



June 10, 2021

Mr. Tim Rutter  
M & G Realty, Inc.  
2100 North George Street  
York, PA 17404

Re: Technical Deficiency Letter  
Rutter's #82  
NPDES Permit Application No. PAD070014  
Antis Township, Blair County

Dear Mr. Rutter:

The Department of Environmental Protection (DEP) and the Blair County Conservation District have reviewed the above referenced NOI (for PAG-01) and has identified the technical deficiencies listed below. The *Pennsylvania Erosion and Sediment Pollution Control Program Manual* (E&S Manual) and the *Pennsylvania Stormwater Best Management Practices Manual* (BMP Manual) include information that may aid you in responding to some of the deficiencies listed below. The deficiencies are based on applicable laws and regulations, and the guidance sets forth DEP's established means of satisfying the applicable regulatory and statutory requirements.

The technical deficiencies void the permit decision guarantee and any agreements that have been made regarding the timeline for the permit application review. DEP will continue to follow the permit review process procedures in the review and processing of this permit application.

### **Technical Deficiencies**

E&S Plan [identified by the District unless otherwise noted]

1. Revise to show soil types and boundaries on plan drawings. [25 Pa. Code §102.4(b)(5)(ii)]
2. Revise to show all proposed utility mainlines, including sanitary, on plan drawings. [25 Pa. Code §102.4(b)(5)(iii)]
3. Revise to provide locations of topsoil stockpiles. [25 Pa. Code §102.4(b)(5)(iii)]
4. Revise to provide appropriate Compost Filter Sock downslope of Swale #2 along Sabbath Rest Road. [25 Pa. Code §102.4(b)(5)(vii)]
5. Revise to provide an ABACT BMP for Rock Construction Entrances and provide Standard Construction Detail. Module 1 should also be revised to reflect this change. [25 Pa. Code §102.4(b)(5)(ix)]

6. Revise Standard E&S Worksheet #1 to reflect additional Compost Filter Sock. [25 Pa. Code §102.4(b)(5)(viii)]
7. Revise Standard E&S Worksheet #11 to provide Allowable Velocity and all calculations for temporary conditions in proposed swales. [25 Pa. Code §102.4(b)(5)(viii)]
8. Revise to provide typical detail (Figure 17.1, 17.2, 17.3, or 17.4) for sinkhole repair. [25 Pa. Code §102.4(b)(5)(xii)]
9. Provide an Erosion and Control Report that is consistent with the Erosion and Control Plans. [25 Pa. Code §102.4(b)(5)]

#### Application Form

10. Page 4 – The project also discharges to Exceptional Value (EV) Wetlands. Revise the form, as appropriate. [25 Pa. Code §102.8(f)(5)]

#### PCSM Module(s)

11. Revise the Long-Term O&M notes to indicate each PCSM BMP and provide a sheet number in which the O&M for the BMP is located. [25 Pa. Code §102.8(f)(10) and §102.11(a)(2)]
12. The Stormwater Analysis – Water Quality for Long-Term O&M in the PCSM Module 2 describes the long-term operation and maintenance requirements for each PCSM BMP. The analysis describes what to look for during inspection and routine maintenance. Provide notes for each PCSM BMP for repair and replacement if the BMP fails in the field. [25 Pa. Code §102.8(f)(10)]

#### PCSM Report

13. The PCSM spreadsheet indicates a disturbed area of 15.88 acres; however, the application form indicates a disturbed area of 19.25 acres. Clarify the discrepancy. [25 Pa. Code §102.8(f)(3)]
14. The PCSM spreadsheet, Volume Management tab, does not indicate that the volume increase in the 2-yr/24-hr storm is being managed. Provide a demonstration that the volume increase is being appropriately managed prior to reaching the receiving surface water. [25 Pa. Code §102.8(g)(2) and §102.11(a)(2)]

#### PCSM Plan

15. Provide a plan location and flow path to the receiving surface water(s). In addition, provide an offsite discharge analysis as outlined in the Off-site Discharges of Stormwater Areas That

Are Not Surface Waters Fact Sheet (DEP Document No. 3150-FS-DEP4124). [25 Pa. Code §102.8(f)(5)]

16. Provide on the PCSM Plans the procedures that the proper measures for recycling or disposal of materials of materials associated with or from the PCSM BMPs are in accordance with Department laws, regulations and requirements. [25 Pa. Code §102.8(f)(11)]
17. The outlet pipes for permanent basins are to be set in a concrete cradle along with anti-seep collars (e.g. Standard Construction Details 7-6 and 7-17 shown in the E&S Manual). Revise the plan or provide the alternative BMP and design standard demonstration. [25 Pa. Code §102.8(f)(6), §102.11(a)(1), and §102.11(a)(2)]
18. The project site has geologic formations with the presence of dolomite and limestone, which are karst feature and have the increased potential for sinkhole development. Provide a complete detail and notes for sinkhole repair (see E&S Manual, 363-2134-008, Page 327). [25 Pa. Code §102.8(f)(9) and §102.11(a)(1)]
19. Provide notes and plan details indicating and showing that any groundwater seep uncovered during the excavation and construction of the development will be directed to the nearest the surface water. [25 Pa. Code §102.8(f)(6), §102.8(g)(2), and §102.11(a)(2)]
20. The number of test pits for large infiltration areas should be evenly distributed at the rate of four to six tests per acre of BMP area and at least one test should be conducted at the proposed bottom elevation of an infiltration BMP, and a minimum of two tests per test pit. Provide on the PCSM plans the location of test pit in relation to the infiltration PCSM BMP (rain garden) and the bottom elevation of the BMP (See BMP Manual, Appendix C). [25 Pa Code §102.8(f)(8), §102.8(f)(9), §102.8(g)(1), and §102.11(a)(2)]
21. The permittee or co-permittee shall be responsible for long-term operation and maintenance of PCSM BMPs. Provide a long-term operation and maintenance schedule, which includes inspection of the PCSM BMP(s), repair, replacement, or other routine maintenance of the PCSM BMP to ensure proper function and operation. [25 Pa Code §102.8(f)(9), §102.8(f)(10), and §102.8(m)(1)]
22. PCSM-02 of the Note Sheet, under the Construction Sequence – Convenience Store Site and Highway Improvements provides language for steps to follow during construction for the PCSM Plans. The notes provided and indicated are from the E&S Control Plan. Provide construction sequence notes for the PCSM plan during construction and installation of the PCSM BMPs. [25 Pa. Code §102.8(d), §102.8(f)(9), and §102.11(a)(2)]
23. PCSM-05 indicates BMP6 and BMP 7 are vegetated swales. The vegetated swales are used on this project as PCSM BMPs for rate control and water quality for stormwater. Provide the following:
  - a. Provide a detail of the swale. [25 Pa Code §102.8(f)(8) and §102.8(f)(10)]
  - b. Provide a long-term operation and maintenance schedule, which includes inspection of the vegetated swales, repair, replacement, or other routine maintenance of the PCSM

BMP to ensure proper function and operation. [25 Pa Code §102.8(f)(9), §102.8(f)(10), and §102.8(m)(1)]

You must submit a response fully addressing each of the technical deficiencies set forth above. Please note that this information must be received within 30 calendar days from the date of this letter, on or before July 10, 2021 or the DEP may deny the application.

Please submit 2 copies of the revised information to the District at 1407 Blair Street, Hollidaysburg, PA 16648, and an electronic copy to the DEP via the DEP's OnBase system (<https://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx>). For ease of review, the DEP requests a single upload with multiple files versus one large document.

If you believe that any of the stated deficiencies are not significant, instead of submitting a response to that deficiency, you have the option of requesting that DEP make a permit decision based on the information you have already provided regarding the subject matter of that deficiency. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency.

If you have questions about your application, please contact Matt Zeigler by e-mail at [matzeigler@pa.gov](mailto:matzeigler@pa.gov) or by telephone at 717.705.4738 and refer to Application No. PAD070014, to discuss your concerns or to schedule a meeting. Please attempt to request any meeting within 15 days of the date of the letter to better ensure a meeting can be scheduled, held, and allow time for you to provide a response with the 30 calendar days allotted for your reply.

Sincerely,

Scott R. Williamson, Program Manager

*for*

Nathan Phillips, P.E.  
Permits Section Chief  
Waterways and Wetlands Program

cc: Blair County Conservation District  
Tim Bieber – CHR Corporation Inc.  
Antis Township, Blair County