



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DISTRICT OIL AND GAS OPERATIONS

AUG 31 2012

CERTIFIED MAIL NO. 7011 2970 0002 9461 2421

Bruce Nieman
Bluestone Pipeline Company of Pennsylvania, LLC
1708 WCB, 2000 Second Avenue
Detroit, MI 48266

Re: Water Obstruction & Encroachment Permit – Bluestone Gathering System – Phase 3
DEP File No. E5829-031
APS ID No. 781273
Harford, Lenox, & New Milford Townships, Susquehanna County

Dear Mr. Nieman:

Enclosed is your Water Obstruction and Encroachment Permit. Please review the permit so that you are aware of the extent of the authorization and conditions. Prior to the commencement of construction, the enclosed Acknowledgment of Appraisal of Permit Conditions must be completed and signed by you and an individual responsible for the supervision or conduct of the construction work acknowledging and accepting the general and special conditions contained in the permit. Unless the signed Acknowledgment of Appraisal of Permit Conditions is submitted to this office, the permit is void. **IF YOU BEGIN WORK PRIOR TO THE DEPARTMENT RECEIVING THE SIGNED COPY OF THE APPRAISAL OF PERMIT CONDITIONS, YOU ARE SUBJECT TO PENALTIES TOTALING UP TO \$10,000 PER DAY.** The Department will provide you with an acknowledgment letter upon receipt of the form.

Please be advised that you do not have federal authorization for this project and such authorization is required prior to starting your project. In accordance with procedures established with the U.S. Army Corps of Engineers, you will be contacted directly by the Corps regarding federal authorization.

The Completion Report form must be signed by you and the supervising engineer indicating that the work has been completed as approved. The Completion Report must be submitted to this office within 30 days of the completion of the approved project.

A copy of both the permit and the Acknowledgment of Appraisal of Permit Conditions must be available at the work site for inspection upon request by any officer or agent of DEP or any other federal, state, county and municipal agency.

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, PO 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

AUG 31 2012

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.

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Means". The signature is fluid and cursive, with the first name being more prominent.

Jennifer Means
Environmental Program Manager

Enclosures

cc: Sherry Slocum, URS Corporation (Southfield, MI)
Susquehanna County Conservation District
Pa. Fish & Boat Commission, Northeast Region
U.S. Army Corps of Engineers, Baltimore District
File

Commonwealth of Pennsylvania
Department of Environmental Protection
Northcentral Regional Office
Eastern Oil and Gas District
Permitting Section

WATER OBSTRUCTION AND ENCROACHMENT PERMIT

The Department of Environmental Protection "Department", established by the Act of December 3, 1970, P.L. 834 (71 P.S. § 510-1 et seq.) and empowered to exercise certain powers and perform certain duties under and by virtue of the Act of November 26, 1978, P.L. 1375, as amended by the Act of October 23, 1979, P.L. 204 (32 P.S. § 693.1 et seq.) known as the "Dam Safety and Encroachments Act"; Act of October 4, 1978, P.L. 851, (32 P.S. § 679.101 et seq.) known as the "Flood Plain Management Act"; Act of June 22, 1937, P.L. 1987, (35 P.S. § 691.1 et seq.), known as "The Clean Steams Law"; and the Administrative Code, Act of April 9, 1929, P.L. 177, as amended, which empowers the Department to exercise certain powers and perform certain duties by law vested in and imposed upon the Water Supply Commission of Pennsylvania and the Water and Power Resources Board, hereby issues this permit to:

Bluestone Pipeline Company of Pennsylvania, LLC
1708 WCB, 2000 Second Avenue
Detroit, MI 48266

giving its consent to construct, operate, and maintain the Bluestone Gathering System-Phase III natural gas pipeline project, which includes the following impacts: (1) 12,650 square feet of temporary impacts and 5,500 square feet of permanent impacts to Palustrine Emergent (PEM) Wetlands via the placement of fill within the wetlands for the construction of a natural gas meter station (Lenoxville, PA Quadrangle, N41°42'53.0", W75°43'58.9"); (2) 173.0 linear feet of UNTs to Millard Creek (CWF, MF) and 4,800 square feet of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Lenoxville, PA Quadrangle, N41°43'10.9", W75°44'00.1"); (3) 76.0 linear feet of a UNT to Millard Creek (CWF, MF) and 1,300 square feet of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Lenoxville, PA Quadrangle, N41°43'16.5", W75°44'01.4"); (4) 80.0 linear feet of a UNT to Millard Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Lenoxville, PA Quadrangle, N41°43'28.0", W75°44'11.6"); (5) 450 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Lenoxville, PA Quadrangle, N41°43'36.3", W75°44'16.6"); (6) 850 square feet of permanent impacts to Palustrine Scrub/Shrub (PSS) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Lenoxville, PA Quadrangle, N41°43'51.5", W75°44'24.2"); (7) 100.0 linear feet of UNTs to Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Lenoxville, PA Quadrangle, N41°44'08.0", W75°44'41.3"); (8) 75.0 linear feet of a UNT to Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Lenoxville, PA Quadrangle, N41°44'21.0", W75°44'33.9"); (9) 133.0 linear feet of UNTs to Martins Creek (CWF, MF), 450 square feet of permanent impacts to Palustrine Scrub/Shrub (PSS) Wetlands, and 900 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Lenoxville, PA Quadrangle, N41°44'26.8", W75°44'31.3"); (10) 135.0 linear feet of a UNT to Martins Creek

Permit No. E5829-031

(CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Lenoxville, PA Quadrangle, N41°44'41.6", W75°44'21.0"); (11) 2,600 square feet of temporary impacts and 850 square feet of permanent impacts to Palustrine Scrub/Shrub (PSS) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Lenoxville, PA Quadrangle, N41°44'45.0", W75°44'24.6"); (12) 50.0 linear feet of a UNT to Martins Creek (CWF, MF), and 1,750 square feet of temporary impacts and 850 square feet of permanent impacts to Palustrine Scrub/Shrub (PSS) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°45'00.1", W75°44'24.1"); (13) 79.0 linear feet of a UNT to Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°45'50.1", W75°44'17.6"); (14) 198.0 linear feet of UNTs to Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°45'55.3", W75°44'16.7"); (15) 88.0 linear feet of a UNT to Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°45'58.2", W75°44'16.2"); (16) 156.0 linear feet of UNTs to Martins Creek (CWF, MF) and 11,750 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'02.3", W75°44'07.8"); (17) 85.0 linear feet of a UNT to Martins Creek (CWF, MF) and permanent impacts to 1,300 square feet of Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'11.7", W75°44'28.4"); (18) 3,500 square feet of temporary impacts and 850 square feet of permanent impacts to Palustrine Scrub/Shrub Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'27.4", W75°44'48.8"); (19) 84.0 linear feet of East Branch Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'28.4", W75°44'49.9"); (20) 75.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF), 450 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands, 2,600 square feet of temporary impacts to Palustrine Scrub/Shrub (PSS) Wetlands, and 450 square feet of permanent impacts to Palustrine Scrub/Shrub (PSS) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'29.0", W75°44'50.6"); (21) 99.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'29.7", W75°44'51.4"); (22) 74.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF) and 12,200 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'32.0", W75°44'53.8"); (23) 450 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'33.9", W75°44'52.9"); (24) 5,650 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'35.5", W75°44'50.8"); (25) 54.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'39.3", W75°44'50.7"); (26) 79.0 linear feet of East Branch Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°46'54.1", W75°44'46.5"); (27) 79.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°47'04.3", W75°44'35.7"); (28) 48.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF) for a construction access road (Harford, PA Quadrangle, N41°47'13.2", W75°44'17.9"); (29) 27.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF) for a construction access road (Harford, PA Quadrangle, N41°47'18.1", W75°44'34.7"); (30) 157.0 linear feet of UNTs to East Branch Martins

Permit No. E5829-031

Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°47'26.3", W75°44'31.7"); (31) 6,950 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°47'47.2", W75°44'34.9"); (32) 450 square feet of temporary impacts and 450 square feet of permanent impacts to Palustrine Scrub/Shrub (PSS) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°47'51.1", W75°44'36.9"); (33) 80.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°47'53.6", W75°44'37.2"); (34) 97.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°48'02.3", W75°44'35.2"); (35) 104.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°48'04.9", W75°44'34.8"); (36) 2,600 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°49'01.6", W75°44'09.7"); (37) 92.0 linear feet of a UNT to East Branch Martins Creek (CWF, MF) via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°49'26.2", W75°44'07.5"); (38) 181.0 linear feet of UNTs to East Branch Martins Creek (CWF, MF), and 4,800 square feet of temporary impacts and 850 square feet of permanent impacts to Palustrine Scrub/Shrub (PSS) Wetlands via open cut trenching and temporary timber matting for one 16-inch steel gasline (Harford, PA Quadrangle, N41°49'28.3", W75°44'09.5"); (39) 265.0 linear feet of UNTs to Meylert Creek (HQ-CWF, MF) via open cut trenching and temporary timber matting for one 12-inch steel gasline, one 16-inch steel gasline, and one 16-inch HDPE waterline (Harford, PA Quadrangle, N41°50'10.4", W75°43'39.3"); (40) 61.0 linear feet of a UNT to Meylert Creek (HQ-CWF, MF) and 1,300 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands for a construction access road (Harford, PA Quadrangle, N41°50'19.2", W75°43'45.1"); (41) 76.0 linear feet of a UNT to Meylert Creek (HQ-CWF, MF) via open cut trenching and temporary timber matting for one 12-inch steel gasline, one 16-inch steel gasline, and one 16-inch HDPE waterline (Harford, PA Quadrangle, N41°50'30.3", W75°43'13.71"); (42) 87.0 linear feet of a UNT to Wellmans Creek (HQ-CWF, MF), and 5,650 square feet of temporary impacts and 3,900 square feet of permanent impacts to Palustrine Scrub/Shrub (PSS) Wetlands via open cut trenching and temporary timber matting for one 12-inch steel gasline, one 16-inch steel gasline, and one 16-inch HDPE waterline (Harford, PA Quadrangle, N41°50'53.8", W75°42'53.0"); (43) 97.0 linear feet of UNTs to Wellmans Creek (HQ-CWF, MF) via open cut trenching and temporary timber matting for one 12-inch steel gasline, one 16-inch steel gasline, and one 16-inch HDPE waterline (Harford, PA Quadrangle, N41°51'05.6", W75°42'36.1"); (44) 146.0 linear feet of UNTs to Wellmans Creek (HQ-CWF, MF), and 7,400 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting for one 12-inch steel gasline, one 16-inch steel gasline, and one 16-inch HDPE waterline (Harford, PA Quadrangle, N41°51'07.2", W75°42'34.0"); (45) 850 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting for one 12-inch steel gasline, one 16-inch steel gasline, and one 16-inch HDPE waterline (Harford, PA Quadrangle, N41°51'10.4", W75°42'30.5"); (46) 224.0 linear feet of Wellmans Creek (HQ-CWF, MF) and 11,750 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting for one 12-inch steel gasline, one 16-inch steel gasline, and one 16-inch HDPE waterline (Harford, PA Quadrangle, N41°51'12.4", W75°42'26.0"); and (47) 850 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting for one 12-inch steel gasline, one 16-inch steel gasline, and one 16-inch HDPE waterline (Harford, PA Quadrangle, N41°51'14.6", W75°42'27.8").

Permit No. E5829-031

The project will result in the following: 3,714.0 linear feet of stream impacts; 60,950 square feet (1.40 acres) of temporary impacts to Palustrine Emergent (PEM) Wetlands; 21,350 square feet (0.49 acres) of temporary impacts to Palustrine Scrub/Shrub (PSS) Wetlands; 5,500 square feet (0.13 acres) of permanent impacts to Palustrine Emergent (PEM) Wetlands; 8,650 square feet (0.20 acres) of permanent impacts to Palustrine Scrub/Shrub (PSS) Wetlands; 17,400 square feet (0.40 acres) of permanent impacts to Palustrine Forested (PFO) Wetlands; and 6,100 square feet (0.14 acres) of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands; all for the purpose of installing two steel natural gas lines, one HDPE water line, and associated access roadways for the development of Marcellus Shale natural gas.

This permit is issued in response to an application filed with the Department on the 16th day of May A.D. 2012, and with the understanding that the work shall be performed in accordance with the maps, plans, profiles and specifications filed with and made a part of the application on the 27th day of July A.D. 2012, and the 3rd day of August A.D. 2012, subject, however, to the provisions of the Dam Safety and Encroachments Act, the Flood Plain Management Act, The Clean Streams Law, the Administrative Code, the rules and regulations promulgated thereunder and the following conditions and restrictions. If the work authorized by this permit is not completed on or before the 31st day of December A.D. 2015, this permit, if not previously revoked or specifically extended by the Department in writing, shall become void without further notification.

1. The permittee shall sign the permit thereby expressly certifying the permittee's acceptance of, and agreement to comply with, the terms and conditions of the permit. The permittee shall return a signed copy of the permit to the Department. The permit will not be effective until the signed copy of the permit is received by the Department;
2. The Department, in issuing this permit, has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the Department may, in addition, institute appropriate legal proceedings;
3. This permit does not give any property rights, either in real estate or material, nor any exclusive privileges, nor shall it be construed to grant or confer any right, title, easement, or interest in, to, or over any land belonging to the Commonwealth of Pennsylvania "Commonwealth"; neither does it authorize any injury to private property or invasion of private rights, nor any infringement of federal, state, or local laws or regulations; nor does it obviate the necessity of obtaining federal assent when necessary;
4. The work shall at all times be subject to supervision and inspection by representatives of the Department, and no changes in the maps, plans, profiles, and specifications as approved shall be made except with the written consent of the Department. The Department, however, reserves the right to require such changes or modifications in the maps, plans, profiles, and specifications as may be considered necessary to assure compliance with the Dam Safety and Encroachments Act and other laws administered by the Department, the Pennsylvania Fish Commission and any river basin commission created by interstate compact. The Department further reserves the right to suspend or

Permit No. E5829-031

revoke this permit for failure to comply with a provision of 25 Pa. Code Chapter 105, an administrative order of the Department or a term or condition of this permit;

5. This permit authorizes the construction, operation, maintenance and normal repair of the permitted structures conducted within the original specifications for the water obstruction or encroachment, and in accordance with the regulations of the Department and terms and conditions of this permit. Any repairs or maintenance involving modifications of the water obstruction or encroachment from its original specifications, and any repairs or reconstruction involving a substantial portion of the structure as defined by regulations of the Department shall require the prior written approval and permit of the Department;
6. All construction debris, excavated material, brush, rocks, and refuse incidental to this work shall be removed entirely from the stream channel and placed either on shore above the influence of flood waters, or at such dumping ground as may be approved by the Department;
7. There shall be no unreasonable interference with the free discharge of the river or stream or navigation during construction;
8. The Department reserves the right to take any and all actions regarding the permitted activity that are authorized by law to protect public health, public safety and the environment;
9. The permittee shall notify the Department, in writing, of the proposed time for commencement of work at least 15 days prior to the commencement of construction;
10. If construction work has not been completed within the time specified in the permit and the time limit specified in the permit has not been extended in writing by the Department or if a permit has been revoked for any reason, the permittee shall, at his own expense and in a manner that the Department may prescribe, remove all or any portion of the work as the Department requires and restore the water course and floodplain to their former condition;
11. The permittee shall fully inform the engineer or contractor, responsible for the supervision and conduct of work, of the terms, conditions, restrictions and covenants of this permit. Prior to the commencement of construction, the permittee shall file with the Department in writing, on a form provided by the Department, a statement signed by the permittee and an individual responsible for the supervision or conduct of the construction work acknowledging and accepting the general and special conditions contained in the permit. Unless the acknowledgment and acceptance have been filed, the permit is void. A copy of the permit and the acknowledgment shall be available at the work site for inspection upon request by an officer or agent of the Department or another federal, state, county or municipal agency;
12. The permittee shall operate and maintain the structure or work authorized herein in a safe condition in accordance with the permit terms and conditions and the approved maps, plans, profiles and specifications;

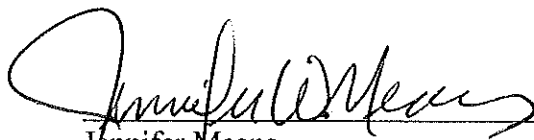
Permit No. E5829-031

13. This permit may not be transferred without prior written approval from the Department, such approval being considered upon receipt of the properly executed "Application for Transfer of Permit" form;
14. If and when the permittee desires to discontinue use or abandon the activity authorized herein, he must remove all or part of the structure or work authorized and take other actions as are necessary to protect safety and the environment in accordance with a permit issued by the Department;
15. If the use of explosives in any waterways is required, the permittee shall secure the prior written permit from the Pennsylvania Fish and Boat Commission, pursuant to the Pennsylvania Fish and Boat Code, Act 1980-175 Title 30 Pennsylvania Consolidated Statutes, Section 2906. Requests should be directed to the Pennsylvania Fish and Boat Commission, Bureau of Administrative Services, PO Box 67000, Harrisburg, PA 17106; telephone 717-705-7900;
16. Permittee shall implement and monitor the Erosion and Sedimentation Control Plan prepared in accordance with Chapter 102 so as to minimize erosion and prevent excessive sedimentation into the receiving watercourse or body of water;
17. The project site shall at all times be available for inspection by authorized officers and employees of the Pennsylvania Fish and Boat Commission. Prior to commencement and upon completion of the work authorized by this permit, the permittee shall notify the Pennsylvania Fish and Boat Commission's Northeast Regional Office, 5566 Main Road, Sweet Valley, PA 18656; telephone 570-477-5717.
18. The project site shall at all times be available for inspection by authorized officers and employees of the Department. Prior to commencement and upon completion of the work authorized by this permit, the permittee shall notify the Department.
19. SPECIAL CONDITIONS:
 - a. This permit does not relieve the permittee of the responsibility to comply with all applicable local codes and ordinances, including floodplain and storm-water management.
 - b. This permit does not convey any real property rights or interests or authorization to trespass on privately-owned riparian land. By accepting this permit, the permittee certifies that he/she holds title, easement, right or other real interest in the riparian land. Any dispute over ownership of this land is solely a matter for private litigation.
 - c. The permittee and his agents will be watchful for archaeological artifacts and will assure that ground disturbance activities will cease immediately upon discovery of archaeological artifacts, and immediately notify the DEP Regional Office and the Pennsylvania Historical and Museum Commission at Bureau for Historic Preservation, 400 North Street, Harrisburg, PA 17120 0093, and telephone (717) 783-8947.

- d. Prior to the beginning of work, all public water supplies or other water-related activities located downstream that may be affected by turbidity increases or other water quality changes caused by said work shall be sufficiently notified in advance to allow for preparation of any water quality changes.
- e. This permit is not to be considered an approval of the structural analysis, the engineering specifications, or the construction methods utilized during construction of this pipeline.
- f. A regularly scheduled inspection of the structure(s) shall be made to provide for continued operation and maintenance during the lifetime of the facility.
- g. The backfilling of the trench in which the pipeline will be laid shall be done so as to eliminate the formation of a permanent ridge in the streambed.
- h. Water pumped from the construction area shall be diverted into a sediment trap or basin, or into an appropriate vegetated filter area to prevent sediment from being discharged into any waters of the Commonwealth.
- i. Project construction shall take place when the streams are at low flow.
- j. All wetlands within the project area shall be accurately field delineated prior to the start of construction activities and up to the time that earth disturbance activities are completed and the site has been stabilized. An acceptable means of field delineation is the use of an orange construction safety fence.
- k. The permittee is responsible for stabilizing any excess materials spoiled on-site or off-site, whether the permittee owns the site or others own the site.
- l. Streambank disturbance shall be kept to a minimum and stabilized with indigenous vegetation within 20 days of final earthmoving to prevent erosion and provide cover, shading, and food source for aquatic life.
- m. Since Millard Creek is a wild trout streams, no work shall be done in the stream channel of this stream and its tributaries between October 1 and December 31 without the prior written approval of the Pennsylvania Fish and Boat Commission.
- n. Since Martins Creek and East Branch of Martins Creek are stocked trout streams, no work shall be done in the stream channel between March 1 and June 15 without the prior written approval of the Pennsylvania Fish and Boat Commission.
- o. All disturbed areas are to be restored to the approximate original contours and shall be replanted with indigenous plant species. Any excess fill material must be removed from the wetland and not spread on-site.
- p. The construction of replacement wetlands shall be started prior to placement of fill authorized by this permit. Within 30 days of completing construction of the replacement wetlands, the permittee shall submit "as-built" plans of the replacement wetlands to the Department.

- q. Permittee shall monitor the wetland replacement site for at least five years. Reports shall be submitted to the Department every six months for the first two years after construction and annually for three years thereafter. The monitoring reports shall contain information describing the success of the site at the time of inspection, an inventory of the surviving plant species and percent aerial coverage, photographs of the replacement sites with plans showing the location and orientation of each of the photographs, and a written plan to correct any deficiencies identified during the monitoring phase.
- r. If wetlands constructed on the approved sites have not achieved design objectives within the monitoring period, remedial work will be required to assure establishment of 1.47 acres of functional wetlands. Replacement wetlands shall be considered successful when they meet the design objectives as stated in the approved wetland replacement plan.

DEPARTMENT OF ENVIRONMENTAL PROTECTION



Jennifer Means
Environmental Program Manager

AUG 31 2012

Issue Date

Permit No. E5829-031

Commonwealth of Pennsylvania
Department of Environmental Protection
Northcentral Regional Office
Eastern Oil and Gas District
Permitting Section

ACKNOWLEDGMENT OF APPRISAL OF PERMIT CONDITIONS

Project Location:

County _____

Township _____

Ladies and Gentlemen:

Acknowledgment is made that I, _____
(permittee name)

and _____
(name, address and telephone of individual responsible for supr. of work)

have been apprised of and are familiar with the terms and conditions of Permit No. _____

issued to _____ giving its consent to _____
(permittee) (work authorized as stated on permit)

APPROXIMATE WORK START DATE _____

RETURN TO:

Sharon Steinbacher
Department of Environmental Protection
Eastern Regional Office
Bureau of Oil and Gas Management
Permitting Section
208 West Third Street, Suite 101
Williamsport, Pennsylvania 17701-6448

(permittee signature)

(date)

(signature of individual responsible
for supervision of work)

(date)

Permit No. E5829-031

Commonwealth of Pennsylvania
Department of Environmental Protection
Northcentral Regional Office
Eastern Oil and Gas District
Permitting Section

**WATER OBSTRUCTION & ENCROACHMENT PERMIT
COMPLETION REPORT**

Project Location:

County _____

Township _____

Ladies and Gentlemen:

I (We) hereby certify that the _____
(work authorized by permit)

was completed on _____, in accordance with the plans approved and that all unauthorized obstruction have been removed.

Name: _____
(typed or printed)

Signature: _____

Title: _____

Firm: _____

Date: _____

RETURN TO:

Sharon Steinbacher
Department of Environmental Protection
Eastern Regional Office
Bureau of Oil and Gas Management
Permitting Section
208 West Third Street, Suite 101
Williamsport, Pennsylvania 17701-6448

(permittee signature)

(date)

(signature of individual responsible
for supervision of work)

(date)