



ORIGINAL

FILED
SECRETARY OF THE
COMMISSION

2015 APR 30 A 9:06

FEDERAL ENERGY
REGULATORY COMMISSION

April 16, 2015

Ms. Melissa Dettling
Columbia Gas Transmission, LLC
5151 San Felipe, Suite 2400
Houston, TX 77056

Re: 401 Water Quality Certification
Eastside Expansion Project (a.k.a. Loop 1278)
FERC Docket No. CP14-17-000
DEP File No. EA 15-012
Chester County

Dear Ms. Dettling:

This is in reference to your request for Water Quality Certification under Section 401 of the Federal Clean Water Act, submitted to our office on December 11, 2013, along with supplemental information received thereafter. The request relates to the Eastside Expansion Project, a natural gas pipeline project that will take place in various municipalities within Chester County.

The Department of Environmental Protection (DEP) has reviewed your request for 401 Water Quality Certification and hereby grants the 401 Water Quality Certification for the Eastside Expansion Project. The approved certification is enclosed.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

Ms. Melissa Dettling

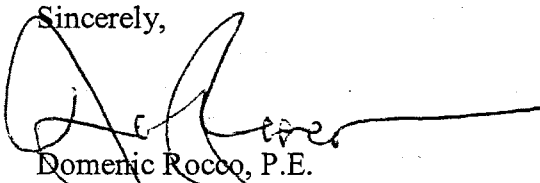
- 2 -

April 16, 2015

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717.787.3483) FOR MORE INFORMATION.

If you have any questions, please contact me at 484.250.5174.

Sincerely,

A handwritten signature in black ink, appearing to read 'Domenic Rocco', with a long horizontal line extending to the right.

Domenic Rocco, P.E.
Regional Manager
Waterways and Wetlands

Enclosure

cc: Ms. Boase, Secretary/FERC
PA Fish and Boat Commission, Division of Environmental Services
U.S. Army Corps of Engineers, Philadelphia District
Chester County Conservation District
Ms. Bowyer – AK Environmental, LLC
Re 30 (GJS15WAW)100-20

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER QUALITY CERTIFICATION
EASTSIDE EXPANSION PROJECT
NATURAL GAS PIPELINE PROJECT
AND RELATED MITIGATION
FERC DOCKET NO. CP14-17-000


EA15-012 – The Pennsylvania Department of Environmental Protection (PADEP) certifies that the construction, operation, and maintenance of the project complies with the applicable provisions of Sections 301–303, 306, and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311–1313, 1316, and 1317). PADEP further certifies that the construction, operation, and maintenance of the project complies with Commonwealth water quality standards and that the construction, operation, and maintenance of the projects does not violate applicable Commonwealth water quality standards provided that the construction, operation, and maintenance of the project complies with the conditions for this certification, including the criteria and conditions of the following:

1. Discharge Permit – Columbia shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania’s Clean Streams Law (35 P.S. §§ 691.1–691.1001) and all applicable implementing regulations (including 25 Pa. Code Chapter 92a).
2. Erosion and Sediment Control Permit – Columbia shall comply with its Chapter 102 ESCGP-2 Permit, No. ESG0002914001, for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania’s Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1–680.17) and all applicable implementing regulations (including 25 Pa. Code Chapter 102).
3. Water Obstruction and Encroachment Permit – Columbia shall comply with its Chapter 105 Water Obstruction and Encroachment Permit, No. E15-846, for the construction, operation, and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania’s Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27), Flood Plain Management Act (32 P.S. §§ 679.101–679.601), and all applicable implementing regulations (including 25 Pa. Code Chapter 105).
4. Water Quality Monitoring – PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational or construction process that may be employed by Columbia.
5. Operation – For each project under this Certification, Columbia shall at all times properly operate and maintain all project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this Certification and all required permits and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Columbia.

6. Inspection – The project, including all relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this Certification, including all required permits and approvals, Pennsylvania’s Water Quality Standards, and the conditions of this Certification. A copy of this Certification shall be available for inspection by the PADEP during such inspections of the project.
7. Transfer of Project – If Columbia intends to transfer any legal or equitable interest in the project which is subject to this Certification, Columbia shall serve a copy of this Certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the PADEP Southeast Regional Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of Certification responsibility, coverage, and liability between them.
8. Correspondence – All correspondence with and submittals to PADEP concerning this Certification shall be addressed to:

Department of Environmental Protection
Southeast Regional Office
Mr. Domenic Rocco, P.E.
Waterways and Wetlands Program Manager
2 East Main Street
Norristown, PA 19401

7. Reservation of Rights – PADEP may suspend or revoke this Certification if it determines that Columbia has not complied with the terms or conditions of this Certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Columbia’s applicable procedural and substantive rights.
8. Other Laws – Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve Columbia from any responsibilities, liabilities, or penalties established pursuant to any applicable federal or state law or regulation.
9. Severability – The provisions of this Certification are severable and should any provision of this Certification be declared invalid or unenforceable, the remainder of the Certification shall not be affected thereby.


Domenic Rocco, P.E.
Regional Manager
Waterways and Wetlands Program

April 16, 2015
Date

Document Content(s)

13862512.tif.....1-4