Appendix B. PADEP All-Department PACT Summary

This appendix reproduces the July 29, 2022 Pennsylvania Department of Environmental Protection all-department summary for the Old Forge Bore Hole AMD Treatment, Pump Storage Hydroelectric Facility, and Solar Field Microgrid Project PACT consultation record. The PAD text relies only on the hydropower-relevant portions of the summary and excludes non-hydropower project concepts from the FERC Project scope.

From: Ritter, Dean <dearitter@pa.gov>
Sent: Friday, July 29, 2022 10:37 AM
To: Adam Rousselle <arousselle@reaggregators.com>; Johnnie Johnson <jjohnson@reaggregators.com>; Trevor.Lykens@KleinschmidtGroup.com
Cc: Buczynski, Joseph <jbuczynski@pa.gov>; Dula, Justin <jdula@pa.gov>; Serrat, Juan <jserratgon@pa.gov>; Rocco, Domenic <drocco@pa.gov>; White, Kevin <kevwhite@pa.gov>; Kreider, Kirk <kkreider@pa.gov>; Yagiello, Brian <byagiello@pa.gov>; Kania, Pamela <pkania@pa.gov>; Wood, Todd <twood@pa.gov>; Snyder, Kim <kisnyder@pa.gov>; stiles@lccd.net; Brown, Curtis <cubrown@pa.gov>; Dresch, Justin <jdresch@pa.gov>; Malesky, Thomas <tmalesky@pa.gov>; Foley, Andrew <anfoley@pa.gov>; matechak@lccd.net; Patel, Bharat R <bhapatel@pa.gov>; Jevin, Robert <rojevin@pa.gov>; Deluca, Carl <cdeluca@pa.gov>; Bellanca, Amy <abellanca@pa.gov>; Dunlap, Rebecca <redunlap@pa.gov>; Kempa, Raymond <rkempa@pa.gov>; Wejkszner, Mark <mwejkszner@pa.gov>; Fisher, Neil <nefisher@pa.gov>; Mackowski, Brian <bmackowski@pa.gov>; Bellas, Roger <rbellas@pa.gov>; Mcgurk, Tracey <tmcgurk@pa.gov>; Novatnak, Scott <snovatnak@pa.gov>; Rustu, Tewoldemedhin <trustu@pa.gov>; Supey, Eric <esupey@pa.gov>
Subject: Renewable Energy Aggregators Old Forge Bore Hole AMD Treatment, Pump Storage Hydroelectric Facility, and Solar Field Microgrid Project PACT Meeting – "Susquehanna Microgrid Project"

Mr. Rousselle,

Thank you for attending the conference call with our staff on Wednesday, July 20, 2022 to share details of the proposed Old Forge Bore Hole AMD Treatment, Pump Storage Hydroelectric Facility, and Solar Field Microgrid Project: "Susquehanna Microgrid Project". Based on the information you provided in the Permit Application Consultation Tool on April 23rd, May 5th, May 11, 2020, July 19, 2022 and during our recent call, we offer the following comments:

Safe Drinking Water Program

Based on the information provided, the Safe Drinking Water Program finds the Old Forge Bore Hole AMD Treatment, Pump Storage Hydroelectric Facility, and Solar Field Microgrid Project require no permits or approvals.

For any questions, please contact :

Brian Yagiello, Program Manager
Department of Environmental Protection, Safe Drinking Water Program
Northeast Regional Office
2 Public Square, Wilkes-Barre, PA 18701-1915
Phone: 570-826-2430
Email: byagiello@pa.gov

Waste Management Program

The construction of this transmission line does not require any Waste Program permits. That said, there is a chance that you may encounter some contaminated soils or solid waste during the development of the buried line. Any contaminated soils/solid waste proposed to be removed

Appendix B. PADEP All-Department PACT Summary, page 1.

from the construction area would need to be properly handled. Contaminated soils can qualify as clean or regulated fill under the DEP's Management of Fill Policy (MOF). Here is a link to that policy: http://www.depgreenport.state.pa.us/elibrary/GetDocument?docId=1526726&DocName=MANAGEMENT%20OF%20FILL.PDF%20%20%3Cspan%20style%3D%22color%3Agreen%3B%22%3E%3C%2Fspan%3E%20%3Cspan%20style%3D%22color%3Ablue%3B%22%3E%3C%2Fspan%3E

Within the MOF is a requirement to submit forms to the DEP if clean fill material is to leave the site for use as fill elsewhere:

> "If any person wants to use clean fill under this policy, complete Form FP-001, Certification of Clean Fill, and submit it to DEP electronically on the DEP website at https://www.dep.pa.gov/Business/Land/Waste/SolidWaste/Residual/Pages/default.aspx . Complete and submit the FP-001 prior to movement of clean fill to the receiving site. Complete and submit FP-001 regardless of whether sampling and analysis are performed as part of environmental due diligence."

For any questions, please contact:

Tracey McGurk, Facilities Supervisor
Department of Environmental Protection, Waste Management Program
Northeast Regional Office
2 Public Square, Wilkes-Barre, PA 18701-1915
Phone: 570.826.2076
Email: tmcgurk@pa.gov

Roger Bellas, Waste Management Program Manager
Department of Environmental Protection, Waste Management Program
Northeast Regional Office
2 Public Square, Wilkes-Barre, PA 18701-1915
Phone: 570-826-2201
Email: rbellas@pa.gov

Air Quality Program

Based on the presentation provided for the three projects associated with the Old Forge Bore Hole AMD Treatment, Pump Storage Hydroelectric Facility, and Solar Field Microgrid Project, there does not appear to be any air pollutant emissions from any proposed facilities. The only potential air quality issue would be during land development and construction that may involve the use of a portable stone crusher or portable electrical generators at the site. In the event that this occurs, an Air Quality General Permit No. 3 would be needed for the crusher with the application that can be found at the following link: - DEP eLibrary (state.pa.us) and the engine for the portable generator requiring a General Permit No. 9 found at: - DEP eLibrary (state.pa.us) .

For any questions, please contact:

Appendix B. PADEP All-Department PACT Summary, page 2.

Raymond Kempa, Environmental Engineer Manager, New Source Review
PA Department of Environmental Protection, Air Quality Program
Northeast Regional Office
2 Public Square
Wilkes-Barre, PA 18711
Phone: 570-826-2507
Email: rkempa@pa.gov

Clean Water Program – Permits Section

Based upon the SIC Code provided, a NPDES Permit for Discharges of Stormwater Associated with Industrial Activities is not required. A NPDES permit for the pump storage reservoir may be required. The NPDES forms can be found at: - DEP eLibrary (state.pa.us). Based upon final design, WQM Permit and /or NPDES Permit may be required for the AMD treatment facility. The WQM forms can be found at - DEP eLibrary (state.pa.us). A discussion of the impact on the overall Q7-10 to the Lackawanna River should be included in the application submission.

For any questions, please contact:

Amy Bellanca, P.E. Environmental Group Manager
Department of Environmental Protection, Clean Water Program
Northeast Regional Office
2 Public Square, Wilkes-Barre, PA 18701-1915
Phone: 570-826-2318
Email: abellanca@pa.gov

Clean Water Program – 537 Section

The proposed project may not need a plan revision or may qualify for exemption from Act 537 sewage facilities planning requirements. For the Department to determine whether planning will be required or not, please submit the items listed below. Upon receiving the items, the Department will render the final decision and will notify both the applicant and the municipality of its decision.

1) A completed Sewage Facilities Application Mailer.
   The Sewage Facilities Planning Module Application Mailer can be found at **(copy attached)**: https://www.dep.pa.gov/Business/Water/CleanWater/WastewaterMgmt/Act537/Pages/Sewage-Facilities-Planning.aspx (3800-CD-BCW0359), or http://www.depgreenport.state.pa.us/elibrary/GetFolder?FolderID=43634
2) Attach a plot plan for the proposed project.
   The plan must depict the lot(s), estimated existing sewer line runs (the sanitary sewer to be relocated), proposed public sewer line(s) (new location of the sewer line) and/or the tie in with the existing sewer system.
3) Project Narrative.
   Please include a description of the project, including but not limited to, information regarding the type of proposed facility or establishment and whether any wastewater, including sewage, will be generated at the project site.

Appendix B. PADEP All-Department PACT Summary, page 3.

4) Certification or supporting letter from the permittees of the collection, conveyance and treatment facilities which are being involved or impacted by project or the relocation of the existing sanitary sewer.
5) If the project will generate any sewage or wastewater, provide certification from the permittees of the collection, conveyance and treatment facilities proposed for use that capacity is available in these facilities to receive and treat the sewage flows from the proposed project; and that these added flows will not cause an overload or 5-year projected overload in the facilities. If the facilities proposed for use are owned and operated by an authority, or authorities, then attach a letter from each to the mailer.

The above information or any questions should be forwarded to:
Tewoldemedhin D. Rustu, CPSS, Sewage Planning Supervisor
Department of Environmental Protection , Clean Water Program
Northeast Regional Office
2 Public Square, Wilkes-Barre, PA 18701-1915
Phone: 570-826-2334
Email: trustu@pa.gov

Mr. Scott Novatnak, Environmental Group Manager
Clean Water Program
2 Public Square
Wilkes Barre, PA 18701
Phone: 570.826.2337
Email: snovatnak@pa.gov

Environmental Cleanup and Brownfield Program

The Environmental Cleanup & Brownfields Program does not expect to be directly involved with the projects unless plans change or contamination is encountered during construction or the project will include bulk storage of chemicals or liquid fuels. ECB staff will assist DEP's Waterways & Wetlands Program with Potential Pollutant determinations as part of their NPDES permitting process. Information related to storage tanks and remediation can be found on DEP's website:

https://www.dep.pa.gov/Business/Land/Tanks/Pages/default.aspx and

https://www.dep.pa.gov/Business/Land/LandRecycling/Pages/default.aspx

For any questions, please contact:

Eric Supey, Program Manager
Department of Environmental Protection, Environmental Cleanup and Brownfields Program
Northeast Regional Office
2 Public Square, Wilkes-Barre, PA 18701-1915
Phone: 570-826-2515
Email: esupey@pa.gov

Appendix B. PADEP All-Department PACT Summary, page 4.

NERO Waterways & Wetlands Program / Regional Permit Coordination Office - Chapter 102 and Chapter 105 Requirements

The proposed project will require coverage under one or more National Pollutant Discharge Elimination System (NPDES) Permits for Stormwater Discharges Associated with Construction Activities as well as a Joint Chapter 105 / 404 Water Obstruction and Encroachment Permit for each county. Once additional information is provided regarding the acreage of the proposed earth disturbance at each location and a planned sequence of permitting and construction, a determination can be made between PA DEP WW, the Regional Permit Coordination Office (RPCO), and the county conservation districts regarding the best approach for obtaining Ch. 102 and 105 permit authorizations.

All of DEP's guidance documents for NPDES can be found on PADEP E&S resource page: https://www.dep.pa.gov/Business/Water/CleanWater/StormwaterMgmt/Stormwater%20Construction/Pages/E-S%20Resources.aspx

Solar Panel Farms FAQ – Link for guidance for Solar Parks
- http://files.dep.state.pa.us/Water/BPNPSM/StormwaterManagement/ConstructionStormwater/Solar_Panel_Farms_FAQ.pdf

For 105 permits, here is the link to access the applications: http://www.depgreenport.state.pa.us/elibrary/GetFolder?FolderID=4044

Regional Permit Coordination Office: www.dep.pa.gov/RPCO

Please contact Robert Jevin (NERO WW) and Kevin White (RPCO) to schedule a pre-application meeting once a ground survey has been conducted and a preliminary design has been completed so that permitting can be determined based on the planned project schedule. The DEP will coordinate with the county conservation districts to set up the meeting and process the permit applications for the project.

For any questions, please contact:

Robert J. Jevin III, P.E. | Environmental Group Manager
Department of Environmental Protection | Waterways and Wetlands Program
Northeast Regional Office
2 Public Square, Wilkes-Barre, PA 18701-1915
Phone: 570-830-3093 | Email: rojevin@pa.gov

Kevin S. White, P.E. | Environmental Group Manager
Department of Environmental Protection | Regional Permit Coordination Office
Rachel Carson State Office Building
400 Market St. | Harrisburg PA 17101
Phone: 570.826.2015 | Email: kevwhite@pa.gov

Dam Safety

Appendix B. PADEP All-Department PACT Summary, page 5.

The proposed pump storage hydro facility and appurtenant works will require Dam Safety and Limited Power Permits from the Division of Dam Safety. The Dam Safety Program encourages a program specific preapplication meeting be scheduled prior to submitting the completed applications for review. Typically, key hydrology and hydraulics and geotechnical information is reviewed and approved as a pre-submittal prior to final design and submittal of the actual application. This process is usually discussed during conceptual design conversations or the preapplication meeting. Additional information, application forms, and guidance documents can be found on the Department's website by searching "Dam Safety" or visiting https://www.dep.pa.gov/Business/Water/Waterways/DamSafety/Pages/default.aspx .

For any questions, please contact:

Kirk A. Kreider, P.E., Acting Chief
Division of Dam Safety
Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street, Harrisburg, Pa 17101
Phone: 717-772-5981
Email: kkreider@pa.gov

Bureau of Abandoned Mine Reclamation

The Bureau of Abandoned Mine Reclamation is a non-regulatory program that mainly focuses on alleviating human health and safety issues related to past mining practices. The program is also involved in remediating mine water and environmental problems caused by past mining; however, these issues are a lower program priority. To address mine water and other environmental problems, the program is required to alleviate the problems on a watershed basis.

For any questions, please contact:

Todd Wood, P.E., Environmental Group Manager
Bureau of Abandoned Mine Reclamation
2 Public Square, Wilkes-Barre, PA 18701-1915
Phone: 570-830-3171
Email: twood@pa.gov

Local Government Programs

Please keep your local legislators office, county Commissioners, and local officials aware of progress for project ahead of public input in the future. Truck traffic, noise, dirt, hours of operation, etc may be items of local concern. Public input is often a factor with all large projects and it is good to alert municipal officials as they will likely receive complaints. Keep the municipality informed along with zoning/code enforcement officials pertaining to the permit applications.

Appendix B. PADEP All-Department PACT Summary, page 6.

For any questions please contact:

Robert Sax, Local Government Liaison
Department of Environmental Protection, Northeast Regional Office
2 Public Square, Wilkes-Barre, PA 18701
Phone: 570-826-2471
Email: rsax@pa.gov

Environmental Justice Program

The Office of Environmental Justice helps ensure that all community members have equal opportunity to participate in DEP decision making processes. The location of this project may automatically trigger the Environmental Justice Public Participation Policy, depending on the permits applied for and the date of the final application. Under DEP's current policy using census tracts, the project doesn't include policy defined EJ areas, but under the new policy containing block groups the Boroughs of Duryea and Old Forge do include DEP defined EJ Areas as identified on our EJ viewer at dep.pa.gov/EJViewer by typing the address into the EJ Viewer search block on the upper left. This information is also available for download from Pennsylvania's Open Data Portal in the General Section for use by your GIS team.

The list of automatically triggered permits are in Appendix A of the EJ Policy. The policy allows DEP to include projects of significant concern by way of the opt-in process as outlined in II.A.2 of the EJ Policy. We are available to provide guidance on enhanced public participation, whether required or not.

Regardless, a project of this scope will be of interest to nearby communities, including EJ communities throughout and beyond Lackawanna and Luzerne County. The Office of Environmental Justice has a goal of fostering economic opportunities in EJ communities. This goal is beyond the strictly proscribed EJ Policy. We are happy to work with the marketing team on ideas of how local or statewide EJ communities can help benefit from this project.

For any questions please contact:

Justin Dula, AICP, Regional Coordinator
Department of Environmental Protection, Office of Environmental Justice
2 E. Main Street, Norristown, PA 19401
Phone: 484.250.5820, Mobile: 484.661.7996
Email: jdula@pa.gov

These comments and recommendations are based solely on information you provided through July 20, 2022. Any modifications to the project or other details not disclosed can affect your permitting needs. If we can assist you further with this project, please contact me or any of the staff identified above.

Thank you,

Dean J. Ritter | Acting Assistant Regional Director

Appendix B. PADEP All-Department PACT Summary, page 7.

He/Him/His
Department of Environmental Protection
Northeast Regional Office
2 Public Square | Wilkes-Barre, PA 18701
Phone: 570.826.2366 | Fax: 570.826.2357
www.dep.pa.gov

Appendix B. PADEP All-Department PACT Summary, page 8.