

T.G. MILLER, P.C.

ENGINEERS AND SURVEYORS

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March 8, 2017

Ray Burger
Director of Planning
Town of Dryden
93 E. Main Street
Dryden, NY 13053

RE: Borger Compressor Station
SWPPP FERC Complaint

Dear Mr. Burger,

I have reviewed the complaint by Toxics Targeting regarding the Stormwater Pollution Prevention Plan (SWPPP) approved in 2016 for the Borger Compressor Station (the Station) project and offer the following comments:

In early March of 2016, T.G. Miller, P.C. received a SWPPP application for the Station prepared by Tetra Tech. We reviewed the application and provided comments via the NYSDEC's SWPPP Review checklist on April 8, 2016.

The Limit of Disturbance (LOD) for the project included 4.8 acres on the north side of Ellis Hollow Creek Road, not the larger "Approved Limits of Disturbance" shown on the Jan 2017 tetra Tech map provided in Mr. Hang's complaint. No LOD was indicated south of the roadway as only temporary gravel laydown areas were proposed. These laydown areas consisted of stabilization fabric being laid on the existing ground surface with 6" of gravel placed on top of it. Hence this did not meet the definition of a ground disturbance.

On our initial review checklist we noted that the Notice of Intent (NOI) identified wetlands on the site but none were shown on the drawings as required. Tetra Tech provided a revised submission which mapped the wetlands north of the roadway and clarified the source of the wetlands boundaries. The final SWPPP, dated April 14, 2016, was approved on April 22, 2016.

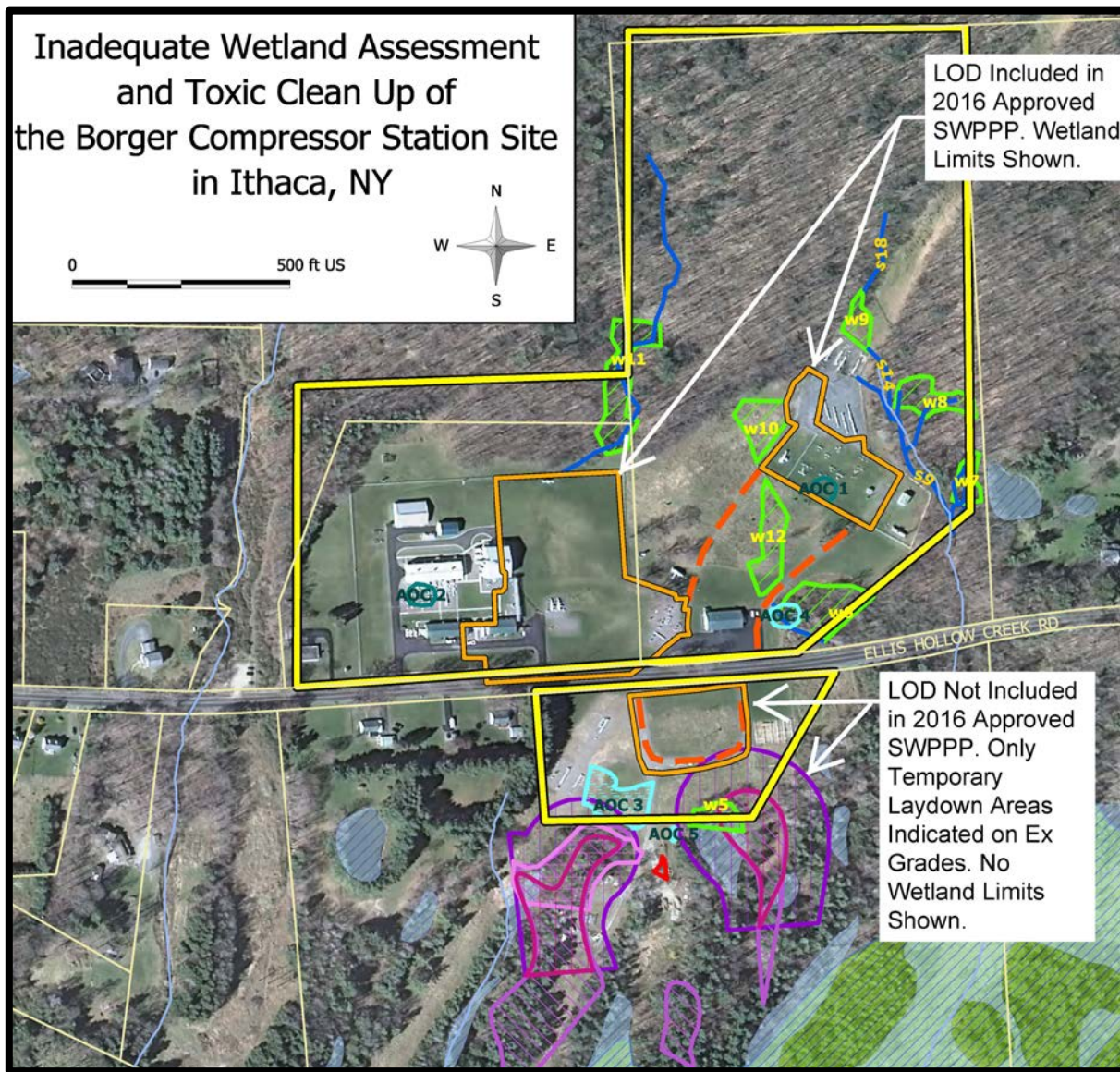
The approved NOI identified the wetlands as Federal Wetlands "Delineated by Consultant" and indicated that the project would not disturb soils within a State regulated wetland or the protected 100-foot adjacent area. The NOI also noted that the project did not require a US Army Corps of Engineers Wetland Permit. The LOD on the drawings indicated work would not disturb the delineated wetlands.

I have reviewed Mr. Hang's map titled "Inadequate Wetland Assessment and Toxic Cleanup of the Borger Compressor Station Site in Ithaca, NY." As noted on the markup below, none of the delineated wetlands nor the LOD south of Ellis Hollow Creek Road were shown on the Drawings included with the SWPPP. The larger "Approved Limits of Disturbance" were not shown either, nor approved by this office or any representative of the Town of Dryden.

David A. Herrick, P.E.
Frank L Santelli, P.E.
Andrew J. Sciarabba, P.E.

Steven R. Rowe, P.E.
Dondi M. Harner, P.E.
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Lee Dresser, L.S.
Darrin A. Brock, L.S.



It is my opinion that the SWPPP as approved is valid as no impacts to wetlands or regulated adjacent areas were proposed. It appears that the 100' buffer (adjacent area) shown south of Ellis Hollow Creek Road could be impacted by the project if ground disturbance encroached into the adjacent area. However, as noted previously, the approved plans did not indicate any disturbance in this area. I do concur that if the LOD was expanded to the "Approved Limits of Disturbance" both Federal and State wetlands would be impacted.

Respectfully,

Andrew J. Sciarabba, P.E.
Vice President