

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: DAUPHIN



POLICE CRIMINAL COMPLAINT  
COMMONWEALTH OF PENNSYLVANIA  
VS.

Magisterial District Number: 12-2-02  
MDJ: Hon. Kenneth A. Lenker  
Address: 102 Agnes St., Harrisburg, PA 17104

DEFENDANT: (NAME and ADDRESS):  
ETC NORTHEAST PIPELINE LLC.  
First Name Middle Name Last Name Gen

6051 Wallace Rd. Ext, Suite 300  
Wexford, PA 15090

Telephone: (717)939-6996

NCIC Extradition Code Type

<input type="checkbox"/> 1-Felony Full	<input type="checkbox"/> 5-Felony Pending Extradition	<input type="checkbox"/> C-Misdemeanor Surrounding States	<input type="checkbox"/> Distance: _____
<input type="checkbox"/> 2-Felony Limited	<input type="checkbox"/> 6-Felony Pending Extradition Determ.	<input checked="" type="checkbox"/> D-Misdemeanor No Extradition	
<input type="checkbox"/> 3-Felony Surrounding States	<input type="checkbox"/> A-Misdemeanor Full	<input type="checkbox"/> E-Misdemeanor Pending Extradition	
<input type="checkbox"/> 4-Felony No Extradition	<input type="checkbox"/> B-Misdemeanor Limited	<input type="checkbox"/> F-Misdemeanor Pending Extradition	

DEFENDANT IDENTIFICATION INFORMATION

Docket Number <u>CR-23-2022</u>	Date Filed <u>2/1/22</u>	OTN/LiveScan Number	Complaint/Incident Number <u>49-1235</u>	Request Lab Services? <input type="checkbox"/> YES <input type="checkbox"/> NO
GENDER <input type="checkbox"/> Male <input type="checkbox"/> Female	DOB / / AKA	POB	Add'l DOB / /	Co-Defendant(s) <input type="checkbox"/>
First Name		Middle Name		Last Name
RACE <input type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown				
ETHNICITY <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown				
Hair Color <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> RED (Red/Aubn.) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> BLK (Black) <input type="checkbox"/> ONG (Orange) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Unk./Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> BLN (Blonde / Strawberry)				
Eye Color <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)				
DNA <input type="checkbox"/> YES <input type="checkbox"/> NO	DNA Location			WEIGHT (lbs.)
FBI Number	MNU Number			
Defendant Fingerprinted <input type="checkbox"/> YES <input type="checkbox"/> NO				Ft. HEIGHT In.
Fingerprint Classification:				

DEFENDANT VEHICLE INFORMATION

Plate #	State	Haz mat <input type="checkbox"/>	Registration Sticker (MM/YY) /	Comm'l Veh. Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. same as Def. <input type="checkbox"/>
VIN	Year	Make	Model	Style	Color		

Office of the attorney for the Commonwealth  Approved  Disapproved because: \_\_\_\_\_

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507).

SDAG COURTNEY BUTTERFIELD  
(Name of the attorney for the Commonwealth)

SDAG Courtney Butterfield  
(Signature of the attorney for the Commonwealth)

2/1/22  
(Date)

I, SA BRUCE GEARHART  
(Name of the Affiant)

810

(PSP/MPOETC -Assigned Affiant ID Number & Badge #)

of Pennsylvania Office of Attorney General  
(Identify Department or Agency Represented and Political Subdivision)

PA0222400  
(Police Agency ORI Number)

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do hereby state: (check appropriate box)

1.  I accuse the above named defendant who lives at the address set forth above  
 I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_

DISTRICT COURT 12-2-02

I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at [202] \_\_\_\_\_ Center Township  
(Subdivision Code) (Place-Political Subdivision)

in DAUPHIN County  
Beaver

147 22  
(County Code)

on or about JANUARY 22, 2018 THROUGH SEPTEMBER 10, 2018

**POLICE CRIMINAL COMPLAINT**

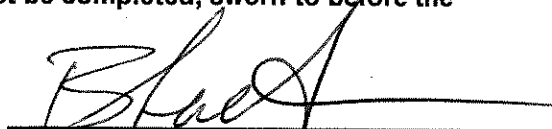
Docket Number: CR-23-2022	Date Filed: 2/1/22	OTN/LiveScan Number	Complaint/Incident Number 49-1235
Defendant Name:	First: ETC NORTHEAST	Middle: PIPELINE	Last: LLC.

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
- This complaint consists of the preceding page(s) numbered 1 through 7.
- I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

**(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)**

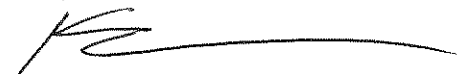
\_\_\_\_\_  
(Date)

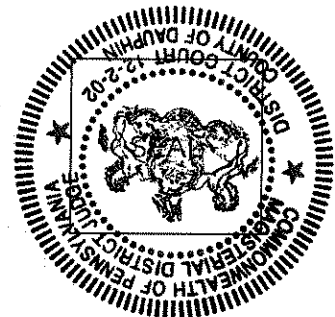
  
\_\_\_\_\_  
(Signature of Affiant)

AND NOW, on this date 2/1/22 I certify that the complaint has been properly completed and verified.

An affidavit of probable cause must be completed before a warrant can be issued.

12-2-02  
(Magisterial District Court Number)

  
\_\_\_\_\_  
(Issuing Authority)



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DISTRICT COURT 12-2-02



# POLICE CRIMINAL COMPLAINT

Docket Number: <i>CR-23-2022</i>	Date Filed: <i>2/11/2022</i>	OTN/LiveScan Number	Complaint/Incident Number 49-1235
Defendant Name:	First: ETC NORTHEAST	Middle: PIPELINE	Last: LLC.

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 – 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____					
<input type="checkbox"/>	1	691	301	of the	35	1	M2		
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description (include the name of statute or ordinance): <b>CLEAN STREAMS LAW, PROHIBITION OF DISCHARGES OF INDUSTRIAL WASTES, 35 P.S. § 691.301</b>									
Acts of the accused associated with this Offense: see offense continuation sheet #1									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____					
<input type="checkbox"/>	2	691	401	of the	35	1	M2		
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description (include the name of statute or ordinance): <b>CLEAN STREAMS LAW, PROHIBITION OF OTHER POLLUTANTS, 35 P.S. § 691.401</b>									
Acts of the accused associated with this Offense: see offense continuation sheet #1									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____					
<input type="checkbox"/>	3	691	402(b)	of the	35	1	M2		
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description (include the name of statute or ordinance): <b>CLEAN STREAMS LAW, POTENTIAL POLLUTION, 35 P.S. § 691.402(B)</b>									
Acts of the accused associated with this Offense: see offense continuation sheet #1									

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DISTRICT COURT 12-2-02



# POLICE CRIMINAL COMPLAINT

Docket Number: <b>CR-23-2022</b>	Date Filed: <b>2/1/2022</b>	OTN/LiveScan Number	Complaint/Incident Number <b>49-1235</b>
Defendant Name	First: <b>ETC PIPELINE</b>	Middle: <b>NORTHEAST</b>	Last: <b>LLC.</b>

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 – 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/>	4	691	611	of the	35	1	M2		
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)		Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance): CLEAN STREAMS LAW, UNLAWFUL CONDUCT, 35 P.S. § 691.611									
Acts of the accused associated with this Offense: see offense continuation sheet #2									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/>	5	691	301	of the	35	1	M2		
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)		Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance): CLEAN STREAMS LAW, PROHIBITION OF DISCHARGES OF INDUSTRIAL WASTES, 35 P.S. § 691.301									
Acts of the accused associated with this Offense: see offense continuation sheet #2									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/>	6	691	401	of the	35	1	M2		
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)		Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance): CLEAN STREAMS LAW, PROHIBITION OF OTHER POLLUTANTS, 35 P.S. § 691.401									
Acts of the accused associated with this Offense: see offense continuation sheet #2									

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DISTRICT COURT 12-2-02



# POLICE CRIMINAL COMPLAINT

Docket Number: CR-232022	Date Filed: 2/1/2022	OTN/LiveScan Number	Complaint/Incident Number 49-1235
Defendant Name	First: ETC NORTHEAST	Middle: PIPELINE	Last: LLC.

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 – 213.7.)

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/>	7	691	402(B)	of the	35	1	M2		
Lead?	Offense#	Section	Subsection	PA Statute (Title)		Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<b>PennDOT Data (if applicable)</b>	Accident Number					<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone	
Statute Description (include the name of statute or ordinance): CLEAN STREAMS LAW, POTENTIAL POLLUTION, 35 P.S. § 691.402(B)									
Acts of the accused associated with this Offense: see offense continuation sheet #3									

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/>	8	691	611	of the	35	1	M2		
Lead?	Offense#	Section	Subsection	PA Statute (Title)		Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<b>PennDOT Data (if applicable)</b>	Accident Number					<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone	
Statute Description (include the name of statute or ordinance): CLEAN STREAMS LAW, UNLAWFUL CONDUCT, 35 P.S. § 691.611									
Acts of the accused associated with this Offense: see offense continuation sheet #3									

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/>	9	691	611	of the	35	1	M2		
Lead?	Offense#	Section	Subsection	PA Statute (Title)		Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<b>PennDOT Data (if applicable)</b>	Accident Number					<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone	
Statute Description (include the name of statute or ordinance): CLEAN STREAMS LAW, UNLAWFUL CONDUCT, 35 P.S. § 691.611									
Acts of the accused associated with this Offense: see offense continuation sheet #3									

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DISTRICT COURT 12-2-02

Docket Number: CR-23-2022	Date Filed: 2/1/2022	OTN/LiveScan Number	Complaint/Incident Number 49-1235
Defendant Name:	First: ETC NORTHEAST	Middle: PIPELINE	Last: LLC.

### AFFIDAVIT of PROBABLE CAUSE

Your affiant, Bruce Eric Gearhart, Special Agent, Pennsylvania Office of Attorney General (hereinafter: OAG), being duly sworn, deposes and states:

Your affiant has been conducting an investigation into criminal activity associated with the construction and ultimate failure of the Revolution Pipeline project ("project") in Beaver County. The project is owned by ETC Northeast Pipeline, LLC ("ETC"). On July 16, 2021, the 46th Statewide Investigating Grand Jury issued Presentment No. 16 recommending that criminal charges be filed against ETC for violations of the Pennsylvania Clean Streams Law. The aforementioned Presentment was accepted by the Honorable, Anthony M. Mariani Supervising Judge of the 46<sup>th</sup> Statewide Investigating Grand Jury by Order dated July 22, 2021. Your Affiant has reviewed the above cited Presentment and having been present at all proceedings, finds that the factual findings described therein correspond to the OAG Investigative findings.

Your affiant is adopting the presentment and incorporating it into this Affidavit of Probable Cause (a copy of the presentment is attached hereto). Your affiant has reviewed the sworn testimony given by the witnesses before the Grand Jury and finds that it is consistent with the information contained within the Presentment. Your affiant has reviewed the evidence presented to the Grand Jury and finds that it comports with the results of the OAG investigative efforts and findings as to the allegations contained in this instant criminal complaint. Your affiant believes based upon the evidence presented to the Grand Jury that the Presentment contain sufficient probable cause to charge all nine recommended charges at each of five sites listed in the Presentment. Your affiant states that based upon the above facts, there is probable cause to believe that the defendant, ETC, committed the acts alleged therein, in violation of Pennsylvania law and respectfully requests the issuance of a summons.

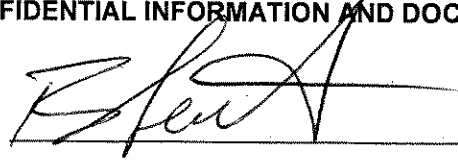
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DISTRICT COURT 12-2-02

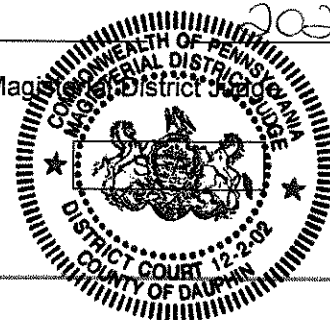
**I, SA BRUCE GEARHART, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.**

**I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.**

  
 \_\_\_\_\_  
 (Signature of Affiant)

Sworn to me and subscribed before me this 1 day of Feb 2022  
 \_\_\_\_\_ Date \_\_\_\_\_, Magistrate District Judge

My commission expires first Monday of January, 2028





**POLICE CRIMINAL COMPLAINT  
OFFENSE CONTINUATION PAGE**

<b>Docket Number:</b> CR-23-2022	<b>Date Filed:</b> 2/1/2023	<b>OTN/LiveScan Number</b>	<b>Complaint/Incident Number</b> 49-1235
<b>Defendant Name:</b>	<b>First:</b> ETC	<b>Middle:</b> NORTHEAST	<b>Last:</b> PIPELINE, LLC

**OFFENSE DESCRIPTION CONTINUATION**

Offense #1: The defendant, ETC Northeast Pipeline, LLC, by its own conduct or the conduct of another pursuant to 18 Pa. C.S.A. § 307, did put or place into any of the waters of the Commonwealth, or allow or permit to be discharged from property owned or occupied by such person or municipality into any of the waters of the Commonwealth, any industrial waste. To wit: on one or more occasion between January 22, 2018 and September 10, 2018, the defenfant did fail to implement effective erosion and sediment control devices, which did allow industrial waste in the form of stockpiled soil to overwhelm erosion control devices and enter waters of the commonwealth at: station #1494+79-1497, station #1215+00, station # 1631+00-1643,station #1807+75-1809 and station #1116. Known respectively as; Hwy 151,Penny Hollow Road, Backbone Road, Clinton Frankfurt Road, and the Rosati tract. Located in Beaver Co.

Offense #2: The defendant, ETC Northeast Pipeline, LLC, by its own conduct or the conduct of another pursuant to 18 Pa. C.S.A. § 307, did put or place into any of the waters of the Commonwealth, or allow or permit to be discharged from property owned or occupied by such person or municipality into any of the waters of the Commonwealth, any substance of any kind or character resulting in pollution as herein defined. Any such discharge is hereby declared to be a nuisance. To wit: on one or more occasion between January 22, 2018 and September 10, 2018, the defenfant did allow pollution in the form of stockpiled soil to overwhelm erosion control devices and enter waters of the commonwealth at: station #1494+79-1497, station #1215+00, station # 1631+00-1643,station #1807+75-1809 and station #1116. Known respectively as; Hwy 151, Penny Hollow Road, Backbone Road, Clinton Frankfurt Road, and the Rosati tract. Located within Beaver County.

Offense #3: The defendant, ETC Northeast Pipeline, LLC, by its own conduct or the conduct of another pursuant to 18 Pa. C.S.A. § 307, did conduct activities related to erosion and sedimentation control without a permit, or contrary to the terms and condition of a permit, or conducted activty contrary to the rules and regulations of the department or conducted an activity contrary to an order issued by the department. This activity is declared to be a nuisance. To wit: on one or more occasion between January 22, 2018 and September 10, 2018, the defendant failed to construct and implement erosion and sedimentation control devices as they were detailed in their permit, thereby allowing the potential for pollution to enter waters of the Commonwealth, which was a violation of their permit at: station #1494+79-1497, station #1215+00, station # 1631+00-1643,station #1807+75-1809 and station #1116. Known respectively as; Hwy 151,Penny Hollow Road, Backbone Road, Clinton Frankfurt Road, and the Rosati tract. Located within Beaver County.

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DISTRICT COURT 12-2-02



**POLICE CRIMINAL COMPLAINT  
OFFENSE CONTINUATION PAGE**

<b>Docket Number:</b> CR-230022	<b>Date Filed:</b> 2/1/2022	<b>OTN/LiveScan Number</b>	<b>Complaint/Incident Number</b> 49-1235
<b>Defendant Name:</b> ETC	<b>First:</b> ETC	<b>Middle:</b> NORTHEAST	<b>Last:</b> PIPELINE, LLC

**OFFENSE DESCRIPTION CONTINUATION**

Offense #4: The defendant, ETC Northeast Pipeline, LLC, by its own conduct or the conduct of another pursuant to 18 Pa. C.S.A. § 307, did fail to comply with any rule or regulation of the department, or fail to comply with any order or permit or license of the department, to violate any of the provisions of this act or rules and regulations adopted hereunder, or any order or permit or license of the department, to cause air or water pollution, or to hinder, obstruct, prevent or interfere with the department or its personnel in the performance of any duty hereunder. To wit: on one or more occasion between January 22, 2018 and September 10, 2018, the defenfant did violate its Chapter 102 permit and/or conditions contained therein by failing to implement erosion and sedimentaion control devices as stated in the permit at: station #1494+79-1497, station #1215+00, station # 1631+00-1643,station #1807+75-1809 and station #1116. Known respectively as; Hwy 151,Penny Hollow Road, Backbone Road, Clinton Frankfurt Road, and the Rosati tract located within Beaver County.

Offense #5: The defendant, ETC Northeast Pipeline, LLC, by its own conduct or the conduct of another pursuant to 18 Pa. C.S.A. § 307, did put or place into any of the waters of the Commonwealth, or allow or permit to be discharged from property owned or occupied by such person or municipality into any of the waters of the Commonwealth, any industrial waste. To wit: on one or more occasion between January 22, 2018 and September 10, 2018, the defendant did fail to implement temporary stabilization of disturbed earth, which did allow industrial waste in the form of stockpiled soil to overwhelm erosion control devices and enter waters of the commonwealth at: station #1494+79-1497, station #1215+00, station # 1631+00-1643,station #1807+75-1809 and station #1116. Known respectively as; Hwy 151,Penny Hollow Road, Backbone Road, Clinton Frankfurt Road, and the Rosati tract in Beaver County.

Offense #6: The defendant, ETC Northeast Pipeline, LLC, by its own conduct or the conduct of another pursuant to 18 Pa. C.S.A. § 307, did put or place into any of the waters of the Commonwealth, or allow or permit to be discharged from property owned or occupied by such person or municipality into any of the waters of the Commonwealth, any substance of any kind or character resulting in pollution as herein defined. Any such discharge is hereby declared to be a nuisance. To wit: on one or more occasion between January 22, 2018 and September 10, 2018, the defendant did fail to implement temporary stabilization of disturbed earth, which allowed pollution to enter waters of the Commonwealth at: station #1494+79-1497, station #1215+00, station # 1631+00-1643,station #1807+75-1809 and station #1116. Known respectively as; Hwy 151, Penny Hollow Road, Backbone Road, Clinton Frankfurt Road, and the Rosati tract. Located within Beaver County.

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DISTRICT COURT 12-2-02





**POLICE CRIMINAL COMPLAINT  
OFFENSE CONTINUATION PAGE**

<b>Docket Number:</b> CR-23-2022	<b>Date Filed:</b> 2/11/2022	<b>OTN/LiveScan Number</b>	<b>Complaint/Incident Number</b> 49-1235
<b>Defendant Name:</b>	<b>First:</b> ETC	<b>Middle:</b> NORTHEAST	<b>Last:</b> PIPELINE, LLC

**OFFENSE DESCRIPTION CONTINUATION**

Offense #7: The defendant, ETC Northeast Pipeline, LLC, by its own conduct or the conduct of another pursuant to 18 Pa. C.S.A. § 307, did conduct activities related to erosion and sedimentation control without a permit, or contrary to the terms and condition of a permit, or conducted activity contrary to the rules and regulations of the department or conducted an activity contrary to an order issued by the department. To wit: on one or more occasion between January 22, 2018 and September 10, 2018, the defenfant failed to temporarily stabilize disturbed earth and potentially allowing pollution to enter waters of the Commonwealth, which was a violation of its Chapter 102 permit at: station #1494+79-1497, station #1215+00, station # 1631+00-1643,station #1807+75-1809 and station #1116. Known respectively as; Hwy 151,Penny Hollow Road, Backbone Road, Clinton Frankfurt Road, and the Rosati tract. Located within Beaver County.

Offense #8: The defendant, ETC Northeast Pipeline, LLC, by its own conduct or the conduct of another pursuant to 18 Pa. C.S.A. § 307, did fail to comply with any rule or regulation of the department, or fail to comply with any order or permit or license of the department, to violate any of the provisions of this act or rules and regulations adopted hereunder, or any order or permit or license of the department, to cause air or water pollution, or to hinder, obstruct, prevent or interfere with the department or its personnel in the performance of any duty hereunder. To wit: on one or more occasion between January 22, 2018 and September 10, 2018, the defendant did violate its Chapter 102 permit and/or conditions contained therein by failing to temporarily stabilize disturbed earth at: station #1494+79-1497, station #1215+00, station # 1631+00-1643,station #1807+75-1809 and station #1116. Known respectively as; Hwy 151,Penny Hollow Road, Backbone Road, Clinton Frankfurt Road, and the Rosati tract located within Beaver County.

Offense #9: The defendant, ETC Northeast Pipeline, LLC, by its own conduct or the conduct of another pursuant to 18 Pa. C.S.A. § 307, did fail to comply with any rule or regulation of the department, or fail to comply with any order or permit or license of the department, to violate any of the provisions of this act or rules and regulations adopted hereunder, or any order or permit or license of the department, to cause air or water pollution, or to hinder, obstruct, prevent or interfere with the department or its personnel in the performance of any duty hereunder. To wit: on one or more occasion between January 22, 2018 and September 10, 2018, the defendant did fail to follow the terms and conditions of its Chapter 102 permit at: station #1494+79-1497, station #1215+00, station # 1631+00-1643,station #1807+75-1809 and station #1116. Known respectively as; Hwy 151,Penny Hollow Road, Backbone Road, Clinton Frankfurt Road, and the Rosati tract located within Beaver County.

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DISTRICT COURT 12-2-02