

Perdue AgriBusiness Inc.  
Environmental Services  
P.O. Box 460  
Lewiston Woodville, NC 27849  
www.perdue.com®

Office (252)348-4364

September 27, 2012

CERTIFIED MAIL NO. 7010 3090 0000 6840 9623

Conoy Township Board of Supervisors  
Conoy Township Municipal Building  
211 Falmouth Road  
Bainbridge, PA 17502

RE: Perdue Grain & Oilseed, LLC – Soybean Processing Facility  
Notification: PA DEP Storage Tank Site Specific Installation Permit Application

Dear Board of Supervisors:

Perdue Grain & Oilseed, LLC (Perdue) is submitting a Storage Tank Site Specific Installation Permit (SSIP) Application to the Pennsylvania Department of Environmental Protection (DEP) for its proposed Soybean Processing Facility to be located at 1897 River Road in Conoy Township, Lancaster County. The SSIP Application addresses the installation of two (2) 20,000 gallons, each horizontal aboveground hexane storage tanks.

Acts 67, 68, and 127, which amended the Municipalities Planning Code, direct state agencies to consider comprehensive plans and zoning ordinances when reviewing applications for permitting of facilities or infrastructure, and specify that state agencies may rely upon comprehensive plans and zoning ordinances under certain conditions as described in Sections 619.2 and 1105 of the Municipalities Planning Code. Enclosed is a General Information Form (GIF) that is being submitted with the SSIP Application. DEP invites you to review the GIF and comment on the accuracy of answers provided with regard to the land use aspects of this project; please be specific in any comment on the GIF and focus on the relationship of the project to zoning ordinances. If you wish to submit comments on the land use aspects of this project to DEP, you must respond within 30 days to the DEP regional office referenced below in this letter. If there are no land use comments received by the end of the comment period, DEP will assume that there are no substantive land use conflicts and proceed with its normal application review process. For more information about this land use review process, visit DEP's website at [www.state.pa.us](http://www.state.pa.us), Keyword: "DEP Land Use Reviews".



Page 2 of 2  
Conoy Township Board of Supervisors  
September 27, 2012

Section 1905-A of the Administrative Code, 71 P.S. Section 510-5, commonly referred to as Act 14, and Pennsylvania Code Title 25 (Environmental Protection), Chapter 245, §245.236 also require Perdue to notify Lancaster County and Conoy Township of the submission of the SSIP Application and advise them of the opportunity to comment on the application. Comments must be submitted to DEP within 30 days of receipt of this notification and should be sent to:

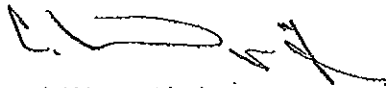
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PA DEP – Southcentral Regional Office  
Environmental Cleanup and Brownfields  
Storage Tanks Section  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200

Phone: 717-705-4705

Should you have any questions pertaining to this matter, please contact me at 252-348-4326.

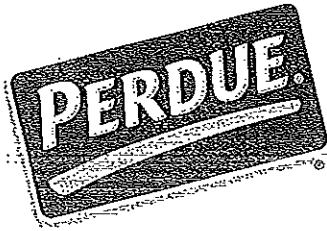
Sincerely,



C. Wayne Black  
Director Perdue AgriBusiness Environmental

CC:/ Honorable Senator Mike Folmer  
Honorable Representative Dave Hickernell

Enclosure



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Office (252)348-4364

September 27, 2012

CERTIFIED MAIL NO. 7010 3090 0000 6840 9616

Lancaster County Government Center  
Office of the County Commissioners  
150 North Queen Street  
7<sup>th</sup> Floor, Suite 715  
Lancaster, PA 17603

RE: Perdue Grain & Oilseed, LLC – Soybean Processing Facility  
Notification: PA DEP Storage Tank Site Specific Installation Permit Application

Dear Commissioners:

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A Family Commitment to Quality Since 1920®

Page 2 of 2  
Lancaster County Government Center  
September 27, 2012

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Harrisburg, PA 17110-8200

Phone: 717-705-4705

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Sincerely,



C. Wayne Black  
Director Perdue AgriBusiness Environmental

CC:/ Honorable Senator Mike Folmer  
Honorable Representative Dave Hickernell

Enclosure

DEP USE ONLY

Date Received  
 RECEIVED  
 DEP BUREAU OF  
 WASTE MANAGEMENT

12 OCT -2 AM 11:05

STORAGE TANK PROGRAM

Coordination #  
12021

**STORAGE TANK  
 SITE-SPECIFIC INSTALLATION  
 PERMIT APPLICATION  
 PART I**

All required information must be typed or legibly printed in the spaces provided herein:  
 This form must be fully and accurately completed.

**I. FACILITY BACKGROUND INFORMATION**

- New Facility  Existing Regulated Aboveground Storage Tanks at Facility  
 Existing Facility (Enter Storage Tank Facility ID No. below)

RECEIVED  
 DEP SOUTH CENTRAL REGION  
 OCT 16 2012  
 ENVIRONMENTAL CLEANUP

**II. TANK OWNER/BUSINESS INFORMATION**

Owner Name Perdue Grain & Oilseed, LLC  
 Phone No. ( 410 ) 708-3197

**III. FACILITY INFORMATION**

Storage Tank Facility ID NO. Unknown  
 Facility Name Soybean Processing Facility  
 Phone No. ( 252 ) 209-1540

**IV. PROPOSED TANK SYSTEM INFORMATION**

Tank Type	Substance Name	Substance CAS No.	Capacity (Gallons)	Fee	
AST	UST				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hexane	110-54-3; 92112-69-1	20,000	\$40.00
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hexane	110-54-3; 92112-69-1	20,000	\$40.00
<input type="checkbox"/>	<input type="checkbox"/>				

**V. TOTAL FEE FOR THIS APPLICATION (see instructions):** \$80.00

**VI. CERTIFICATION OF GENERAL REQUIREMENTS FOR SITE SPECIFIC INSTALLATION PERMITS**

Please acknowledge the following requirements by placing your initials in front of the requirements listed below.

- CB I certify that the tank handling and inspection activities performed on the tank system(s) listed in this application will be performed by Department certified individuals.
- CB I certify that the storage tank system(s) listed in this application will be in compliance with applicable administrative, technical and operational requirements of subchapter E, F or G.
- CB I have notified the municipality and county in which the tank(s) will be located and have attached proof of this notification to this application.
- CB I have submitted to the Department's Regional Storage Tank Section:  a new SPR Plan;  revisions to an existing SPR Plan, on October 2, 2012.
- CB I have included a description of the company structure and identified related companies owning or operating storage tanks in Pennsylvania.
- CB Applicant agrees to notify the Department's Regional Storage Tank Section within 30 days of receiving notification that mining activities will occur beneath the storage tank site.

I certify under penalty of law that I have personally examined and that I am familiar with the information submitted in this application and all attached documents. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), the information provided in this application is true, accurate, and complete to the best of my knowledge and belief.

C. Wayne Black

Typed Name

Signature

Director-AgriBusiness Environmental

Title

10-2-2012

Date

(252) 348-4326

Phone

DEP Use Only  
 Date Rec'd 10-2-12 Fee Submit (yes/no) YES  
 Date Adm. Cmpl. \_\_\_\_\_ Adm. Reviewer Init. EBS  
 Date Tech. Rev. \_\_\_\_\_ Tech. Reviewer Init. \_\_\_\_\_  
 Date Approval \_\_\_\_\_  
 Date Ret. Applicant \_\_\_\_\_

eFACTS INFORMATION  
 APS ID 792699  
 Client ID 296620  
 Authority ID 945343  
 Program ID (Permit #) 12021

**STORAGE TANK  
SITE-SPECIFIC INSTALLATION PERMIT APPLICATION  
PART II**

**TANK OWNER/BUSINESS NAME:** Perdue Grain & Oilseed, LLC

**FACILITY NAME:** Soybean Processing Facility

Please acknowledge the following requirements by placing a yes or no in front of the requirements listed below.

**1. Mapping requirements for site specific installation permits**

- Yes Plot Plan attached meeting requirements §245.233  
Yes Latitude and Longitude must be shown on the plot plan for each proposed tank location(s).  
Yes Copy of the 7<sup>1</sup>/<sub>2</sub> minute USGS map attached showing proposed tank location(s).

**2. Siting**

Floodplain:

No All or part of the tank system or facility is located in the 100-year floodplain or records show that this site has been inundated by flood waters.

If the answer is yes, answer the following: \_\_\_\_\_ This site was used for industrial purposes prior to August 5, 1989.

Wetlands

No All or part of the tank system or facility is located in a wetland.

If the answer is yes, answer the following: \_\_\_\_\_ A Chapter 105 permit has been obtained

**3. Geological Considerations**

No All or part of the tank system or facility location has been deep mined.

If the answer is yes, answer the following:

\_\_\_\_\_ An assessment is provided showing the degree of and potential for surface subsidence and include the methods to be used to stabilize the tank system.

\_\_\_\_\_ Applicant assures that minerals providing surface support will not be mined as long as the facility stores regulated substances.

Yes All or part of the tank system or facility is underlain by carbonate bedrock limestone. If yes, provide information on and an assessment of the prevalence of solution channels and the potential for sinkholes. Include the methodology that will be used to stabilize the tank system's foundation.

No There are other geological features at the tank system site that have a potential to affect the tank system integrity. If yes, provide a geological assessment and methods to be used to stabilize the tank system foundation.

**4. Environmental Assessment**

The environmental assessment determines the potential impact of this facility on the environment, public health and public safety. Please provide an explanation of your investigation to determine whether the proposed tank(s) are located near or pose any potential threat to each of the areas listed below. The explanation of the investigations in each area must include the source of the information, the date the information was valid, the extent of the investigation and the findings. When a potential threat exists, provide detailed information and analysis of the threat and the proposed mitigation measures that will protect the environment.

- A. A community water supply.
- B. A private water supply.
- C. Wetlands.
- D. Critical or unique wildlife habitats or is located within an area which supports an endangered, threatened or rare plant or animal.
- E. Historical or archaeological sites.
- F. Recreational parks and forests, natural areas or environmental centers.
- G. A waterway designated as a Pennsylvania Scenic River or a waterway included in the National Wild and Scenic River System.
- H. Prime farmland or an agriculture security area.
- I. A Special Protection Watershed as designated in Chapter 93.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

**PROFESSIONAL CERTIFICATION**

**Storage Tank  
Site-Specific Installation Permit Application  
Part II – Siting Requirements – Geological Considerations**

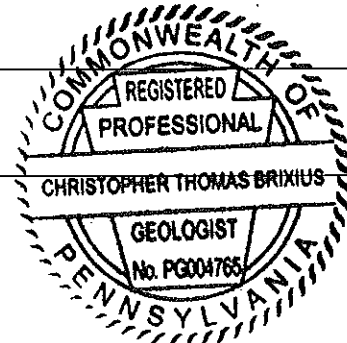
Facility Name: Perdue Grain & Oilseed, LLC - Soybean Processing Facility

**Registered Professional**

By affixing my seal to this application (document), I am certifying that the information is true and correct. I further certify I am licensed to practice in the Commonwealth of Pennsylvania and that it is within my professional expertise to verify the correctness of the information.

\_\_\_\_\_  
Christopher T. Brixius, P.G.  
(Name of Professional)

\_\_\_\_\_  
*Christopher T. Brixius*  
(Signature)



Signed and sealed this day September 26, 2012

SEAL

**GENERAL INFORMATION FORM (GIF)**





RECEIVED  
DEP BUREAU OF  
WASTE MANAGEMENT

12 OCT -2 AM 11:05

**GENERAL INFORMATION FORM – AUTHORIZATION APPLICATION**

STORAGE TANK PROGRAM

Before completing this General Information Form (GIF), read the step-by-step instructions provided in this application package. This version of the General Information Form (GIF) must be completed and returned with any program-specific application being submitted to the Department.

<b>Related ID#s (If Known)</b> Client ID# <u>296620</u> APS ID# <u>792699</u> Site ID# <u>762909</u> Auth ID# <u>945343</u> Facility ID# _____		<b>DEP USE ONLY</b> Date Received & General Notes <u>SSIP 12021</u>
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**CLIENT INFORMATION**

DEP Client ID# 296620	Client Type / Code LLC	Employer ID# (EIN) 20-5172625	Dun & Bradstreet ID#
Organization Name or Registered Fictitious Name Perdue Grain & Oilseed, LLC		MI	Suffix SSN
Individual Last Name	First Name	MI	Suffix SSN
Additional Individual Last Name	First Name	MI	Suffix SSN
Mailing Address Line 1 PO Box 1537	Mailing Address Line 2		
Address Last Line – City Salisbury	State MD	ZIP+4 21802-1537	Country USA
Client Contact Last Name Heller	First Name Peter	MI	Suffix
Client Contact Title Consultant	Phone 410-708-3197	Ext	
Email Address peter.heller@perdue.com	FAX 410-543-3495		

**SITE INFORMATION**

DEP Site ID# 762909	Site Name Perdue Grain & Oilseed, LLC - Soybean Processing Facility	Estimated Number of Employees to be Present at Site	35 (approx.)
Description of Site Soybean processing facility			
County Name Lancaster	Municipality Conoy	City <input type="checkbox"/>	Boro <input type="checkbox"/>
		Twp <input checked="" type="checkbox"/>	State PA
County Name	Municipality	City <input type="checkbox"/>	Boro <input type="checkbox"/>
		Twp <input type="checkbox"/>	State
Site Location Line 1 1897 River Road	Site Location Line 2		
Site Location Last Line – City Marietta	State PA	ZIP+4 17547	
Detailed Written Directions to Site From PA-283 E, exit onto PA-743 S/Hershey Rd. toward Elizabethtown. Turn left onto N Market St. Turn right onto W Bainbridge St. Turn left onto PA-441 S/River Rd. Travel 3 miles, and the site will be on the right.			
Site Contact Last Name Black	First Name Wayne	MI	Suffix
Site Contact Title Director - AgriBusiness Environmental	Site Contact Firm Perdue Grain & Oilseed, LLC		
Mailing Address Line 1 PO Box 460	Mailing Address Line 2		

<b>Mailing Address Last Line – City</b> Lewiston-Woodville		<b>State</b> NC	<b>ZIP+4</b> 27849
<b>Phone</b> 252-348-4326	<b>Ext</b>	<b>FAX</b> 252-348-4355	<b>Email Address</b> wayne.black@perdue.com
<b>NAICS Codes (Two- &amp; Three-Digit Codes – List All That Apply)</b> 31, 311			<b>6-Digit Code (Optional)</b> 311222
<b>Client to Site Relationship</b> OWNOP			

**FACILITY INFORMATION**

<b>Modification of Existing Facility</b>	<b>Yes</b>	<b>No</b>
1. Will this project modify an existing facility, system, or activity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Will this project involve an addition to an existing facility, system, or activity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>If "Yes", check all relevant facility types and provide DEP facility identification numbers below.</i>		

Facility Type	DEP Fac ID#	Facility Type	DEP Fac ID#
<input type="checkbox"/> Air Emission Plant	_____	<input type="checkbox"/> Industrial Minerals Mining Operation	_____
<input type="checkbox"/> Beneficial Use (water)	_____	<input type="checkbox"/> Laboratory Location	_____
<input type="checkbox"/> Blasting Operation	_____	<input type="checkbox"/> Land Recycling Cleanup Location	_____
<input type="checkbox"/> Captive Hazardous Waste Operation	_____	<input type="checkbox"/> Mine Drainage Trmt/LandRecyProjLocation	_____
<input type="checkbox"/> Coal Ash Beneficial Use Operation	_____	<input type="checkbox"/> Municipal Waste Operation	_____
<input type="checkbox"/> Coal Mining Operation	_____	<input type="checkbox"/> Oil & Gas Encroachment Location	_____
<input type="checkbox"/> Coal Pillar Location	_____	<input type="checkbox"/> Oil & Gas Location	_____
<input type="checkbox"/> Commercial Hazardous Waste Operation	_____	<input type="checkbox"/> Oil & Gas Water Poll Control Facility	_____
<input type="checkbox"/> Dam Location	_____	<input type="checkbox"/> Public Water Supply System	_____
<input type="checkbox"/> Deep Mine Safety Operation -Anthracite	_____	<input type="checkbox"/> Radiation Facility	_____
<input type="checkbox"/> Deep Mine Safety Operation -Bituminous	_____	<input type="checkbox"/> Residual Waste Operation	_____
<input type="checkbox"/> Deep Mine Safety Operation -Ind Minerals	_____	<input type="checkbox"/> Storage Tank Location	_____
<input type="checkbox"/> Encroachment Location (water, wetland)	_____	<input type="checkbox"/> Water Pollution Control Facility	_____
<input type="checkbox"/> Erosion & Sediment Control Facility	_____	<input type="checkbox"/> Water Resource	_____
<input type="checkbox"/> Explosive Storage Location	_____	<input type="checkbox"/> Other:	_____

<b>Latitude/Longitude Point of Origin</b>	<b>Latitude</b>			<b>Longitude</b>		
	<b>Degrees</b>	<b>Minutes</b>	<b>Seconds</b>	<b>Degrees</b>	<b>Minutes</b>	<b>Seconds</b>
Proposed Facility	40	04	15.45 N	76	38	27.42 W
<b>Horizontal Accuracy Measure</b>	Feet		--or--	Meters		
<b>Horizontal Reference Datum Code</b>	<input type="checkbox"/> North American Datum of 1927 <input type="checkbox"/> North American Datum of 1983 <input type="checkbox"/> World Geodetic System of 1984					
<b>Horizontal Collection Method Code</b>	_____					
<b>Reference Point Code</b>	_____					
<b>Altitude</b>	Feet		--or--	Meters		
<b>Altitude Datum Name</b>	<input type="checkbox"/> The National Geodetic Vertical Datum of 1929 <input type="checkbox"/> The North American Vertical Datum of 1988 (NAVD88)					
<b>Altitude (Vertical) Location Datum Collection Method Code</b>	_____					
<b>Geometric Type Code</b>	_____					
<b>Data Collection Date</b>	_____					
<b>Source Map Scale Number</b>	Inch(es)		=	Feet		
	--or--	Centimeter(s)		=	Meters	

**PROJECT INFORMATION**

<b>Project Name</b> Soybean Processing Facility			
<b>Project Description</b> Construction of a soybean processing facility to produce soybean oil and soybean meal.			
<b>Project Consultant Last Name</b> Schmelzle	<b>First Name</b> John	<b>MI</b> P	<b>Suffix</b>
<b>Project Consultant Title</b> Project Manager		<b>Consulting Firm</b> RETTEW	
<b>Mailing Address Line 1</b> 5031 Richard Lane		<b>Mailing Address Line 2</b> Suite 111	

<b>Address Last Line – City</b> Mechanicsburg		<b>State</b> PA	<b>ZIP+4</b> 17055
<b>Phone</b> 717-697-3551	<b>Ext</b> 3305	<b>FAX</b> 717-697-6953	<b>Email Address</b> jschmelzle@rettew.com
<b>Time Schedules</b>	<b>Project Milestone (Optional)</b>		
March 2013	Begin construction of the preparation/extraction portion of facility (includes hexane tanks)		
December 2013	Complete construction and start-up of the preparation/extraction portion of facility		

1. Have you informed the surrounding community and addressed any concerns prior to submitting the application to the Department?  Yes  No

*Perdue hosted an open-house at the Bainbridge Fire Company on April 26, 2012 to inform the residents of Conoy Township about the project.*

2. Is your project funded by state or federal grants?  Yes  No

**Note:** If "Yes", specify what aspect of the project is related to the grant and provide the grant source, contact person and grant expiration date.

Aspect of Project Related to Grant: The grant funding will be utilized for the grain elevator and the site development work for the overall facility.

Grant Source: Commonwealth of Pennsylvania Redevelopment Assistance Capital Program

Grant Contact Person: Richard Dreher, Office of the Budget, Verizon Tower, 7<sup>th</sup> Floor, 303 Walnut Street, Harrisburg, PA 17101, Phone: 717-787-7342

Grant Expiration Date: Not Applicable

3. Is this application for an authorization on Appendix A of the Land Use Policy? (For referenced list, see Appendix A of the Land Use Policy attached to GIF instructions)  Yes  No

**Note:** If "No" to Question 3, the application is not subject to the Land Use Policy.

If "Yes" to Question 3, the application is subject to this policy and the Applicant should answer the additional questions in the Land Use Information section.

**LAND USE INFORMATION**

**Note:** Applicants are encouraged to submit copies of local land use approvals or other evidence of compliance with local comprehensive plans and zoning ordinances.

1. Is there an adopted county or multi-county comprehensive plan?  Yes  No

2. Is there an adopted municipal or multi-municipal comprehensive plan?  Yes  No

3. Is there an adopted county-wide zoning ordinance, municipal zoning ordinance or joint municipal zoning ordinance?  Yes  No

**Note:** If the Applicant answers "No" to either Questions 1, 2 or 3, the provisions of the PA MPC are not applicable and the Applicant does not need to respond to questions 4 and 5 below.

If the Applicant answers "Yes" to questions 1, 2 and 3, the Applicant should respond to questions 4 and 5 below.

4. Does the proposed project meet the provisions of the zoning ordinance or does the proposed project have zoning approval? If zoning approval has been received, attach documentation.  Yes  No

*A height variance for the facility's extraction building has been obtained, and a copy of the signed Zoning Hearing Board approval is attached following the GIF.*

5. Have you attached Municipal and County Land Use Letters for the project?  Yes  No

### COORDINATION INFORMATION

**Note:** The PA Historical and Museum Commission must be notified of proposed projects in accordance with DEP Technical Guidance Document 012-0700-001 and the accompanying Cultural Resource Notice Form.

If the activity will be a mining project (i.e., mining of coal or industrial minerals, coal refuse disposal and/or the operation of a coal or industrial minerals preparation/processing facility), respond to questions 1.0 through 2.5 below.

If the activity will not be a mining project, skip questions 1.0 through 2.5 and begin with question 3.0.

1.0	Is this a coal mining project? If "Yes", respond to 1.1-1.6. If "No", skip to Question 2.0.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
1.1	Will this coal mining project involve coal preparation/ processing activities in which the total amount of coal prepared/processed will be equal to or greater than 200 tons/day?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.2	Will this coal mining project involve coal preparation/ processing activities in which the total amount of coal prepared/processed will be greater than 50,000 tons/year?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.3	Will this coal mining project involve coal preparation/ processing activities in which thermal coal dryers or pneumatic coal cleaners will be used?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.4	For this coal mining project, will sewage treatment facilities be constructed and treated waste water discharged to surface waters?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.5	Will this coal mining project involve the construction of a permanent impoundment meeting one or more of the following criteria: (1) a contributory drainage area exceeding 100 acres; (2) a depth of water measured by the upstream toe of the dam at maximum storage elevation exceeding 15 feet; (3) an impounding capacity at maximum storage elevation exceeding 50 acre-feet?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.6	Will this coal mining project involve underground coal mining to be conducted within 500 feet of an oil or gas well?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.0	Is this a non-coal (industrial minerals) mining project? If "Yes", respond to 2.1-2.6. If "No", skip to Question 3.0.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
2.1	Will this non-coal (industrial minerals) mining project involve the crushing and screening of non-coal minerals other than sand and gravel?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.2	Will this non-coal (industrial minerals) mining project involve the crushing and/or screening of sand and gravel with the exception of wet sand and gravel operations (screening only) and dry sand and gravel operations with a capacity of less than 150 tons/hour of unconsolidated materials?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.3	Will this non-coal (industrial minerals) mining project involve the construction, operation and/or modification of a portable non-metallic (i.e., non-coal) minerals processing plant under the authority of the General Permit for Portable Non-metallic Mineral Processing Plants (i.e., BAQ-PGPA/GP-3)?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.4	For this non-coal (industrial minerals) mining project, will sewage treatment facilities be constructed and treated waste water discharged to surface waters?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.5	Will this non-coal (industrial minerals) mining project involve the construction of a permanent impoundment meeting one or more of the following criteria: (1) a contributory drainage area exceeding 100 acres; (2) a depth of water measured by the upstream toe of the dam at maximum storage elevation exceeding 15 feet; (3) an impounding capacity at maximum storage elevation exceeding 50 acre-feet?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

3.0	Will your project, activity, or authorization have anything to do with a well related to oil or gas production, have construction within 200 feet of, affect an oil or gas well, involve the waste from such a well, or string power lines above an oil or gas well? If "Yes", respond to 3.1-3.3. If "No", skip to Question 4.0.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
3.1	Does the oil- or gas-related project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a watercourse, floodway or body of water (including wetlands)?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
3.2	Will the oil- or gas-related project involve discharge of industrial wastewater or stormwater to a dry swale, surface water, ground water or an existing sanitary sewer system or storm water system? If "Yes", discuss in <i>Project Description</i> .	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
3.3	Will the oil- or gas-related project involve the construction and operation of industrial waste treatment facilities?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
4.0	Will the project involve a construction activity that results in earth disturbance? If "Yes", specify the total disturbed acreage. 4.0.1 Total Disturbed Acreage 36 (approx.)	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
5.0	Does the project involve any of the following? If "Yes", respond to 5.1-5.3. If "No", skip to Question 6.0.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
5.1	Water Obstruction and Encroachment Projects – Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a watercourse, floodway or body of water?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
5.2	Wetland Impacts – Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a wetland?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
5.3	Floodplain Projects by the commonwealth, a Political Subdivision of the commonwealth or a Public Utility – Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a floodplain?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
6.0	Will the project involve discharge of stormwater or wastewater from an industrial activity to a dry swale, surface water, ground water or an existing sanitary sewer system or separate storm water system?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
7.0	Will the project involve the construction and operation of industrial waste treatment facilities?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
8.0	Will the project involve construction of sewage treatment facilities, sanitary sewers, or sewage pumping stations? If "Yes", indicate estimated proposed flow (gal/day). Also, discuss the sanitary sewer pipe sizes and the number of pumping stations/treatment facilities/name of downstream sewage facilities in the <i>Project Description</i> , where applicable. 8.0.1 Estimated Proposed Flow (gal/day) 35 employees x 20 gpd = 700 gpd + 50 gpd (visitors) = 750 gpd. On-lot sewage disposal system.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
9.0	Will the project involve the subdivision of land, or the generation of 800 gpd or more of sewage on an existing parcel of land or the generation of an additional 400 gpd of sewage on an already-developed parcel, or the generation of 800 gpd or more of industrial wastewater that would be discharged to an existing sanitary sewer system? 9.0.1 Was Act 537 sewage facilities planning submitted and approved by DEP? If "Yes" attach the approval letter. Approval required prior to 105/NPDES approval. <i>No planning required; see attached DEP letter following the GIF.</i>	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
10.0	Is this project for the beneficial use of biosolids for land application within Pennsylvania? If "Yes" indicate how much (i.e. gallons or dry tons per year). 10.0.1 Gallons Per Year (residential septage) _____ 10.0.2 Dry Tons Per Year (biosolids) _____	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

11.0	Does the project involve construction, modification or removal of a dam? If "Yes", identify the dam.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
11.0.1	Dam Name				
12.0	Will the project interfere with the flow from, or otherwise impact, a dam? If "Yes", identify the dam.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
12.0.1	Dam Name				
13.0	Will the project involve operations (excluding during the construction period) that produce air emissions (i.e., NOX, VOC, etc.)? If "Yes", identify each type of emission followed by the amount of that emission.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
13.0.1	Enter all types & amounts of emissions; separate each set with semicolons.	Air quality plan approval applications for Phase 1 (grain elevator and dryers) and Phase 2 (soybean extraction and processing) are currently pending. The types and amounts of emissions associated with the project are detailed in those applications.			
14.0	Does the project include the construction or modification of a drinking water supply to serve 15 or more connections or 25 or more people, at least 60 days out of the year? If "Yes", check all proposed sub-facilities.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.1	Number of Persons Served	35			
14.0.2	Number of Employee/Guests	35			
14.0.3	Number of Connections	One (1) domestic well			
14.0.4	Sub-Fac: Distribution System	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.5	Sub-Fac: Water Treatment Plant	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.6	Sub-Fac: Source	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.7	Sub-Fac: Pump Station	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.8	Sub Fac: Transmission Main	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.9	Sub-Fac: Storage Facility	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
15.0	Will your project include infiltration of storm water or waste water to ground water within one-half mile of a public water supply well, spring or infiltration gallery?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
16.0	Is your project to be served by an existing public water supply? If "Yes", indicate name of supplier and attach letter from supplier stating that it will serve the project.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
16.0.1	Supplier's Name				
16.0.2	Letter of Approval from Supplier is Attached	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
17.0	Will this project involve a new or increased drinking water withdrawal from a stream or other water body? If "Yes", should reference both Water Supply and Watershed Management.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
17.0.1	Stream Name				
18.0	Will the construction or operation of this project involve treatment, storage, reuse, or disposal of waste? If "Yes", indicate what type (i.e., hazardous, municipal (including infectious & chemotherapeutic), residual) and the amount to be treated, stored, re-used or disposed.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
18.0.1	Type & Amount	General municipal trash: 1-2 tons/month maximum with approximately 30% recycled. Sticks/pods from scalpels (crop residue): 37.5 tons/month			
19.0	Will your project involve the removal of coal, minerals, etc. as part of any earth disturbance activities?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
20.0	Does your project involve installation of a field constructed underground storage tank? If "Yes", list each Substance & its Capacity. <b>Note:</b> Applicant may need a Storage Tank Site Specific Installation Permit.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
20.0.1	Enter all substances & capacity of each; separate each set with semicolons.				
21.0	Does your project involve installation of an aboveground storage tank greater than 21,000 gallons capacity at an existing facility? If "Yes", list each Substance & its Capacity. <b>Note:</b> Applicant may need a Storage Tank Site Specific Installation Permit.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
21.0.1	Enter all substances & capacity of each; separate each set with semicolons.				

22.0 Does your project involve installation of a tank greater than 1,100 gallons which will contain a highly hazardous substance as defined in DEP's Regulated Substances List, 2570-BK-DEP2724? If "Yes", list each Substance & its Capacity. **Note:** Applicant may need a Storage Tank Site Specific Installation Permit.  Yes  No

22.0.1 Enter all substances & capacity of each; separate each set with semicolons.

23.0 Does your project involve installation of a storage tank at a new facility with a total AST capacity greater than 21,000 gallons? If "Yes", list each Substance & its Capacity. **Note:** Applicant may need a Storage Tank Site Specific Installation Permit.  Yes  No

23.0.1 Enter all substances & capacity of each; separate each set with semicolons. Two (2) 20,000 gallons (each) hexane storage tanks.

24.0 Will the intended activity involve the use of a radiation source?  Yes  No

**CERTIFICATION**

I certify that I have the authority to submit this application on behalf of the applicant named herein and that the information provided in this application is true and correct to the best of my knowledge and information.

Type or Print Name C. Wayne Black

Director - AgriBusiness Environmental

10-2-2012

Signature

Title

Date

**ZONING HEARING BOARD APPROVAL**



BEFORE THE ZONING HEARING BOARD

TOWNSHIP OF CONOY

IN RE: :  
 : No. 02-12  
APPLICATION OF PERDUE GRAIN & :  
OILSEED, LLC :

DECISION

I. FINDINGS OF FACT

1. Applicant is Perdue Grain & Oilseed, LLC, P. O. Box 1357, Salisbury, Maryland 21802-1537 ("Applicant").

2. The property which is the subject of the instant application is located on a tract of land located on the southwest side of River Road (SR 0441) identified as 1897 River Road, Conoy Township, Lancaster County, Pennsylvania (the "Property").

3. Applicant is the equitable owner of the Property under an Agreement with the record owner, Lancaster County Solid Waste Management Authority ("LCSWMA").

4. The Property is located in the Industrial Zone (I) as shown on the Official Zoning Map of Conoy Township.

5. Notice of the hearing on the within application was duly advertised and posted in accordance with the provisions of the Pennsylvania Municipalities Planning Code ("MPC") and the Conoy Township Zoning Ordinance of 1992 (the "Zoning Ordinance").

6. A public hearing was held before the Zoning Hearing Board of Conoy Township ("Board") on this application on Thursday, March 22, 2012.

7. Applicant was represented at the hearing by its counsel, Paula J. McDermott, Gregory Rowe, Senior Director of Operations of Applicant, and its consultant, Grant Smith, Group Manager of Land Development Services, of Rettew Associates, Inc.

8. The following persons or entities became parties to the hearing:

A. Lancaster County Solid Waste Management Authority, 1299 Harrisburg Pike, P. O. Box 4425, Lancaster, Pennsylvania, 17604, which was represented by its Chief Execu-

tive Officer James Warner.

B. Judith Nissley, 145 Vintage Drive, Bainbridge, Pennsylvania, President of A & R Nissley, Inc., owner of 165 Wickersham Road.

9. 165 Wickersham Road is located directly across River Road (SR 0441) from the Property.

10. The Property is a rectangular lot containing 57 acres, including land within the right-of-way of River Road (SR 0441). Exhibit A-1.

11. Applicant proposes to develop the Property with a soybean processing facility (the "Facility") as shown on Exhibit A-1.

12. Applicant may require conditional use approval from the Board of Supervisors for the Facility, depending on the complete use of the Facility which the Applicant should set forth in documents (i.e. permit applications) to be filed.

13. The Facility will contain numerous structures including, but not limited to, grain tanks and elevators, dust collection facilities, an extraction building, a prep building, and associated off-street parking and circulation and storm water management facilities. Exhibits A-1, A-2.

14. The immediately adjoining property to the northwest is developed with the LCSWMA resource recovery facility.

15. LCSWMA has developed its adjoining land with a main building 105 feet in height and a stack from that building which is 310 feet in height. Exhibit A-2.

16. The grain tanks or silos which Applicant proposes as part of the Facility will be 101 feet in height. Exhibit A-2.

17. The grain elevator which Applicant proposes to construct as part of the Facility will be 148 feet in height. Exhibit A-2.

18. Applicant proposes to construct a building as part of the Facility which will have a maximum height of 90 feet (the "Extraction Building"). Exhibits A-1, A-2.

19. The Facility will process soy beans extracting the soy bean oil through the use of hexane, a solvent.

20. After the soy bean oil is removed in other portions of the Facility, the spent soy bean flakes will be delivered to the Extraction Building for processing, including the removal of hexane.

21. In order to remove the hexane, the soybean flakes will be deposited into equipment known as a desolventizer-toaster ("DT").

22. The spent soy bean flakes are deposited at the top of the DT and move downward through a series of decks as they are heated by steam to assist in the removal of the hexane.

23. Applicant is required to remove hexane by federal Environmental Protection Agency ("EPA") regulations.

24. There are limited ways to remove hexane from spent soybean flakes and only two entities manufacture DTs.

25. The design of the DT which Applicant proposes will meet EPA regulations.

26. The proposed DT itself is 78 feet in height, and the spent flake conveyor unit to deposit soybean flakes into the DT will be located above the DT and exceed that height.

27. Applicant also requires that there be clearance between the conveyor of spent soybean flakes and the roof of the Extraction Building to enable the installation of a sprinkler system and space for maintaining equipment.

28. The proposed 90 feet height will allow the installation of the necessary equipment and the required sprinkler system.

29. The Extraction Building will be located at least 300 feet from the property line of the adjoining LCSWMA property.

30. The Extraction Building will be located at least 1,000 feet from the adjoining property to the south.

31. The Extraction Building will be located over 1,000 feet from the right-of-way of River Road (SR 0441).

32. The Extraction Building will be located approximately 1,500 feet from the nearest residential dwelling.

33. Applicant will maintain an area surrounding the Extraction Building of at least 100 feet where no items which may cause sparks or flames can be maintained and will construct the Extraction Building in accordance with the requirements of NFPA 36.

34. Applicant operates a similar facility at its location with its corporate offices in Salisbury, Maryland.

35. LCSWMA will supply the Facility with steam produced by the adjoining LCSWMA resource recovery facility which will eliminate Applicant from having to construct a boiler as part of the Facility.

36. LCSWMA will supply recycled water from the Elizabethtown wastewater treatment plant with LCSWMA treats to the Facility.

37. The Extraction Building will not exceed the height of surrounding structures and will be in keeping with the character of the neighborhood.

38. The height of the Extraction Building will not be detrimental to the neighborhood.

39. The Facility is a reasonable use of the Property.

40. Applicant amended its application at the hearing to request extensions of the time limits in Section 603.11 of the Zoning Ordinance to have one year from the date of the decision to obtain a permit and two years from the date of the decision to complete construction.

## II. CONCLUSIONS OF LAW

1. Within the Industrial Zone (I) the maximum height of a principal or accessory structure if 40 feet. Zoning Ordinance §2070.7.

2. Within the Industrial Zone (I) chimneys, flagpoles, water tanks, and other mechanical appurtenances may be built to a height not exceeding 150 feet above the finished grade when erected upon or constructed as an integral part of a building. Zoning Ordinance §207.7.

3. Within the Industrial Zone (I), all structures except signs shall be set back a distance at least equal to their height from all property lines. Zoning Ordinance §207.7.

4. Height limitations do not apply to structures such as water towers, antennas, and silos as long as such structures are set back from all property lines a distance at least equal to their height. Zoning Ordinance §304.1.

5. Applicant requires a variance of 50 feet from the maximum height limit of 40 feet for the Extraction Building.

6. An applicant for a variance bears the burden of proving that unnecessary hardship will result if the variance is not granted and that the grant of the proposed variance will not be contrary to the public interest. *Valley View Civic Association v. Zoning Board of Adjustment*, 501 Pa. 550, 462 A.2d 637 (1983); *Schomaker v. Zoning Hearing Board of the Borough of Franklin Park*, 994 A.2d 1196 (Pa. Cmwlth. 2010).

7. Variances are granted on a case by case basis and only when the applicant presents evidence meeting the standards for the granting of the requested variance. *Pietro Paolo v. Zoning Hearing Board of Lower Merion Township*, 979 A.2d 969 (Pa. Cmwlth. 2009).

8. "To justify the grant of a dimensional variance, courts may consider multiple factors, including the economic detriment to the applicant if the variance was denied, the financial hardship created by any work necessary to bring the building into strict compliance with zoning requirements and the characteristics of the surrounding neighborhood." *Hertzberg v. Zoning Board of Adjustment of the City of Pittsburgh*, 554 Pa. 249, 721 A.2d 43, 50 (1998).

9. "[T]he language of *Hertzberg* does not state that the relaxed standard for obtaining a dimensional variance applies only where an applicant is seeking to use an already existing building, and we decline to read it so narrowly." *Talkish v. Zoning Hearing Board of Harborcreek Township*, 738 A.2d 50, 53 (Pa. Cmwlth. 1999).

10. Any person receiving approval of a variance or a special exception must obtain a zoning permit within six months of the date of the decision and must complete construction within 12 months of the date of the decision. Zoning Ordinance §603.11.

11. Conditions must be attached to the granting of this variance in order to preserve and protect the surrounding neighborhood and implement the purposes of the MPC and the Zoning Ordinance.

### III. DECISION

Based upon the foregoing findings of fact and conclusions of law, the Zoning Hearing Board of the Township of Conoy hereby grants the application of Perdue Grain & Oilseed, LLC for a variance of 50 feet from the requirements of Section 207.7 of the Zoning Ordinance to enable the erection of a building with a maximum height of 90 feet on the property identified as 1897 River Road, Bainbridge, Pennsylvania. The Board grants a special exception pursuant to Section 603.11 of the Zoning Ordinance to grant Applicant one year from the date of the decision to obtain a zoning permit and 24 months from the date of the decision to complete construction. This special exception and this variance shall be subject to the following conditions and safeguards which the Board deems necessary to implement the purposes of the Zoning Ordinance and the MPC: This variance shall be subject to the following conditions and safeguards which the Board deems necessary to implement the purposes of the Zoning Ordinance and the MPC:

1. Applicants shall obtain all permits and approvals required including, but not limited to, land development approval and a permit under the Uniform Construction Code.

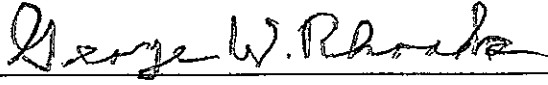
2. Applicant shall at all times comply with and adhere to the representations contained in


its application and the evidence presented to the Board at the hearing held on March 22, 2012.

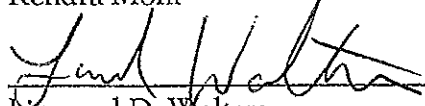
3. Any violation of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies contained in the Pennsylvania Municipalities Planning Code.

4. The foregoing Decision shall be binding upon the Applicant, LCSWMA, and their respective successors and assigns.

ZONING HEARING BOARD OF THE  
TOWNSHIP OF CONOY

  
\_\_\_\_\_  
George W. Rhoads

  
\_\_\_\_\_  
Kendra Mohr

  
\_\_\_\_\_  
Linwood D. Walters

Dated and filed April 16, 2012, after hearing held on March 22, 2012.

The undersigned certifies that a copy of this Decision was served upon all parties on or prior to April 16, 2012.

  
\_\_\_\_\_

Morgan, Lewis & Bockius LLP  
17 North Second Street  
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Harrisburg, PA 17101-1601  
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**Morgan Lewis**  
C O U N S E L O R S   A T   L A W

**Maxine M. Woelfling**  
Of Counsel  
717.237.5065  
mwoelfling@morganlewis.com

October 24, 2012

**VIA FIRST CLASS AND ELECTRONIC MAIL**

Charles Swokel, Chief  
Division of Storage Tanks  
Bureau of Environmental Cleanup and Brownfields  
Department of Environmental Protection  
P.O. Box 8762  
Harrisburg, PA 17105-8762

Re: Site Specific Installation Permit  
SSIP 12021  
Perdue Grain and Oilseed LLC

Dear Mr. Swokel:

This Firm represents Perdue Grain and Oilseed LLC ("Perdue") in connection with the environmental permitting relating to its proposed soybean storage and processing facilities in Conoy Township, Lancaster County. The General Information Form ("GIF") that is part of the site specific installation permit application requests certain information concerning the proposed project's compliance with local comprehensive plans and zoning ordinances. To supplement the information in the GIF for SSIP 12021 provided by Perdue, I am enclosing correspondence between Matthew J. Creme, Jr., Conoy Township's Solicitor, and Mark Stanley, Perdue's land use counsel.

Sincerely,

*Maxine M. Woelfling*  
Maxine M. Woelfling

MMW/sp  
Enclosure

c: Thomas Hanlon, P.E., DEP Southcentral Region Office  
Gregory Bowman, DEP Southcentral Region Office  
Mark Stanley, Esquire  
Matthew J. Creme, Jr., Esquire  
David P. Zambito, Esquire  
Craig Lambeth, Esquire  
John Schmelzle, Rettew Associates

Almaty Beijing Boston Brussels Chicago Dallas Frankfurt Harrisburg Houston Irvine London Los Angeles Miami  
Moscow New York Palo Alto Paris Philadelphia Pittsburgh Princeton San Francisco Tokyo Washington Wilmington

DBI/71489167.1





HARTMAN UNDERHILL  
& BRUBAKER LLP  
ATTORNEYS AT LAW

October 22, 2012

VIA E-MAIL

Maxine M. Woelfling, Esquire ([mwoelfling@morganlewis.com](mailto:mwoelfling@morganlewis.com))  
Morgan, Lewis & Bockius LLP  
17 North Second Street, Suite 1420  
Harrisburg, PA 17101-1601

In re: DEP Storage Tank Site Specific Installation Permit Application

Dear Maxine:

I enclose a copy of a letter which I received from Matt Creme on October 16, 2012. I also enclose a copy of the Memo referred to in Attorney Creme's letter.

With kind regards,

Sincerely,

Mark Stanley  
[marks@hublax.com](mailto:marks@hublax.com)

MS/cf/00669336.DOC

Enclosure

cc: Mr. Peter Heller, w/enclosure  
Herbert D. Frerichs, Jr., Esquire, w/enclosure  
David P. Zambito, Esquire, w/enclosure



NIKOLAUS & HOHENADEL, LLP  
ATTORNEYS AT LAW

OCT 16 2012

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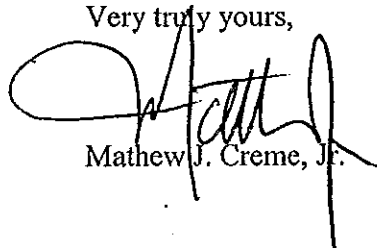
October 15, 2012

Mark Stanley, Esquire  
Hartman Underhill and Brubaker, LLP  
221 E. Chestnut Street  
Lancaster, PA 17602

Dear Mark:

By letter dated September 27, 2012 Conoy Township Board of Supervisors was requested to comment regarding the DEP Storage Tank Site Specific Installation Permit Application of Perdue Grain & Oilseed, LLC for a Soybean Processing Facility proposed for Conoy Township. I am enclosing the Township's memorandum dated July 6, 2012 responding to prior inquires of DEP requesting comments. Nothing has changed regarding the scope and nature of the proposed facility and therefore the comments of the Township made in that July 6, 2012 memo still apply to the same extent as at the time the memorandum issued.

Very truly yours,



Matthew J. Creme, Jr.

MJC, Jr./ncg  
Enclosures

NIKOLAUS & HOHENADEL, LLP  
ATTORNEYS AT LAW

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*\*Certified CM Trial Specialist  
By National Board of Trial Advocacy*

MEMO

TO: Perdue Grain and Oilseed, LLC  
FROM: Conoy Township  
DATE: July 6, 2012  
RE: Perdue Grain and Oilseed, LLC

The municipality of Conoy Township states that it has adopted a municipal comprehensive plan in June of 2009.

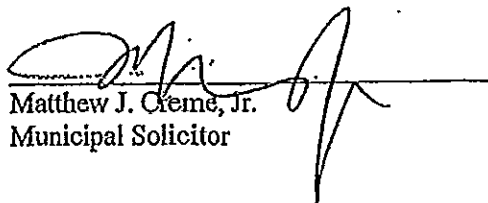
The municipality of Conoy Township states that it has adopted a municipal zoning ordinance in August of 1992.

The municipality of Conoy Township states that its zoning ordinance is generally consistent with its municipal comprehensive plan and the county comprehensive plan.

The above referenced proposed project meets the provisions of the local zoning ordinance.

The project has received the zoning approval as required under the local zoning ordinance.

No other action under the local zoning ordinance is required for the proposed project to proceed.

  
Matthew J. Creme, Jr.  
Municipal Solicitor



### CULTURAL RESOURCE NOTICE

DEP USE ONLY
Date Received

Read the instructions before completing this form.

<b>SECTION A. APPLICANT IDENTIFIER</b>					
Applicant Name	Perdue Grain & Oilseed, LLC (Contact Name: Wayne Black)				
Street Address	PO Box 1537				
City	Salisbury	State	MD	Zip	21802-1537
Telephone Number	252-209-1540				
Project Title	Soybean Processing Facility				
<b>SECTION B. LOCATION OF PROJECT</b>					
Municipality	Conoy Township	County Name	Lancaster	DEP County Code	36
<b>SECTION C. PERMITS OR APPROVALS</b>					
Name of Specific DEP Permit or Approval Requested:	Air Quality Plan Approval				
Anticipated federal permits:					
<input type="checkbox"/> Surface Mining	<input type="checkbox"/> 404 Water Quality Permit				
<input type="checkbox"/> Army Corps of Engineers	<input type="checkbox"/> Federal Energy Regulatory Commission				
<input type="checkbox"/> 401 Water Quality Certification	<input checked="" type="checkbox"/> Other: NPDES				
<b>SECTION D. GOVERNMENT FUNDING SOURCES</b>					
<input checked="" type="checkbox"/> State: (Name) <u>Redevelopment Assistance Capital Program</u>	<input type="checkbox"/> Local: (Name) _____				
<input type="checkbox"/> Federal: (Name) _____	<input type="checkbox"/> Other: (Name) _____				
<b>SECTION E. RESPONSIBLE DEP REGIONAL, CENTRAL, DISTRICT MINING or OIL &amp; GAS MGMT OFFICE</b>					
DEP Regional Office Responsible for Review of Permit Application	<input type="checkbox"/> Central Office (Harrisburg)				
<input type="checkbox"/> Southeast Regional Office (Norristown)	<input type="checkbox"/> Northeast Regional Office (Wilkes-Barre)				
<input checked="" type="checkbox"/> Southcentral Regional Office (Harrisburg)	<input type="checkbox"/> Northcentral Regional Office (Williamsport)				
<input type="checkbox"/> Southwest Regional Office (Pittsburgh)	<input type="checkbox"/> Northwest Regional Office (Meadville)				
<input type="checkbox"/> District Mining Office: _____	<input type="checkbox"/> Oil & Gas Office: _____				
<b>SECTION F. RESPONSIBLE COUNTY CONSERVATION DISTRICT, if applicable.</b>					
County Conservation District	Telephone Number, if known				
Lancaster County Conservation District	717-299-5361				
<b>SECTION G. CONSULTANT</b>					
Consultant, if applicable	RETTEW (Contact Name: John Schmelzle)				
Street Address	5031 Richard Lane, Suite 111				
City	Mechanicsburg	State	PA	Zip	17055
Telephone Number	717-697-3551				

**SECTION H. PROJECT BOUNDARIES AND DESCRIPTION**

**REQUIRED**

Indicate the total acres in the property under review. Of this acreage, indicate the total acres of earth disturbance for the proposed activity.

*Total acres: 57.102; Disturbed acres: 36 (approx.)*

Attach a 7.5' U.S.G.S. Map indicating the defined boundary of the proposed activity.

Attach photographs of any building over 50 years old. Indicate what is to be done to all buildings in the project area.

Attach a narrative description of the proposed activity.

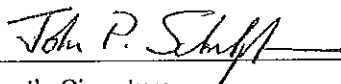
Attach the return receipt of delivery of this notice to the Pennsylvania Historical and Museum Commission.

**REQUESTED**

Attach photographs of any building over 40 years old.

Attach site map, if available.

**SECTION I. SIGNATURE BLOCK**

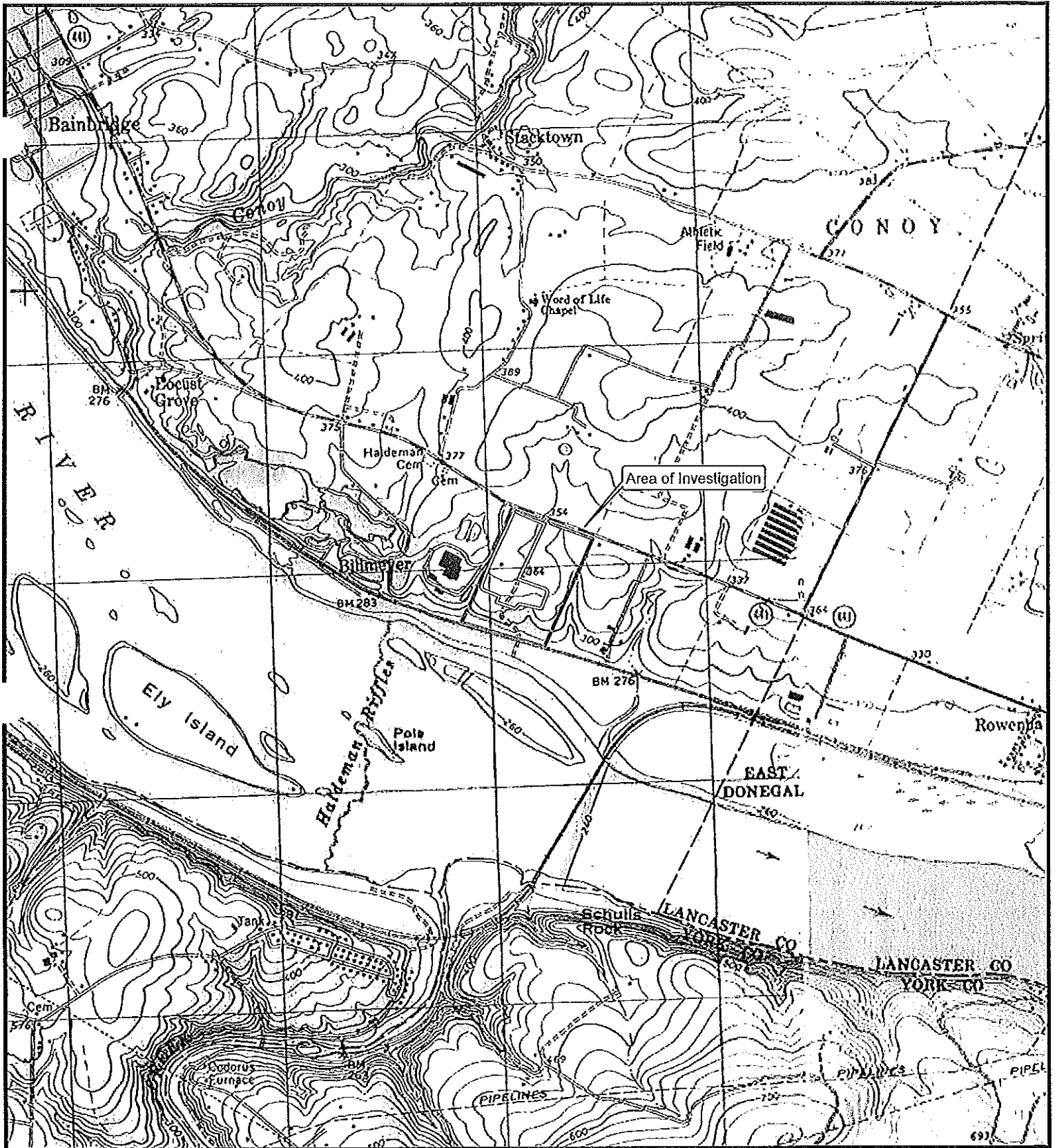




Applicant's Signature

June 29, 2012

Date of Submission of Notice to PHMC

ATTACHMENT: USGS MAP

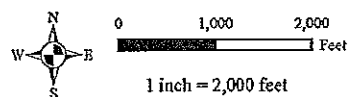


-  Project Area
-  Area of Investigation (AOI)

**Perdue Grain & Oilseed, LLC**  
 Perdue Bean Crushing Facility  
 Figure 1 - Topographic Basemap  
 Conoy Township, Lancaster County, PA  
 Project No: 0911010001

Conoy Township, Lancaster County, PA  
 York Haven, PA USGS 7.5' Topographic Quadrangle

Basemap: U.S. Geological Survey, "NGS\_TopoUS\_2D", (National Geographic Society, 2010), <http://services.arcgisonline.com/v93/>, retrieved on 12/5/2011.



ATTACHMENT: SITE MAP



**BENTON**

11/18/2017 10:07:00 AM \\P:\Projects\2017\20170101\20170101\_001.dwg

0 225 450 Feet  
1 Inch = 225 Feet

Type of Boundary

Area of Investigation (AOI)  
Field Collected Wetland (Swamp/Terrace)  
Wetlands

Center (10 ft Interval)  
Project Area  
Ball Type

Flow Location and Direction  
Culvert  
Stream

**Perdue Grain & Oilseed, LLC**  
 Ferrous Bean Crushing Facility  
 Figure 2 - Area of Investigation Map  
 Conroy Township, Lancaster County, PA  
 Project No. 09110-001



**ATTACHMENT: NARRATIVE DESCRIPTION**

## NARRATIVE DESCRIPTION

Perdue Grain & Oilseed, LLC (Perdue) plans to construct and operate a soybean processing facility (Soybean Facility) at 1897 River Road, Conoy Township, Lancaster County. The Soybean Facility will receive soybeans from local and regional farms by truck and process the soybeans into soybean feed and soybean oil, both of which will be shipped off site by truck. The Soybean Facility will operate 24-hours-per-day, will be staffed in three shifts, and will employ approximately 35 people.

The proposed site of the Soybean Facility is adjacent to the Lancaster County Solid Waste Management Authority (LCSWMA) Resource Recovery Facility (RRF). The RRF incinerates municipal waste to produce steam/generate electricity. Perdue plans to purchase steam (which is produced in excess by the RRF) and process water from LCSWMA and, after use at the Soybean Facility, Perdue will send the steam condensate, used process water, and plant washdown water back to LCSWMA for reuse at the RRF.

The total site area is 57.102 acres, and the proposed disturbed area of the site will be approximately 36 acres. The site is currently leased for agricultural crop production, and portions of the site are also used for the storage of lawn equipment by the current owner. The site is improved with a 2,800-square foot, single-story wood frame barn. The current owner installed a metal roof on the barn, poured a 12-foot by 15-foot concrete slab in the southern portion, and installed three (3) bay doors. The barn has an electrical box on the northeast exterior corner, which has been disconnected. There is no source of heat for the barn. It is proposed that the barn will be razed as part of the project. A second structure, located in the southeastern portion of the site, is a 324-square foot abandoned pump house. This steel structure was constructed in the 1940s to supply water from the Susquehanna River for irrigation but may not have been used. The building currently contains a 10-inch diameter steel pipe that runs underground to the east and west. It is anticipated that the pump house will not be disturbed as part of the project. Existing access to the site is provided via a gravel driveway intersecting River Road.

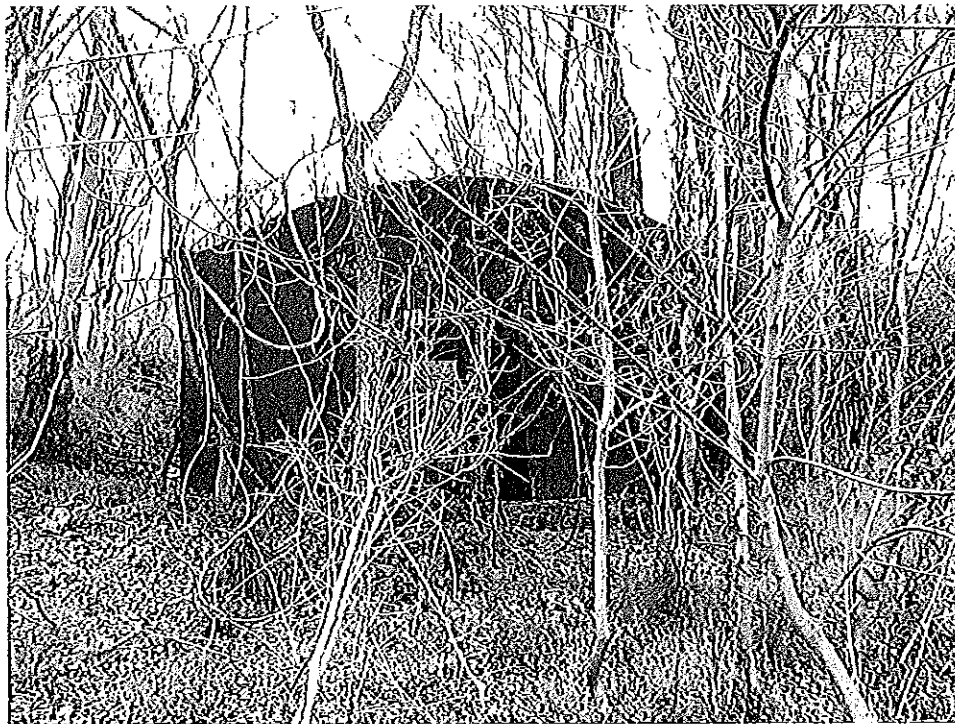
**ATTACHMENT: BUILDING PHOTOS**

BUILDING PHOTOS

Photo of barn:



Photo of pump house:



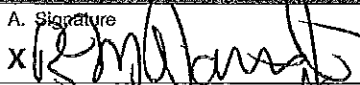
**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
PA Historical & Museum Commission  
Bureau of Historic Preservation  
400 North Street 2nd Floor  
Harrisburg PA 17120

2. Article Number (Transfer from service label) 7011 2970 0002 0577 4767

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
  Addressee

B. Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery JUL 02 2012

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes



Commonwealth of Pennsylvania  
Pennsylvania Historical and Museum Commission  
**Bureau for Historic Preservation**  
Commonwealth Keystone Building, 2<sup>nd</sup> Floor  
400 North Street  
Harrisburg, PA 17120-0093  
[www.phmc.state.pa.us](http://www.phmc.state.pa.us)

July 30, 2012

Mr. John Schmelzle  
RETTEW  
5031 Richard Lane, Suite 111  
Mechanicsburg, PA 17055

ER 2012-2028-071-A  
RCAP: Soybean Processing Facility  
Conoy Twp., Lancaster County, PA

Dear Mr. Schmelzle:

Thank you for submitting information concerning the above referenced project. The Bureau for Historic Preservation (the State Historic Preservation Office) reviews projects in accordance with state and federal laws. Section 106 of the National Historic Preservation Act of 1966, and the implementing regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, is the primary federal legislation. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 *et seq.* (1988) is the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

#### **Historic Architectural Resources**

In our opinion no historic buildings, structures, districts, or objects will be affected by this project.

#### **Archaeological Resources**

A previous archaeological survey (our ER file number 2007-2592-071-C) recorded eight archaeological sites and updated information on another archaeological site that had been recorded earlier. Eight of these nine sites are located within the area delineated in red as "Area of Investigation (AOI)" on figures 1 and 2 of your submittal. The attached aerial shows the location of these sites with respect to both your AOI and your project area. All of these sites except 36LA1481, 36LA1484 and 36LA1485 were evaluated for archaeological significance during the above referenced earlier project and found not eligible for the National Register of Historic Places.

Site 36LA1481 lies mainly outside of the project area and will not be substantially affected. Therefore, based on current plans, no additional work is warranted here unless the boundary of the project area should change and shift into its location.

John Schmelzle  
ER 2012-2028-071-A  
July 30, 2012  
Page 2

A small part of Site 36LA1482 lies within the project area; however, this site was evaluated previously and found not eligible for the National Register of Historic Places. No additional investigation will be needed for this site.

Sites 36LA1478, 36LA1479 and 36LA1480 were evaluated previously and found not eligible for the National Register of Historic Places.

A large part of the northeastern section of site 36LA1484 lies within the project area. Please retain an archaeological consultant to conduct the field testing and analysis needed to make a determination of significance (Phase II) and submit the results to our office for review.

Site 36LA1485 lies along the southern extent of the AOI and will not be affected. If plans should change so that the project area encroaches on this site, a Phase II archaeological significance evaluation will be necessary. Using the present plans which do not indicate any impacts to the site, no investigations are needed.

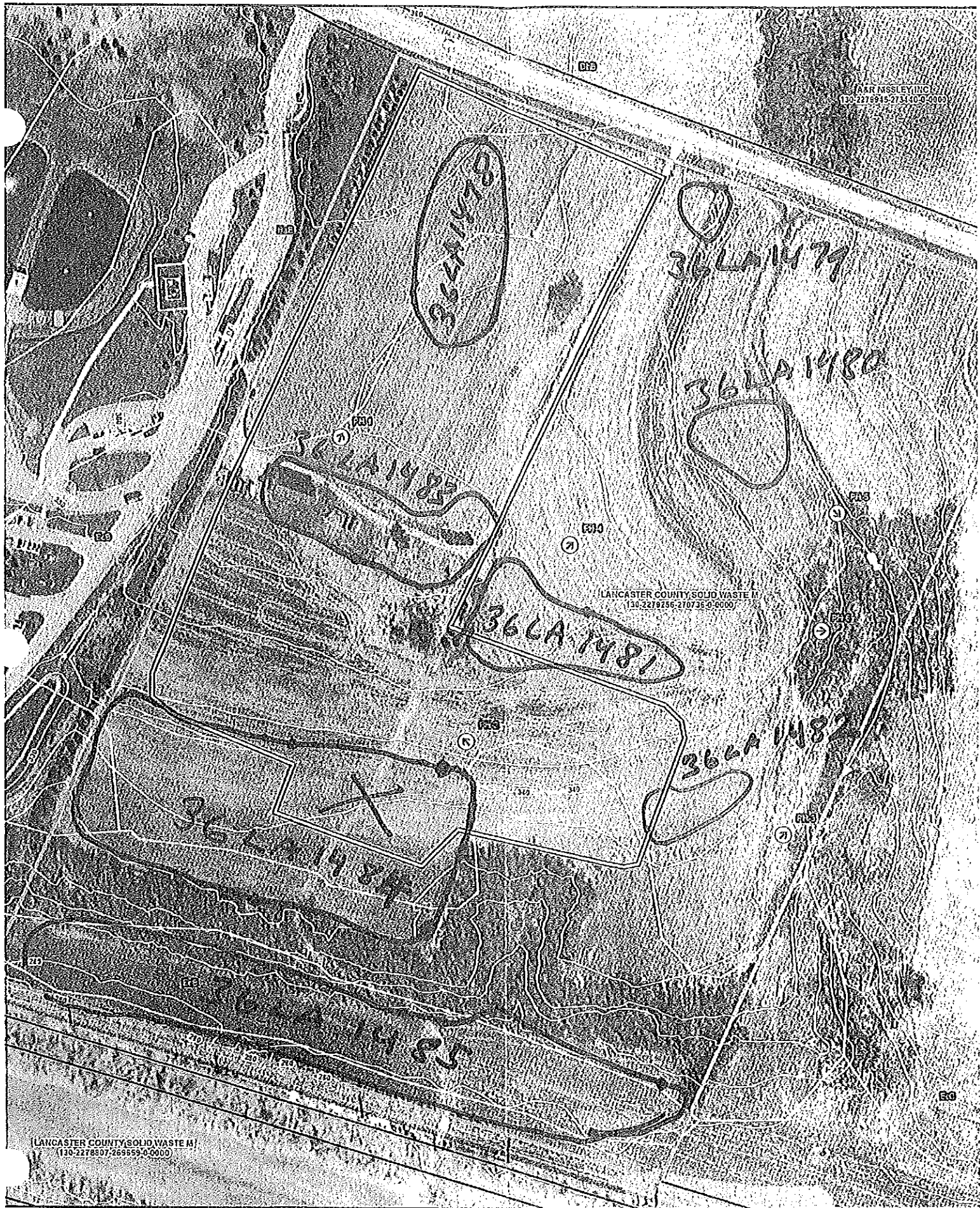
If you need further information, please contact me at (717) 772-0925.

Sincerely,



Douglas C. McLearn, Chief  
Division of Archaeology &  
Protection

JAAR MISSLEY INC  
130-2278945-273340-0-0003



LANCASTER COUNTY SOLID WASTE II  
130-2278256-270738-0-0000

LANCASTER COUNTY SOLID WASTE II  
130-2278807-269859-0-0000

Scale and Direction

Contour (10 ft interval)

Area of Investigation (AOI)

Parcel Boundary

Project Area

Field Delineated Wetland (None Present)

Soil Type

Floodplain



1 in



**PA HISTORICAL AND MUSEUM COMMISSION  
CULTURAL RESOURCE NOTICE**

**(Note: A Phase II Archaeological Investigation Report that addresses the July 30, 2012 response from the Pennsylvania Historical and Museum Commission (PHMC) is currently being developed and will be submitted to the PHMC.)**

**DEP SEWAGE PLANNING LETTER**



# pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATER MANAGEMENT PROGRAM

RECEIVED

APR 12 2012

RETTEW ASSOCIATES

April 10, 2012

Rettew Associates  
Attention: Michael Braas  
950 East Main Street, Suite 220  
Schuylkill Haven, PA 17972

Re: Planning Requirement for Land Development  
Perdue Grain & Oilseed, LLC  
DEP Code: A3-36920-155-2  
Conoy Township, Lancaster County

Ladies and Gentlemen:

This letter is in reference to your application for Sewage Facilities Planning Modules for Perdue Grain & Oilseed LLC – Soybean Processing Facility. This project is located at 1897 River Road in Conoy Township, Lancaster County.

This project does not meet the definition of a subdivision under the Pennsylvania Sewage Facilities Act. Therefore, no planning modules are required to be submitted to the Regional Office of the Department of Environmental Protection.

Note: As long as flows are less than 800 gallons per day, planning is not required. However, note that this does not guarantee that suitable conditions exist on-site for on-lot sewage disposal. A commercial holding tank may be a viable option if flows stay below 800 gpd.

If you have any questions, please call me at 717.299.7601.

Sincerely,

Deirdre T. Lehman  
Sewage Planning Specialist 2  
Water Management Program

cc: Lancaster County Planning Commission  
Marvin Stoner, SEO  
Conoy Township  
Perdue Grain & Oilseed, LLC  
Pl. File  
Tim Wagner  
T

**STORAGE TANK SITE SPECIFIC INSTALLATION PERMIT APPLICATION  
PROJECT DESCRIPTION**

**PERDUE GRAIN & OILSEED, LLC  
SOYBEAN PROCESSING FACILITY – HEXANE STORAGE TANKS**

Perdue Grain & Oilseed, LLC (Perdue) plans to construct and operate a soybean processing facility (Soybean Facility) at 1897 River Road, Conoy Township, Lancaster County. The Soybean Facility will receive soybeans from local and regional farms by truck and process the soybeans into soybean feed and soybean oil, both of which will be shipped off site by truck. The Soybean Facility will operate 24-hours-per-day, will be staffed in three shifts, and will employ approximately 35 people. To extract the soybean oil, the soybeans will be cracked into smaller pieces by cracking rolls, dehulled using an aspiration system, and pressed into thin flakes by flaking rolls. The flakes then will be “washed” with hexane solvent in a countercurrent extractor to extract the soybean oil. Hexane solvent is then recovered and reused in the system.

As part of the extraction system, two (2) 20,000 gallons capacity (each), horizontal, aboveground hexane storage tanks will be installed. During normal operation, the majority of the system’s hexane solvent will be circulating throughout the process. Should the extraction system need to be taken off-line, the hexane storage tanks will be sized to store the entire quantity of hexane solvent utilized by the system.

The proposed tanks will comply with the applicable requirements set forth by 25 Pa. Code, Chapter 245, Subchapters F and G. The standards and requirements established in the applicable regulations will be applied through the use of appropriate current codes of practice developed by nationally recognized associations, such as the National Fire Protection Association (NFPA) and Underwriters Laboratory (UL), and through the use of manufacturer’s specifications and sound engineering practices. In order to minimize and abate the threat to public health and the environment from a release of hexane solvent, Perdue will develop and adhere to a Spill Prevention Response (SPR) Plan which addresses the requirements described in Chapter 9 of the act (35 P. S. §§ 6021.901–6021.904). The plan will be provided to the Department of Environmental Protection (DEP) and updated as necessary. A current copy of the plan will be readily available at the Soybean Facility at all times. In order to protect the storage tanks, Perdue assures that appropriate security measures and procedures will be established and implemented. These security measures will be developed during facility design and may include such measures as fencing, lighting, access control, locked entrances, and securing of valves, drains, and dispensers.

For the installation of the proposed tanks, all tank handling activities will be conducted by a DEP-certified aboveground storage tank installer or under the installer’s direct, onsite supervision and control. The proposed tanks will have a stable foundation/support capable of adequately supporting the total weight of the tanks and their contents when in use, and the foundation/support will be designed by a licensed professional structural engineer in the Commonwealth of Pennsylvania. The foundation/support will meet or exceed the specifications of the tank manufacturer and be designed and constructed in accordance with the findings of the attached Preliminary Geotechnical Engineering Report. As required by regulation to contain possible releases, such as overfills, leaks, and spills, the proposed tanks will be installed within a concrete secondary containment structure capable of accommodating 110% of the storage capacity of the largest tank. The secondary containment will utilize a sump for the purpose of hexane recovery in the event of a release. In addition, the tanks will be

equipped with overflow alarms. To minimize exposure to the elements and offer additional protection, a roof covering the tanks and associated secondary containment area will be constructed.

In order to minimize concerns regarding fire and explosion, the proposed tanks will be thermally protected, double-walled steel tanks. The interstitial area between the inner and outer walls of the tanks will be filled with insulating material that protects the inner tank in the unlikely event of a fire or extreme heat. The tanks will comply with, and be installed in accordance with, NFPA 30 (Flammable and Combustible Liquids Code) and NFPA 36 (Standard for Solvent Extraction Plants). The tanks' installation will also involve consultation with the local Fire Marshall for approval. The tanks will be UL-certified for fire protection, impact resistance, ballistics/projectile resistance, and secondary containment (double-walled).

In order to minimize concerns regarding stormwater infiltration and sinkhole formation, the stormwater management system at the Soybean Facility is being designed to direct flow overland to an inlet and pipe collection system, thereby minimizing any infiltration and potential sinkhole formation. The collected runoff from the facility is run through a substrate in the two proposed detention basins before being discharged. A required National Pollutant Discharge Elimination System (NPDES) Permit for the facility will require that runoff water quality be maintained. The design of the entire stormwater collection system specifically addresses the Karst geology of the site in order to effectively eliminate infiltration, thereby minimizing the potential for sinkhole impacts on the proposed tanks.

Perdue assures that it will construct and operate the proposed new tanks in accordance with industry standards, best management practices, and all applicable regulations in order to prevent any harm to the public or the environment. All necessary permits related to construction and/or operation of the tanks will be obtained from DEP and the Department of Labor & Industry.

To inform the community about the project, Perdue hosted an open-house at the Bainbridge Fire Company on April 26, 2012. The open-house was advertised to the residents of Conoy Township. The project was also discussed at township and county land development planning meetings. In addition, the project has been the subject of several local newspaper articles.

**STORAGE TANK SITE SPECIFIC INSTALLATION PERMIT APPLICATION  
MUNICIPALITY/COUNTY NOTIFICATIONS**

**PERDUE GRAIN & OILSEED, LLC  
SOYBEAN PROCESSING FACILITY – HEXANE STORAGE TANKS**

As required under Part I, Section VI of the Storage Tank Site Specific Installation Permit Application Instructions, notification letters were sent to the township and county at the addresses shown below. Copies of the letters to those entities and the certified mail return receipts (proof of notification) follow this page.

**Conoy Township:**

Conoy Township Board of Supervisors  
Conoy Township Municipal Building  
211 Falmouth Road  
Bainbridge, PA 17502

Certified Mail No.: 7010 3090 0000 6840 9623, Mail Date: September 27, 2012

**Lancaster County:**

Lancaster County Government Center  
Office of the County Commissioners  
150 North Queen Street  
7<sup>th</sup> Floor, Suite 715  
Lancaster, PA 17603

Certified Mail No.: 7010 3090 0000 6840 9616, Mail Date: September 27, 2012