



LEBANON COUNTY CONSERVATION DISTRICT

2120 Cornwall Road * Suite 5 * Lebanon, PA 17042-9788
(717) 277-5275 FAX (717) 272-5314

January 31, 2018

Joseph Dean
Transcontinental Gas Pipe Line Company LLC
2800 Post Oak Boulevard, Level 6
Houston TX 77056

Dean McDowell
Welded Construction, L.P.
26933 Eckert Road
PO Box 470
Perrysburg OH 43552

Via email

**Re: *Earth Disturbance Inspection for
Atlantic Sunrise Project
Permit #: ESG0300015001
District File #: 38-924-008-15
Multiple Townships, Lebanon County, PA***

Mr. Dean and Mr. McDowell:

On Tuesday January 30, 2018, a representative of the Lebanon County Conservation District conducted a partial inspection of earth disturbance activities at the above referenced site. Please refer to the enclosed inspection report as guidance to obtain voluntary compliance with the Chapter 102 Erosion and Sediment (E&S) Control Rules and Regulations.

The Lebanon County Conservation District, by delegation agreement with the Pennsylvania Department of Environmental Protection (DEP) is authorized to investigate complaints and inspect earth disturbance activities to determine compliance with the Commonwealth's Clean Streams Law and Chapter 102, E&S Control Rules and Regulations.

Sediment has been identified as the Number one source of pollution to our waterways in south central Pennsylvania and is a major contributor to the decline of the Chesapeake Bay. Chapter 102 requires persons proposing or conducting earth disturbance activities to develop, implement and maintain Best Management Practices (BMPs) to minimize the potential for accelerated erosion and sedimentation. This regulation requires that a written E&S Pollution Control Plan be developed, implemented, and kept available on site at all times. The E&S plan shows the site specific BMPs to be implemented for your project. The purpose of this regulation is to protect, maintain, reclaim, and restore water quality and the existing and designated uses of waters of this Commonwealth.

The enclosed inspection report identifies the site conditions at the above referenced project as of the date of inspection. The inspection report reveals that earth disturbance activities are being conducted in a manner that is **not** in accordance with the approved erosion and sediment control plan and are in violation of Pennsylvania's The Clean Streams Law, the Act of June 22, 1937, P.L. 1987 as amended, 35 P.A §691.0 et seq., and Chapter 102, Erosion Control Rules and Regulations.

CONSERVING TODAY'S RESOURCES FOR TOMORROW

The Conservation District's primary mission is to educate and assist the public in making the best choices in conserving and protecting our natural resources. **In so doing, the Conservation District prefers to resolve this matter through voluntary means.** Please contact the district in reference to the corrective measures you plan to take or have already taken and the expected timeframes for completion.

Please be advised the Conservation District and/or representatives of DEP will be conducting future inspections at the site.

Your cooperation in resolving this matter is greatly appreciated. If you should have any questions, please feel free to contact me at 717-277-5275.

Sincerely,

Karl Kerchner

Karl Kerchner PG, CPESC

Assistant Manager/Land & Water Resource Manager

Enclosures:

(1) Inspection Report

C

Jack McGuire
Lynda Schubring
SCRO



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATERWAYS ENGINEERING AND WETLANDS

Permit No. ESG0300015001
Report No. ASR 007

EARTH DISTURBANCE INSPECTION REPORT

Project Name Atlantic Sunrise Project **Inspection Date** 01/30/2018 **Inspection Time** approx 2 to 3 PM
Weather Conditions Overcast, approximately 27 degrees F, dusting of snow past 24 hours **Total Project Area** approximately 758 acres
Location north-south through Lebanon County **Total Disturbed Area** approximately 540 acres
Municipality N Annville Twp **County** Lebanon
Receiving Water(s) Quittapahilla **Designated/Existing Use** TSF

Responsible Party(s) Transcontinental Gas Pipe Line Company LLC Dean McDowell, Welded Construction LP
 (name & address) Joseph Dean 26933 Eckert Road PO Box 470
2800 Post Oak Boulevard, Level 6 Houston TX 77056 Perrysburg OH 43552
(Additional Responsible Party(s) on Page 4)
Phone (713) 215-3427 joseph.dean@williams.com (419) 931-3063 dmcdowell@welded.com ()

Site Representative (name) Jack McGuire **Inspector** (name) Karl Kerchner PG, CPESC
 (title) Lead Environmental Inspector (title) Assistant District Manager

Type of Inspection (check only one) **Photographs Taken** Yes No
 Routine complete Routine partial Follow-up Complaint Final

- Site Description & Observations:**
1. Failure to follow guidance from Stream Crossing Details that states in part . . . All stream crossings will be performed during low flow conditions . . .
 2. Active ditching in ROW. Stream flume and dam and pump operations functioning.
 3. Three Pump Water Filter Bag structures surrounded by double stacked straw bales on site. Two structures being utilized during inspection.
 4. Water from pump water filter bag structures observed ponding in low lying, well vegetated area between excavation and Clear Spring Road prior to entering Quittapahilla Creek. Sediment laden water observed entering Quittapahilla Creek at several locations.
 5. Straw bales placed at various locations where runoff entered creek. Sediment laden runoff observed flowing around or through bales into creek.

Continued on page 3 of ____.

| Permit and Plan Requirements | | Type of Activity (check as many as appropriate) | |
|---|--------------------------|---|--------------------------------|
| Y | N | <input type="checkbox"/> | Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Pub. Road Constr./Maint. (PRC) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Res. Subdivision (RSBD) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Govmt. Facilities (GOV) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Utilities Facilities (UTL) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sewer/Water Systems (SWS) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Remediation/Restoration (RRES) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Pvt. Road/Residence (PRRS) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Comm./Indust. Dev. (CMIN) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Recreation Facilities (RECF) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Agricul. Activities (AGA) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Pipeline (PL) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Silviculture (SILV) |
| <input type="checkbox"/> | <input type="checkbox"/> | | |
| <input type="checkbox"/> | <input type="checkbox"/> | | |
| Permit #: <u>ESG0300015001</u> Exp. Date: <u>02/12/2002</u> | | | |



EARTH DISTURBANCE INSPECTION REPORT

Project Name Atlantic Sunrise Project Inspection Date 01/30/2018 Inspection Time approx 2 to 3 PM

Inspection Findings

Reference

- No violations observed at this time. (N/A)
- a. Failure to develop a written Erosion and Sediment (E&S) Plan. (102.4)
- b. Failure to have an E&S Plan available onsite. (102.4)
- c. Failure to submit an E&S Plan as requested. (102.4)
- d. Failure to implement effective E&S Best Management Practices (BMPs).** (102.4)
- e. Failure to maintain effective E&S BMPs.** (102.4)
- f. Failure to use Antidegradation Best Available Combination of Technologies (ABACT) BMPs for discharges to High Quality or Exceptional Value Waters. (102.4)
- g. Failure to obtain an NPDES Permit for Stormwater Discharges Associated with Construction Activities. (102.5)
- h. Failure to obtain an E&S Permit. (102.5)
- i. Failure to prepare and implement a Preparedness, Prevention, and Contingency (PPC) Plan. (102.5)
- j. Failure to submit a Notice of Termination (NOT). (102.7)
- k. Failure to develop a written Post Construction Stormwater Management (PCSM) Plan/Restoration Plan. (102.8)
- l. Failure to have PCSM Plan/Restoration Plan available onsite. (102.8)
- m. Failure to submit PCSM Plan/Restoration Plan as requested. (102.8)
- n. Failure to implement effective PCSM BMPs. (102.8)
- o. Failure to maintain effective PCSM BMPs. (102.8)
- p. Failure to perform reporting and recordkeeping as required. (102.8)
- q. Failure to implement riparian buffer or riparian forest buffer. (102.14)
- r. Failure to meet regulatory requirements for riparian forest buffer. (102.14)
- s. Failure to provide temporary stabilization of the earth disturbance site. (102.22)
- t. Failure to provide permanent stabilization of the earth disturbance site. (102.22)
- u. Failure to comply with permit conditions.** (402 CSL)
- v. Sediment or other pollutant was discharged into waters of the Commonwealth.** (401 CSL)
- w. Site conditions present a potential for pollution to waters of the Commonwealth.** (402 CSL)
- x. Failure to comply with a Department Order. (402, 611 CSL)
- y. Failure to comply with PCSM long-term operation and maintenance requirements. (102.8)
- z. Failure to conduct a preconstruction meeting. (102.8)
- aa. Failure to provide proof of consultation with the Pennsylvania Natural Heritage Program regarding the presence of a State or Federal threatened or endangered species on a project site requiring a Chapter 102 permit. (102.5)
 (102.6)
- bb. Failure to withhold a building or other permit or approval from those proposing or conducting earth disturbance activities, which require a Department permit, until the Department or conservation district has approved/acknowledged the Chapter 102 permit. (102.43)

Inspection of this project has revealed site conditions which constitute violations of 25 Pa. Code Chapters 92a and/or 102 and the Clean Streams Law, the act of June 22, 1937, P.L. 1987, 35 P.S. §691.1 et seq.

Additional information regarding these violations can be found on the back of this page.



Permit No. ESG0300015001
Report No. ASR 007

EARTH DISTURBANCE INSPECTION REPORT

Project Name Atlantic Sunrise Project Inspection Date 01/30/2018 Inspection Time approx 2 to 3 PM

Continuation Sheet

Site Description & Observations:

Compliance Assistance Measures:

- 1. & 2. Follow plan guidance and perform future stream crossings during low flow conditions.
- 3. Change pump water filter bags frequently. Verify hoses are well clamped to bags. Verify that pumping rate into bags is no greater than 750 gallons per minute or 1/2 the maximum pumping rate specified by the manufacturer, whichever is less.
- 4. and 5. Install and maintain functional sediment control devices between pump water filter bag and creek.

Follow-up Inspection will occur on or about (date) Random

(Signature of Site Representative) (Date) _____
(Inspector's Signature) 01/31/2018
(Date)

The Site Representatives' signature acknowledges that they have read the report and received a copy and that they were given an opportunity to discuss it with the inspector. The signature does not necessarily mean the signee agrees with the report.

| | | | | | |
|-----------------|--------------------|-----------------|--------------------------|---------------|--------------------|
| Date: | 01/30/2018 | Site Name: | Atlantic Sunrise Project | Permit # | ESG0300015001 |
| Muni: | N Annville twp | Inspection # | ASR 007 | District # | 38-924-008-15 |
| WEATHER: | during inspection: | overcast, 27° F | | Photographer: | KK |
| WEATHER | Prior 24 hrs: | Dusting of snow | | Camera Type: | Canon Digital 1300 |



Flume and dam and pump in operation.



Pump water filter bag facilities discharging to low lying area on south side of stream.



Straw bale dam near Clear Spring Road bridge. Sediment laden water entering stream.



Bales between pump water discharge area and Clear Spring Road. Sediment laden water entering stream.



View standing on creek bank of ponding area between pump water filter bag and stream.



Sediment laden water entering stream after passing through pump water filter bag facility.

This report is official notification that a representative of the Department of Environmental Protection has conducted an inspection of your earth disturbance activity to determine compliance with Title 25, Chapter 92a, National Pollutant Discharge Elimination System, Title 25, Chapter 102, Erosion and Sediment Control, and the Pennsylvania Clean Streams Law. This representative may be an employee of the local County Conservation District, which by delegation agreement with the Department of Environmental Protection, is authorized to investigate complaints, inspect earth disturbance activities and conduct compliance actions. Any violations observed by the Department/Conservation District have been noted on this report form and constitute unlawful conduct as defined in Section 611 of the Clean Streams Law.

There will be no written confirmation of those violations from the Department. Failure to take corrective actions to resolve the violations may result in administrative, civil and/or criminal penalties being instituted by the Department of Environmental Protection as defined in Section 602 of the Clean Streams Law of Pennsylvania. The Clean Streams Law provides for up to \$10,000 per day in civil penalties, up to \$10,000 in summary criminal penalties, and up to \$25,000 in misdemeanor criminal penalties for each violation.

This report does not constitute an Order or appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

For further information or assistance please contact:

Lebanon County Conservation District
2120 Cornwall Road Suite 5
Lebanon PA 17042
717-277-5275

