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**Northampton County Conservation District**

Greystone Building – 14 Gracedale Avenue - Nazareth, Pennsylvania 18064-9211  
Phone (610) 829-6276 - Fax (610) 746-1980 – E-mail:  
northamptoncd@northamptoncd.org

April 16, 2021

Ginger Richman (grichman@njresources.com)  
Adelphia Gateway, LLC  
1415 Wyckoff Rd.  
Farmingdale, NJ 07727-3940

Re: Incompleteness Letter  
Adelphia Gateway Sherry Lane / Easton Rd. Lateral and M&R Station (Gas Pipe Line)  
NPDES Permit Application No. ESG024821002-00  
Cty #: 19-21-7-28  
Lower Saucon Township, Northampton County

Dear Ms. Richman:

The Northampton County Conservation District has reviewed the above referenced Notice of Intent (NOI) for PAG-02 NPDES General Permit Coverage and has determined that it is incomplete. The list below specifies the items that must be included in the resubmittal of your NOI and/or the submission of additional information. The *Pennsylvania Erosion and Sediment Pollution Control Program Manual* (E&S Manual) and the *Pennsylvania Stormwater Best Management Practices Manual* (BMP Manual) include information that may aid you in responding to some of the items listed below. The items are based on applicable laws and regulations, and the guidance sets forth the DEP's preferred means of satisfying the applicable regulatory requirements.

Please note that pursuant to 25 Pa. Code § 102.6(c)(2), this information must be received within 60 calendar days by **June 15, 2021** or the District may consider the NOI withdrawn.

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**Items for Resubmittal or Submission of Additional Information**

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1. One original and one copy of the complete NOI form (8000-PM-OOG0006) were submitted and were completed as instructed in the ESCGP NOI Instructions. [25 Pa. Code § 102.6(a)(1)]
  - a. Section B, Client Information
    - i. The provided zip code appears to be missing a digit. Please review and revise to include the full zip code +4.
    - ii. Email address was not provided. As per the ESCGP NOI Instructions, "each Applicant and Co-Applicant listed in Section B. of the form must

also include the email address they prefer to provide for contact by the permit reviewer and future contact after a permit is acknowledged.

- b. Section C, Site Information
  - i. The question regarding a 911 address was left unanswered. Please check yes or no as appropriate.
- c. Section D, Expedited Review
  - i. Questions 1-6 of Section I Expedited Review Eligibility were left unanswered, however Section II Expedited Review Process questions were answered. Please review and revise to answer all appropriate questions.
  - ii. Question 3(a) of Section II was answered in the affirmative, however a Resource Delineation Report was not found with the permit application materials. As per the ESGGP NOI Instructions, “resource delineation report is required for both expedited and standard permit review process. If the resource delineation for a project was not done during growing season, such projects won’t be eligible for expedited review unless the applicant answers “yes” to 3.b or 3.c or 3.d. Resource determination report that identifies the location of all surface waters of this Commonwealth which may receive runoff within or from the project site and their classification under Chapter 93 must be included with Resource Delineation Report. This should include all data sheets to confirm the presence or absence of wetlands within the area and any other supporting documentations for resource determination. The applicant/Oil and Gas Operator is responsible for the determination of resources.
- d. Section F, Erosion and Sedimentation Control (E&S) Plan
  - i. Question “e” was answered in the negative, however in Section E, it is identified that the project discharges to a storm sewer, which is a non-surface water discharge, as such an off site discharge analysis is required. See Comment 5(d) below.
- e. Section H Post Construction Stormwater Management (PCSM) and/or Site Restoration (SR) Plan
  - i. For Act 167 plans, boxes 1 and 2 are checked, however box 1 may not be checked as the Act 167 Plan referenced was never approved by PA DEP.
  - ii. Question “d” was answered in the negative, however in Section E, it is identified that the project discharges to a storm sewer, which is a non-surface water discharge, as such an off site discharge analysis is required. See Comment 5(d) below.
  - iii. Section F has Infiltration Berm Checked as a BMP being used for Volume, Rate, and Water Quality, however Infiltration Berm(s) do not appear to be proposed. Please review and revise accordingly.
  - iv. Question “g” lists “N/A” for critical stages, however as per the ESGGP NOI Instructions, “Identify the critical stages of implementation of the PCSM Plan for which a licensed professional or designee shall be present on site. The critical stages may include the installation of underground treatment or storage BMPs, structurally engineered BMPs or other BMPs as deemed appropriate by DEP or Conservation District.” Any structurally

- engineered PCSM BMPs (i.e. subsurface infiltration basins) should be deemed a critical stage and subject to oversight by a licensed professional. Please review and revise and also revise PCSM plan drawings to list critical stages in the PCSM Construction Sequence.
- f. Section L, Applicant Certification
    - i. The NOI was not notarized. Please provide a notarized copy of the NOI as requested in the NOI Checklist.
2. One copy of the NOI Administrative Completeness Checklist (8000-PM-OOG0006) was submitted and complete. [25 Pa. Code § 102.6(a)(1)]
- a. For 3(d) Project Site Runoff – a discharge analysis for non-surface water discharges was not provided (see comment 5(d) below).
  - b. For 3(e) Surface Water Classification – this information should be provided in the E&S Narrative or on the E&S plan drawings.
  - c. For 3(m) Thermal Impacts – this information should also be included in the E&S narrative or on the E&S plan drawings. Please revise to include this information with the E&S report.
  - d. For 3(l) Naturally Occurring Geologic Formations and Soil Conditions – Consideration should be given to potential Karst Geology and the potential for sinkhole development. Please review and revise the application package, including the NOI to address potential sinkhole issues.
  - e. For 5(a) Municipal Notification – the proper forms and proofs of receipt were not submitted (see comments 3(a), 3(b), and 3(c) below).
  - f. For 7(b) Naturally Occurring Geologic Formations and Soil Conditions – See comment 2(d) above. Karst geology should be considered.
  - g. For 7(l) Addressing Impacts from Naturally Occurring Geologic Formations and Soil Conditions – See comment 2(d) and 2(f) above – Karst Geology does not appear to have been considered.
3. Two copies of County and Municipal Notification Forms (3800-FM-BCW0271a and 3800-FM-BCW0271b, respectively) with county and municipal signatures or proof that the county and municipality received the forms were submitted. [25 Pa. Code § 102.6(a)(1)]
- a. The County and Municipality Notifications submitted are inadequate for this permit application. For all permit applications submitted after December 7, 2019 the new County and Municipal notification forms must be used. Please submit two copies of the new notification forms (3800-FM-BCW0271a and 3800-FM-BCW0271b) along with proof of receipt with the resubmission.
  - b. The county planning commission should be notified as opposed to the county commissioners. Therefore, Lehigh Valley Planning Commission (LVPC) should be notified; A copy of the Notification Form and proof of receipt to LVPC should be provided. NOTE: Permit cannot be issued until 30-day county and municipal comment period is expired.
  - c. Proof of receipt of County and Municipal notification letters is required. Examples of proof can be a signed certified mail green card, Fex-Ex/UPS tracking

form, or if, due to COVID-19, letters are being emailed, a read receipt from the email the Notification Form was sent under.

4. Two copies of the PNDI receipt (draft receipts not acceptable), which will not expire prior to anticipated authorization of permit coverage, were submitted. [25 Pa. Code § 102.6(a)(2)]
  - a. The project search area should be greater than or equal to the entire site in question (i.e. total project area). Please provide copies of the new PNDI search receipt and applicable resolution letters. The PNDI search area on the provided receipt is for only 0.9 Acres whereas the total project site area listed on the NOI is 4.46 acres. NOTE: For any avoidance measures, they must be included on both the E&S and PCSM plan drawings.
5. One original and one copy of the complete E&S Plan Narrative (or one original and one copy of the complete E&S Module 1 (3800-PM-BCW0406a)) were submitted and were completed. [25 Pa. Code § 102.6(a)(1)]
  - a. Details were provided for all E&S BMPs (Question 5 of E&S Plan Information). [25 Pa. Code § 102.4(b)(5)(ix)]
    - i. The detail provided for the riprap channels does not conform to the standards of Standard Construction Detail Number 6-3. Make all necessary corrections. The table in the Standard Construction Detail should be included and completed as well as the notes in bold below the detail.
    - ii. Provide a construction detail for the proposed structural level spreader. Guidance regarding design of structural level spreaders may be found in Appendix G of the E&SPC Manual. Additionally, this should be shown on E&S plan drawing.
  - b. Standard E&S Worksheets from the E&S Manual (or their equivalent) were attached. [25 Pa. Code § 102.4(b)(5)(vii)]
    - i. Please provide the information requested by Standard E&S Worksheet #11 for all proposed channels.
    - ii. Standard E&S Worksheet #1 is incomplete. The slope percent should be provided for each segment of compost filter sock (i.e. socks 1-27). Please revise to include the required information for each sock. Additionally, each compost filter sock identified on Worksheet #1 should be identified and labeled with the sock number on the E&S plan drawings. Please review and revise the E&S plan drawings as necessary.
    - iii. Standard E&S Worksheet #6 is incomplete. The slope percent and slope length should be provided for each segment of super silt fence (i.e. fence # 2-29). Additionally, each segment of super silt fence should be identified and labeled with the fence number on the E&S plan drawings. Please revise Worksheet #6 and the E&S plan drawings accordingly.
    - iv. The provided Standard E&S Worksheet #19 is incomplete and contains no data. A separate Worksheet #19 should be completed for each proposed compost sock sediment trap and provide calculations and values to show

that it is sized to provide the required 2,000 cubic feet of storage capacity for each acre tributary to the trap. Additionally, the minimum required trap height should be provided on the Construction Detail for all proposed traps. Please revise the detail and provide the required Worksheet #19 calculations.

- c. Supporting E&S calculations were provided (for any calculation not handled by a Standard E&S Worksheet or an equivalent). [25 Pa. Code § 102.4(b)(5)(vii)]
    - i. Supporting calculations should be provided in E&S Narrative for the proposed level spreader, i.e. proposed length of spreader, spreader elevations, plunge pool dimensions and stone size, etc. (re: Appendix G of the E&SPC Manual)
  - d. An Off-site Discharge Analysis was provided, if applicable. [25 Pa. Code § 102.4(c)]
    - i. There appear to be discharges to non-surface waters, therefore an Off-Site Discharge Analysis is required. Please review and revise as necessary for all proposed non-surface water discharges. For information on what is required to be included in the analysis, please see DEP FAQ “Chapter 102 Off-Site Discharges of Stormwater to Non-Surface Waters” revised 1/2/2019. FAQ #3 explains what is to be included in the analysis which should be included as either a stand-alone document or included in both the E&S and PCSM Narratives.
6. Two sets or copies of E&S Plan Drawing(s) were submitted. [25 Pa. Code § 102.4(b)(5)(ix)]
- a. The Drawing(s) identify all discharge points. [25 Pa. Code § 102.4(b)(5)(ix)]
    - i. All discharge points should be clearly shown and labeled on the E&S plan drawings. Please revise.
  - b. The Drawing(s) show the location of all BMPs and drainage areas to the BMPs as applicable. [25 Pa. Code § 102.4(b)(5)(vi)]
    - i. Maximum during construction drainage areas to the proposed sediment traps and diversion berms/channels should be provided on the E&S plan drawing to support BMP design, (e.g. a separate plan drawing clearly mapping the maximum during construction drainage areas including acreage may be provided for plan clarity).
    - ii. A construction detail is provided as well as maintenance notes for weighted sediment filter tubes, however these were not found on the E&S plan drawings or depicted in the plan legend. Please revise to clearly show and label this BMP if it is being proposed.
  - c. The Drawing(s) show the Avoidance Measures specified on the signed PNDI receipt, if applicable. [25 Pa. Code § 102.4(c)]

- i. The Avoidance Measures specified on the signed PNDI should be shown on the E&S Plan Drawings. Please revise to include the US Fish and Wildlife avoidance measure.
  - d. The Drawing(s) show the sequence of construction, an operation and maintenance (O&M) program, and procedures for recycling or disposing of materials (not necessary if a separate narrative is attached). [25 Pa. Code § 102.4(b)(5)(vii) & 102.4(b)(5)(xii)]
    - i. Please remove note stating that, "Construction sequence can vary at the discretion of the contractor." Once the ESCGP permit is issued, the approved construction sequence must be followed. Any deviation from the approved construction sequence would require a field change or a permit amendment.
- 7. One original and one copy of the complete PCSM Plan Narrative (or one original and one copy of the complete PCSM Module 2 (3800-PM-BCW0406b)) were submitted and were complete. [25 Pa. Code § 102.6(a)(1)]
  - a. A pre-development site characterization was provided (i.e., soils and geotechnical testing results and narrative of methods and results). [25 Pa. Code § 102.8(g)(1)]
    - i. It does not appear that a pre-development site characterization was provided. Chapter 102.8(g)(1) defines this characterization as, "Predevelopment site characterization and assessment of soil and geology including appropriate infiltration and geotechnical studies that identify location and depths of test sites and methods used." Since infiltration BMPs are proposed, please include a pre-development site characterization that can include, but is not limited to, infiltration testing, soil test pits, geophysical studies (i.e. ground penetrating radar, electrical resistivity testing, etc.), geotechnical studies, etc. The collected data should be organized to clarify who performed the testing and what the findings reveal (i.e. testing summary, suitability for infiltration, etc.).
- 8. Two sets or copies of PCSM Plan Drawing(s) were submitted. [25 Pa. Code § 102.8(f)(9)]
  - a. The Drawing(s) show receiving surface water(s) and watershed boundaries, if applicable, within the project site and floodway or floodplain. [25 Pa. Code § 102.8(f)(5)]
    - i. The receiving surface water should be shown, along with the Chapter 93 classification, on the PCSM plan drawings. Where the receiving surface water is beyond coverage of the plan drawings, it can be shown on the location map. Please revise to include the location map and show the receiving surface water.

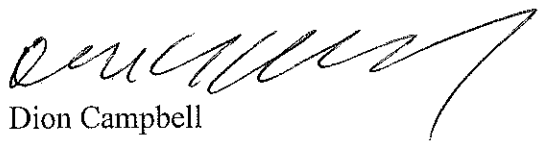
- b. The Drawing(s) identify all discharge points. [25 Pa. Code § 102.8(f)(9)]
  - i. All discharge points (of which 2 are identified in the DEP PCSM Spreadsheets) should be clearly shown and labeled on PCSM plan drawings. Please revise to show all discharge points.
- c. The Drawing(s) show the Avoidance Measures specified on the signed PNDI receipt, if applicable. [25 Pa. Code § 102.4(c)]
  - i. The Avoidance Measures specified on the signed PNDI should be shown on the PCSM Plan Drawings. Please revise to include the US Fish and Wildlife avoidance measure.
- d. The Drawing(s) show the sequence of PCSM BMP implementation, a long-term operation and maintenance (O&M) schedule, procedures for recycling or disposing of materials, and critical stages of BMP implementation (not necessary if a separate narrative is attached). [25 Pa. Code § 102.8(f)(7) & 102.8(f)(10)]
  - i. The long term operation and maintenance (O&M) schedule does not cover all proposed BMPs (i.e. level spreader, etc) Please review and revise to include all proposed PCSM BMPs.
  - ii. Please provide the procedures for recycling or disposing of materials on the PCSM plan drawings.
  - iii. Please identify the critical stages of PCSM BMP installation – see comment 1(e)(iv) above.
  - iv. Please remove note stating that, “ Construction sequence can vary at the discretion of the contractor.” Once the ESCGP permit is issued, the approved construction sequence must be followed. Any deviation from the approved construction sequence would require a field change or a permit amendment.
- e. The Drawing(s) show the location of test pits used for infiltration testing as cross-referenced to PCSM Module 2, Infiltration Information. [25 Pa. Code § 102.8(g)(1)]
  - i. The PCSM Plan drawings should show the location of the infiltration testing test pits. Please revise to show.

As stipulated in 25 Pa. Code § 102.6(c)(2) of DEP’s Chapter 102 rules and regulations (regarding complete applications), information requested by this office must be received within sixty (60) calendar days from the date of this letter, or the District may consider the NOI to be withdrawn by the applicant and no further action will be taken. Fees are not refunded when an NOI is withdrawn.

**Based on guidance received from PADEP, to reduce the spread of the COVID-19 virus, NCCD will be accepting electronic submissions. When you are ready to submit your documents, please follow the instructions on NCCD’s website.**

If you have questions about the information contained in this letter, please contact Nicholas DiPaolo by e-mail at [ndipaolo@northamptoncounty.org](mailto:ndipaolo@northamptoncounty.org) or by telephone at 610-829-6276 and refer to Application No. ESG024821002-00.

Sincerely,



Dion Campbell  
District Manager  
Northampton County Conservation District

cc: Kristine E. McCool, PE, PS&S ([kmccool@psands.com](mailto:kmccool@psands.com))

ecc: Lower Saucon Township  
District Manager

bcc: File

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