimentation Plan that was approved. [§105.13(g)]

Pursuant to 25 Pa. Code §105.13(e)(4) of DEP's Chapter 105 Rules and Regulations you must submit a response fully addressing each of the significant technical deficiencies set forth above. Please note that this information must be received within sixty (60) calendar days from the date of this letter or DEP may consider the application to be withdrawn by the applicant.

You may request a time extension, in writing, to respond to deficiencies beyond the sixty (60) calendar days. Requests for time extensions will be reviewed by DEP and considered. You will be notified in writing of the decision either to grant or deny, including a specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code §105.13(e)(4).

If you believe that any of the stated deficiencies is not significant, instead of submitting a response to that deficiency, you have the option of asking DEP to make a decision based on the information with regard to the subject matter of that deficiency that you have already made available. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency. Please keep in mind that if you fail to respond, your application may be withdrawn or denied.

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 registrations 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 Frey at 814.332.6075 or via email at chrisfrey@pa.gov and refer to Application No. E3206225-004, to discuss your concerns or to schedule a meeting. The meeting must be scheduled within the 60-day period allotted for your reply, unless otherwise extended by DEP. You may also follow your application through the review process via *eFACTS on the Web* at: <http://www.ahs2.dep.state.pa.us/eFactsWeb/default.aspx>.

Sincerely,



Karl M. Gross, P.E.
Permitting Chief
Waterways and Wetlands Program

Enclosures

cc: Kimberly Bartos, HDR
Toby Partridge, Mihael Baker Intl.