



September 30, 2020

Raymond Bologna
Robinson Power Company, LLC
563 Route 18, PO Box 127
Burgettstown, PA 15021
Email Address: rjb1900@aol.com

Sarah Gilstrap
Burns & McDonnell Engineering Company, Inc.
9400 Ward Parkway
Kansas City, MO 64114
Email Address: sgilstrap@burnsmcd.com

Re: 2nd Technical Deficiency Letter
NPDES Permit No.: PAD630045
APS ID# 1003040, AUTH ID# 1290749
Beech Hollow Energy Center Transmission Line
Robinson, Cross Creek, Jefferson & Smith Townships
Washington County

Dear Mr. Bologna and Ms. Gilstrap:

The Department of Environmental Protection (DEP) has identified the attached significant technical deficiencies pursuant to 25 Pa. Code § 102.11. The Pennsylvania Erosion and Sediment Pollution Control Program Manual and the Pennsylvania Stormwater Best Management Practices Manual include information that will aid you in responding to some of the deficiencies listed below. The deficiencies are based on applicable laws and regulations, and the guidance set forth as DEP's established means of satisfying the applicable regulatory and statutory requirements.

Pursuant to Title 25 Pa. Code § 102.6 (c), you must submit a response fully addressing each of the significant technical deficiencies set forth above within 30 calendar days from the date of this letter or DEP may consider the application withdrawn. If you need additional time to address the technical deficiencies, you must make that request in writing to DEP during the 30 calendar day time period. The written request for extension will be reviewed by DEP and either granted with a specific due date, or denied.

Please note that the responses should be in the form of revisions only to the original application. Any pages revised should bear the revision date. Please submit with a copy of this letter **3 copies of the revised E&S plans and 1 copy of the revised PCSM plan** to the District at: Washington County Conservation District, 50 Old Hickory Ridge Road, Suite 1, Washington, PA 15301 and the remaining **2 copies of the revised PCSM plan and 1 copy of the E&S plans** to the Department at: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

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. Please keep in mind that if you fail to respond, your application will be considered withdrawn.

Should you have any questions regarding the identified deficiencies, please contact **Matt Golden** at **724-705-7098 (conservation district)** for questions regarding erosion and sediment control comments or contact **Jim Sommer** of my staff at **412-442-4268** or jamsommer@pa.gov and refer to the Application and Authorization numbers listed above to discuss your concerns or to schedule a meeting. Please be advised that the meeting must be scheduled within the 30-day period allotted for your reply, and a complete set of responses must be received within the 30-day period even if a meeting is requested.

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,

Dana Drake

Dana Drake, P.E.
Environmental Program Manager
Waterways & Wetlands Program

Enclosure(s)

cc: Washington County Conservation District (mgolden@pawccd.org)
Burns & McDonnell Engineering Company, Inc. (Co-Applicant Email)
File (PAD630045)



CHECKLIST

The following items must be included in the resubmittal of your application or the submission of additional information.

Technical Deficiencies

WCCD Comments:

1. §102.4(b)(5)(ix): Sheet #18; it is unclear what is proposed in this area. Provide notes and additional description on this sheet. The LOD is shown but no other information is provided.

Status: Sheet #18, it is unclear what is proposed in this area. Provide notes and additional description on this sheet. The LOD is shown but no other information is provided. Several notes have been added to the plan sheet for this area, no BMPs or other map features are shown on the plans. It remains unclear from the drawings what will take place and what BMPs will be implemented. Plan drawings should be updated indicating any earthwork and the proposed BMPs.

2. §102.4(b)(5)(ix): Perimeter E&S BMPs should be implemented for the construction of TR42 & TR20. All access roads should be evaluated for temporary E&S BMPs during construction.

Status: Perimeter E&S BMPs should be implemented for the construction of TR42 and TR20. All access roads should be evaluated for temporary E&S BMPs during construction. This comment has been partially addressed for these two roadways, some BMPs have been added to the plans, however a gap exists between the filter socks at TR42 station 18+00 right and TR20 station 18+00 to 20+00 right. All other access roads have not been addressed.

3. §102.4(b)(5)(ix): The waterbars at TR35, station 17+50 and TR7, station 12+00 outlet directly to wetlands. No BMPs are provided between the access road and the wetlands.

Status: Waterbars at TR #7 continues to outlet toward the wetland shown on the plans.

4. §102.4(b)(5)(ix): Additional topographic contours and the stream location should be provided below the pull site southeast of structure 31. Inadequate detail is provided below the pull site.

Status: Insufficient contours have been provided downslope of the pull site located southeast of structure 31. Insufficient detail is provided to decide on flow paths downslope of the pull site and if any streams will receive runoff in this area.

5. §102.4(b)(5)(iv): A spot check of the filter sock table shows that several filter socks exceed the maximum slope lengths. Filter socks, 30, 72, 76, 79 & 81 have slope lengths in excess of that shown in the E&S manual. Please review all filter socks for adequate.

Status: The response to previous comment #25 acknowledges that slope lengths exceed the maximum outlined in the E&S PC Manual without addressing how this issue can be

overcome. This comment has not been adequately addressed. The CFS table continues to show slope lengths in excess of the maximum.

6. §102.4(b)(5)(ix): The roadway detail shows a ditch and culvert, will the ditch and culvert be used on site? Proposed ditches and ditch relief culverts should be shown on the plan drawings. The application of this detail should be clarified.

Status: The roadway detail shows a ditch and culvert, will the ditch and culvert be used on site? Proposed ditches and ditch relieve culverts should be shown on the plan drawings. The application of this detail should be clarified. This comment has not been addressed. The response indicates that this detail will be used on site “where appropriate”. The locations of ditch lines and culvert outlets and their proposed spacing needs to be clearly shown on the plan drawings. It is not indicated where this detail will be utilized and no culvert spacing provided.

7. §102.4(b)(5)(ix): The specific temporary roadway crossing method should be called out at each crossing. The crossing method should be consistent with the Chapter 105 permits.

Status: The specific temporary roadway crossing method should be called out at each crossing. The crossing method should be consistent with the Chapter 105 permit. This has not been sufficiently addressed. Labels at stream crossings now say “See Chapter 105 drawings for details” these details need to be called out within the E&S plan either through a note or a table. Typical crossing details are provided, but there continues to be no indication as to which method will be implemented at each crossing.

Additional WCCD Comments from review of revisions:

8. §102.4(b)(5)(ix): The waterbar typical detail notes the use of a log or steel pipe to reinforce the waterbar. The detail should show how the log or steel pipe is to be utilized to reinforce the waterbar. The detail should be revised.
9. §102.4(b)(5)(ix): Grading for TR50A is shown impacting the basin embankment and outfall of WKR51, cut/fill are proposed to take place on the breastwork of this existing basin. How will the proposed earthwork be conducted without negatively impacting the existing basin. No E&S BMPs are proposed below this proposed cut/fill. Consider relocating this activity away from the basin embankment or provide notes on how this will be addressed.
10. §102.4(b)(5)(ix): Proposed grading has been added to the plan, however inadequate and/or no erosion control BMPs are shown at multiple stream crossing locations; TR65 sta.10+50, TR 58 Sta. 18+75 – 19+00, TR57 Sta. 12+00, TR50A Sta.2+50, TR49 Sta. 15+00 – 17+00, TR42 Sta.14+75, TR41 Sta. 13+00, TR31 Sta. 11+00, TR29 Sta. 19+00, TR22 Sta.15+50. Temporary E&S BMPs should be implemented at stream crossings and indicated on the plans. All stream crossing locations should be evaluated and appropriate E&S BMPs implemented. Plan sheets should be revised to reflect these changes.

11. §102.4(b)(5)(ix): Multiple locations throughout the project propose waterbars that are shown out letting directly to streams and or wetlands along the project route. These locations are TR65 Sta.10+50, TR58 Sta.18+75 & 19+00, TR57 Sta. 12+00, TR50A Sta. 2+50, TR49 Sta. 17+00 & 16+90, TR42 Sta. 14+75 & 15+00, TR41 Sta. 13+00 & 13+75, TR37 Sta.31+50. The outlets of all waterbars that are in the vicinity of resources or other sensitive features should be evaluated and appropriate BMPs provided or the discharge should be relocated to avoid a potential direct discharge.
12. §102.4(b)(5)(ix): Proposed grading has now been shown on the plans. There are many locations where significant cut & fill will be taking place to construct the temporary access roads, there are a significant number of areas that have inadequate perimeter erosion controls depicted on the plan drawings. TR6, TR12 Sta.15+00-18+00, TR13-1 Sta. 11+00-13+00, TR15 Sta. 10+00 – 13+00, TR16 Sta. 10+00-13+00, TR18 at the RCE, TR25 at the RCE & Sta.13+00-16+00, TR25 Sta. 13+00, TR25-2 Sta. 11+00, TR26 at the RCE, TR29 Sta. 11+00-16+00, TR30 at the RCE at Phillis Road, TR35 Sta. 31+00-35+00 & 39+00-41+50, TR44 Sta. 13+00, TR47 Sta. 13+00, TR50A, TR54A, TR54B, TR56 Sta. 15+00-20+00, TR61 Sta. 11+00-15+00, TR65 Sta.13+00-18+00. It is recommended that all access roads and pads be evaluated and appropriate E&S BMPs be proposed.
13. §102.4(b)(5)(ix): Erosion control blanketing is required on slopes 3:1 or steeper and areas within 50' of a surface water. Several stream crossings are observed to be shown without implementing ECM blanketing. TR15 Sta 10+00-13+00, PSS25-2/Structure 25, TR29 Sta.19+00, TR41 Sta.13+00, TR42 Sta. 15+00, TR57 Sta. 12+00, TR58 Sta. 17+75 & 19+00. The plan drawings should be revised to show all areas where ECM blanketing is required.
14. §102.4(b)(5)(ix): A very large cut is proposed at TR56, no blanketing is shown and no E&S BMPs are proposed. How will the concentrated discharge be addressed where the ditch discharges at Lee Road? Additionally, no information on stabilization of the ditch is provided.
15. §102.4(b)(5)(ix): CFS at structure 55 extends into the proposed fill slope. The location of SS#32 should be re-evaluated and relocated.
16. §102.4(b)(5)(ix): The waterbar at TR38-2 is shown sloping the wrong way. Waterbar alignment should be reviewed for this location and all others to determine correct waterbar placement.
17. §102.4(b)(5)(ix): TR27 is shown in a cut and will drain onto the structure 28 pad. How will this runoff be conveyed from the pad? No E&S BMPs are proposed for the roadway in this area.
18. §102.4(b)(5)(viii): The description of the ROW disturbance in section 3.1(page 3-1) references that the ROW disturbance will be limited to a 20-foot-wide path between the structures. There are many portions of the roadway that the earthwork is in excess of 20' wide. This should be revised to be consistent with the plan drawings.

19. §102.4(b)(5)(ix): The project description in section 3.1 references that portions of the ROW will be cleared with mechanical equipment. Mechanical clearing presents the potential for erosion to occur during clearing activities. Provide an explanation and description in the submission of any BMPs that will be utilized to minimize accelerated erosion during tree clearing operations. If BMPs will be used, they should be shown on the plan drawings.
20. §102.4(b)(5)(ix): The limits of mechanical clearing/hand clearing should be marked on the E&S plan drawings, it is recommended that this be marked in the field as well to prevent intrusion into areas where only hand-cutting is proposed.
21. §102.4(b)(5)(ix): Significant grading has now been shown for access roads and proposed pad sites, E&S notes found on each plan sheet should be revised to include that changes to the E&S BMPs, locations of roadways or other revisions to the approved E&S plan need to be submitted to DEP/Conservation District and reviewed prior to implementation. This should be incorporated into E&S Note #6, 8 & 9.
22. §102.4(b)(5)(ix): Detail 8-6 has been added for use at the outlets of proposed culverts. No reference is noted on the plans indicating where this is to be implemented. A symbol or note should be added showing where detail 8-6 will be used.
23. §102.4(b)(5)(ix): Detail 8-6 does not include the proposed riprap size. If the riprap size will vary throughout the project, then a table should be included indicating the proposed riprap size and dimensions.
24. §102.4(b)(5)(ix): The wash rack detail has been included for use in combination with the rock construction entrance. How will wash water from the wash rack be treated? An adequate treatment BMP needs to be included as indicated on the detail, this should be shown on the plans. The plan should also indicate the watercourse location for each wash rack and any other applicable details on the plan sheet.
25. §102.4(b)(5)(ix): Channel lining needs to be specified for the proposed roadside ditch per the typical detail notes. No channel lining details have been provided.
26. §102.4(b)(5)(ix): The plan legend indicates that sections of SS#20 are 18" CFS, however the CFS table indicates that these are to be 32" filter socks. The plan sheets should be revised to show the correct size sock.
27. §102.4(b)(5)(vii): Installation of the wash rack should be included in the construction sequence. No reference to the wash rack was included.
28. §102.4(b)(5)(vii): The installation of detail 8-6 at culvert outlets should be included within the construction sequence.

29. §102.4(b)(5)(ix): It is recommended that a note be included at the beginning of the construction sequence, referencing that all BMPs must utilize the ABACT notes included with the typical details.
30. §102.4(b)(5)(ix): A note is included on sheet GN-101, Temporary Road Crossings, indicating that no fill will occur within the floodway. The grading for several of the stream crossings shows a significant amount of fill being placed within the assumed floodway of several of the streams; TR49 Station 16+50, TR50A station 2+50. All crossings should be evaluated, and the notes revised to be consistent with the proposed grading.
31. §102.4(b)(5)(ix): Waterbars are shown out letting onto recently graded slopes throughout the temporary roadways on the project. How will erosion be minimized at these waterbar outlets. A stable means of conveying runoff down the slopes needs to be provided.

DEP Comments:

1. §102.6(a)(2): Please explain why there are two PNDI “spreads”. What does this refer to? If they are both the overall transmission line, please submit a large project PNDI for linear projects.

Status: A new PNDI with potential hits for the overall line has been submitted. Per the agency response letters, there are restrictions and conditions. Indicate clearly in Bold in the project description and E&S Plan Sheets, that the specified tree cutting will be performed between November 1 and March 31. Provide the PGC response to the Northern Harrier Habitat HAS that was submitted. Provide USFWS clearance for their potential impact, as a clearance letter was not provided.

2. §102.6(a)(1): Provide the GP-5 and GP-8 permit numbers that are being registered with the Washington County Conservation District within the NOI. Provide proof of receipt of the Chapter 105 permits for this phase or section.

Status: Submitted January 16, 2020 to WCCD. GP056300220005 and GP086300220002. Per the original comment, provide these GP permit numbers within the NOI, specifically Section H.

3. §102.8(f)(9): Sheet 21 shows contours that depict a watercourse which is not delineated or called out. Please access. Sheet 24 shows contours that depict a watercourse which is not delineated or called out. Please access. Sheet 31 shows contours that depict a watercourse which is not delineated or called out. Please access. Sheet 40 shows contours that depict a watercourse which is not delineated or called out. Please access. Sheets 48-49 shows contours that depict a watercourse which is not delineated or called out. Please access. Sheet 57 shows contours that depict a watercourse which is not delineated or called out. Please access.

Status: Sheet 31: The contours in question are in PSS area 38-1.

4. §102.8(f)(9): How will the construction be performed on Sheet 71 so that the general public on the PA Turnpike is not affected?

Status: The response states that if construction is not completed within 2020, coordination with the PTC will be needed for a road closure plan. As it is currently near the end of 2020, please indicate if you have reached out to the PTC, and the status of this road closure plan. Indicate on the plan sheet drawing, that prior to construction, a road closure plan with the PTC must be in place.

5. §102.6(a)(2): Sheet 73 uses crown vetch within the seed mixtures proposed. Crown vetch is considered an invasive species plant per DCNR. Please evaluate the use of other seed mixtures that do not include crown vetch.

Status: This has not been revised as the 2nd seeding detail is the same as the initial submission and includes crown vetch. Please revise the 2nd seeding detail on the same plan sheets.

6. §102.6(a)(2): To ensure adherence to Threatened and Endangered species restrictions and avoidance measure that are part of any PNDI clearances, the Plans and drawings need to clearly identify these locations and provide constructions notes and seasonal restrictions. Revise the plans for this application to include this information.

Status: A tree cutting restriction has been added to the plan sheets. Please note that additional notes may be warranted, once DEP receives the USFWS clearance letter and the PGC clearance letter for the Northern Harrier HAS study.

7. **Please note, DEP has reached out to the consultant to submit the entire permit application, as well as any incomplete letter responses and TDL response electronically due to teleworking, see instructions below. Please indicate by letter or email if the applicant is willing to accept an electronic approval of an application.**

Please note that the responses should be in the form of revisions only to the original application. Any pages revised should bear the revision date. Please submit with a copy of this letter **3 copies of the revised E&S plans and 1 copy of the revised PCSM plan** to the District at: Washington County Conservation District, 50 Old Hickory Ridge Road, Suite 1, Washington, PA 15301 and the remaining **2 copies of the revised PCSM plan and 1 copy of the E&S plans** to the Department at: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

Please note that due to the Covid-19 Pandemic, DEP staff are currently teleworking. As such, please also submit the responses electronically to our FTP site using the following directions:

Go to: <https://copaftp.state.pa.us/EFTClient/Account/Login.htm>.

login with the username and password below.

Username: ep-itcu

Password: DepCustomerDownload#132

Upload to folder WW. Once complete, please contact Jim Sommer.