

Thank you for participating in the Pennsylvania Department of Environmental Protection's (DEP) Land Recycling Program. You are receiving this Standard Attachment because you have provided a Notice of Intent to Remediate or a Final Report submission to the department. The following program summaries are provided to you as a guide to other programs that are commonly associated with brownfield remediation projects. These programs are important for the successful completion of site remediation and the grant of liability relief for your site. Please note if several of the following items apply to your site, it may be valuable to request a pre-application coordination meeting with your assigned DEP Project Manager. For remediation projects that involve multiple programs, an initial coordination meeting is beneficial to determine required date of submission(s), program participation consideration(s), and priorities.

This list is not meant to be all inclusive, but does summarize a listing of programs that are commonly affiliated with these types of projects.

Land Recycling Program Considerations

Uniform Environmental Covenants Act (UECA)

Based on the remediation standard that you have selected for your remediation/redevelopment project, you may be required to submit an environmental covenant. The covenant, as defined and governed under the auspices of UECA, provides a tool to ensure that the conditions allowing for a risk-based cleanup will continue in the future. UECA requires that a completed and signed environmental covenant shall be submitted to the appropriate regional DEP office no later than 30 days from receipt of the final cleanup approval letter. A \$500 fee is required to be submitted with the environmental covenant. Once received, the DEP has 90 days to review and return the signed covenant for recordation. Notifications of recordation of the covenant are subsequently required to be sent within 90 days to the DEP and to the entities listed in Section 6507 of UECA and in accordance with the terms of the covenant. For more information, visit www.dep.pa.gov, under Businesses > Land > Land Recycling., select related information under 'Uniform Environmental Covenants'.

Other Program Requirements

Depending on the specific details of each case, other program requirements may be applicable to your site as cleanup is progressing and/or upon completion of Act 2 activities. These considerations are summarized in the following:

Land Disturbance

Depending on the remediation approach selected for your site, you must carefully evaluate the remedial activities to minimize erosion and sedimentation in conformance with Chapter 102 of the PA Code, Erosion and Sediment Control. These requirements may be satisfied with the development, implementation, and maintenance, of erosion and sediment control best management practices. Please note that any future earth disturbance or development at your site after cleanup is completed may require either approvals or permits from the appropriate county soil conservation district. Therefore, you should contact the conservation district before engaging in any such activities. For more information regarding this topic, visit www.dep.pa.gov, Search 'Stormwater Management'.

Surface Water Discharges

Surface water discharges from sites undergoing Act 2 cleanups may be considered point or nonpoint sources. Point source discharges to surface water include, as examples, leachate discharge from a disposal unit, or, runoff from contaminated site discharges through a storm sewer. Discharges such as these are subject to National Pollutant Discharge Elimination System (NPDES) requirements, and as such may require a permit. Additionally, Act 2 requires that any site undergoing cleanup via the Statewide health or site-specific standard also demonstrate compliance with surface water quality criteria when a nonpoint source discharge, such as contaminated groundwater, discharges into surface water. More information regarding these programs may be found at the DEP's website or through your site's assigned Project Manager.

Sewage Facilities Program

The redevelopment of Act 2 sites after completion of cleanup activities may require you to investigate sewage planning considerations. For example, when site utilization is changed from industrial use to residential use as a result of Act 2 implementation, the sewage facilities planning for the property will require analysis/revision. Act 537, Sewage Facilities Program, contains provisions to enable proper municipal planning and permitting for current and future utilization of sewage facilities. For more information, visit www.dep.pa.gov, search 'Act 537 Sewage Facilities Program'.

Water Well Abandonment

Abandoned wells must be reported on required forms to the PA Department of Conservation and Natural Resources (DCNR), Bureau of Topographic and Geologic Survey (BTGS). Information is available on the DCNR website, www.dcnr.pa.gov, select Conservation > Water > Groundwater, under Abandoned Private Water Wells for the water well abandonment guidelines and forms.

If available, the original driller's log should be included along with the details of the well abandonment procedure. A photograph should be taken of the site, and a reference map should be made to locate the abandoned well. **We recommend that you identify the exact location by GPS** (it also may be appropriate to survey the exact location of the well). If a permit was issued for the well installation (e.g. by a local agency or County Health Department), please provide a copy of your BTGS submission to the issuing agency and to this office.

Oil and Gas Well Site Restoration

If the site specified for remediation is considered to be part of a well site as that term is defined by Section 603a(d) of the Oil and Gas Act, you must ensure restoration of the area under Section 206 of the Oil and Gas Act, 58 P.S. § 601.206. The Department considers a well site to be restored under Section 206 when the disturbed or impacted area is returned to its approximate original contours and restored to conditions that support the same potential uses of the land that existed prior to the spill or release, including the vegetation of those areas. The restored area should be capable of supporting the type of vegetation that was present before the release.