

July 18, 2016

Mr. Gary Graham
Assistant Chief Engineer
PA Turnpike Commission
700 South Eisenhower Boulevard
Middletown, PA 17057

Re: Permit Approval Cover Letter for Individual NPDES
Permit for Stormwater Discharges Associated
with Construction Activities
MP320 to MP326 Turnpike Reconstruction PAI01151214
Tredyffrin and Upper Merion Townships
Chester and Montgomery Counties

Dear Mr. Graham:

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Sections 1251 et seq. (“the Act”) and Pennsylvania’s Clean Streams Law, as amended, 35 P.S. Sections 691.1 et seq., the Department of Environmental Protection (DEP) hereby approves the application for the National Pollutant Discharge Elimination System (NPDES) permit for Stormwater Discharges Associated with Construction Activities MP320 to MP326 Turnpike Reconstruction to Valley Creek and Trout Creek.

Permit No. PAI01151214 is effective on July 18, 2016, and will expire on July 18, 2021. All dischargers are required by Sections 402 and 611 of The Clean Streams Law, 35 P.S. Sections 691.402 and 691.611 to comply with the terms and conditions and any special conditions of their permit.

1. In addition to the NPDES permit authorization, the permittee and any subsequent co-permittees have additional responsibilities related to this authorization. NPDES permit requirements and federal regulations at 40 CFR 122.21(b) require “when a facility or activity is owned by one person but is operated by another person, it is the operator’s duty to obtain a permit” (see permit condition Part B(1)(d)(1) and (3) for transfer of permit or co-permittee requirements). Please be advised that once an operator/contractor has been selected for the project, the NPDES permit must either be transferred to the operator/contractor or the operator/contractor must be made a co-permittee and enter into an agreement with the permittee. Please use the enclosed Transferee/Co-Permittee Application form to transfer the permit or to add a co-permittee. This form must be received by this office at least 30 days prior to the co-permittee/transferee action taking place.

2. A pre-construction conference is required as specified in 25 Pa. Code Section 102.5(e). The purpose of this conference is to review all aspects of the permit with the permittee, co-permittees, operators, consultants, DEP inspectors, and licensed professionals or their designees who will be responsible for the implementation of the critical stages of the approved Post Construction Stormwater Management (PCSM) Plan.
3. It is a condition of NPDES permit that as part of the maintenance program for the operation and maintenance of Best Management Practices (BMPs) the permittee or co-permittee must conduct inspections of the BMPs on a weekly basis and after each stormwater event to include the repair or replacement of BMPs to ensure effective and efficient operation (see permit condition Part A, 2(a)). The Visual Site Inspection Report Form is enclosed and must be used to document these required site inspections.
4. For any property containing a PCSM BMP, the permittee or co-permittee shall record an instrument with the recorder of deeds which will assure disclosure of the PCSM BMP and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP, provide for necessary access related to long-term operation and maintenance for PCSM BMPs and provide notice that the responsibility for long-term operations and maintenance of the PCSM BMP is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees. Unless a later date is approved by DEP in writing, the permittee shall record an instrument as required under 25 Pa. Code Section 102.8(m)(2) and Condition 15b of this permit within 45 days from the date of issuance of this permit or authorization. The permittee shall provide the conservation district and DEP with the date and place of recording along with a reference to the docket, deed book or other record, within 90 days from the date of issuance of this permit or authorization.
5. The Notice of Termination (NOT) form is also enclosed and must be completed and filed when construction activities have ceased and final stabilization has been achieved as a condition of this permit as specified in Section 4 of the permit regarding the NOT. The NOT is a NPDES permit requirement, as well as a regulatory requirement under 25 Pa. Code Section 102.7. The NOT must identify the responsible person(s) for the long-term operation and maintenance of the PCSM BMPs. Please be advised that the permittee and/or co-permittee remain responsible for all operational maintenance for this project site until the NOT has been filed and acknowledged.

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, P.O. Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984.

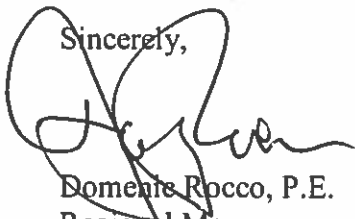
Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form 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.

If you have any additional questions, please contact Ms. Ana Damerau at 484.250.5159.

Sincerely,



Domenico Rocco, P.E.
Regional Manager
Waterways and Wetlands

Enclosures: PAI Individual NPDES Permit
Visual Site Inspection Report Form
Transferee/Co-permittee Application Form
Notice of Termination Form
Riparian Forest Buffer Reporting Form (if applicable)
PCSM Instrument Filing Notice

cc: Mr. Qingyuan – STV, Inc.
Chester County Conservation District
Montgomery County Conservation District
Tredyffrin Township
Upper Merion Township
Ms. Damerau – Construction Permits Section
Re 30 (GJS16WAW)200-1



**APPROVAL OF COVERAGE UNDER
THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) INDIVIDUAL
PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES**

NPDES PERMIT NO.: PAI01151214 PRIMARY FACILITY ID: 753393
 AUTHORIZATION NO.: 930467 SUBFACILITY ID: 1079728
 APS NO.: 783041

SITE/PROJECT NAME AND ADDRESS		PERMITTEE NAME AND ADDRESS	
Name:	<u>MP320 to MP326 Turnpike Reconstruction</u>	Name:	<u>PA Turnpike Commission</u>
Location:	<u>Tredyffrin Township</u> <u>Chester County</u> <u>and</u> <u>Upper Merion Township</u> <u>Montgomery County</u>	Client ID:	<u>55964</u>
Address:	<u>Between Mileposts 320 and 326 on</u> <u>PA Turnpike</u>	Address:	<u>700 South Eisenhower Boulevard</u>
City, State, Zip:	<u>Pennsylvania</u>	City, State, Zip:	<u>Middletown, PA 17057</u>
Phone:	<u>215.832.3558</u>	Phone:	<u>717.939.9551</u>

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Sections 1251 *et seq.* ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Sections 691.1 *et seq.*, the Department of Environmental Protection (DEP) hereby approves the Notice of Intent (NOI)/application submitted for coverage to discharge stormwater from an earth disturbance activity that involves equal to or greater than one acre of earth disturbance on any portion, part, or during any stage of, a larger common plan of development or sale that involves equal to or greater than one acre of earth disturbance, to the following surface water(s) of this Commonwealth:

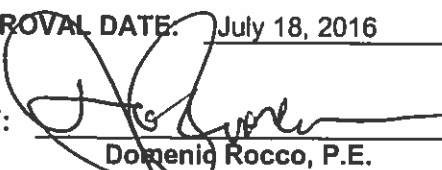
Valley Creek and Trout Creek

subject to DEP's effluent limitations, monitoring and reporting requirements, and other terms, conditions, criteria, and special requirements for the discharge of stormwater associated, in whole or in part, with construction activity, as defined in this individual permit, to surface waters of this Commonwealth, including through municipal separate storm sewers and nonmunicipal separate storm sewers. Authorization to discharge is subject to the implementation of the plans and additional associated information submitted as part of the application.

This permit incorporates, by reference, the application and any other attachments, reports, plans, plan drawings, supplements, and other materials submitted by the applicant in support of its application.

APPROVAL TO DISCHARGE IN ACCORDANCE WITH THE TERMS AND CONDITIONS HEREIN MAY COMMENCE ON THE DATE OF THE APPROVAL OF COVERAGE, AND IS VALID FOR A PERIOD OF FIVE YEARS WHEN CONDUCTED PURSUANT TO SUCH TERMS AND CONDITIONS. COVERAGE MAY BE EXTENDED BY DEP OR AUTHORIZED CONSERVATION DISTRICT IF A TIMELY, COMPLETE AND ACCEPTABLE APPLICATION FOR RENEWAL IS SUBMITTED TO DEP OR AUTHORIZED CONSERVATION DISTRICT AT LEAST 180 DAYS PRIOR TO DATE OF COVERAGE TERMINATION. THE PERMIT MAY BE TERMINATED PRIOR TO THE EXPIRATION DATE UPON RECEIPT AND ACKNOWLEDGEMENT OF A NOTICE OF TERMINATION FORM AND APPROVAL BY DEP OR AUTHORIZED CONSERVATION DISTRICT. NO CONDITION OF THIS PERMIT SHALL RELEASE THE PERMITTEE OR CO-PERMITTEE FROM ANY RESPONSIBILITY OR REQUIREMENT UNDER PENNSYLVANIA, OR FEDERAL ENVIRONMENTAL STATUTES, REGULATIONS, OR LOCAL ORDINANCES.

COVERAGE APPROVAL DATE: July 18, 2016 COVERAGE EXPIRATION DATE: July 18, 2021

AUTHORIZED BY:  TITLE: Regional Manager
Domenic Rocco, P.E. Waterways and Wetlands

SPECIAL CONDITIONS

1. This permit also acknowledges the earth disturbance activities within the Riparian Buffer zone. The authorized County Conservation District and the Regional Office should be contacted prior to any earth disturbances within the Riparian Buffer zone.

Re 30 Re 30 (GJS16WAW)200-1a