

Written Request

To: City of Eaton
123 S Third Street
Easton, PA 18042

Date: June 30, 2025

Re: Easton Commerce Park

Subject: Request for Special Exception – Easton Commerce Park

Dear Zoning Officer,

On behalf of the property owner, we hereby submit this formal request for Special Exception approval pursuant to §298-14 of the City of Easton Zoning Ordinance. The project site, located in three municipalities of City of Easton, Palmer Township, and Wilson Borough and bound by Bushkill Creek and Bushkill Drive at the north, Bushkill Creek on the east, adjacent properties to the West, and Hackett Avenue and Route 22 on the south, lies within the Flood Hazard Overlay District, and is proposed for construction of a warehouse building and supporting office area, access drives off of Hackett Avenue, truck loading areas, parking lots, storm sewer system and stormwater Best Management Practice (BMP) facilities.

This request is accompanied by all required documentation and plan sets, including but not limited to site plans, architectural and utility drawings, engineering certifications, flood impact analyses, erosion and sedimentation control plans, and evacuation plan, as detailed in the ordinance.

The property is a separately deeded parcel currently owned by Abruzzi Trust, and the proposed development has been designed to minimize impacts on the base flood elevation and associated flows. The design meets all applicable floodplain regulations, and no adverse effect on neighboring properties or public infrastructure is anticipated.

We respectfully request your review and consideration of this application for approval under the Special Exception provisions.

Please contact us at with any questions.

Sincerely,

A handwritten signature in black ink that appears to read 'Donald A. Haas'.
Donald A. Haas
Branch Manager
CC:

Client
File

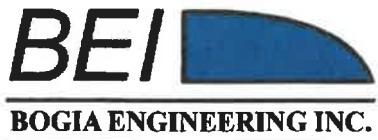
Project No.: 2022-528

ENGINEERING EXCELLENCE THROUGH KNOWLEDGE AND COMMUNICATION

1340 Penn Avenue
Wyomissing, PA 19610
T: 610-678-3071
www.bogiaeng.com

1101 S. Broad Street
Lansdale, PA 19446
T: 215-362-3878
www.bogiaeng.com

667 Exton Commons
Exton, PA 19341
T: 484-872-8886
www.bogiaeng.com



SITE OWNERSHIP CERTIFICATION

I hereby certify that the site upon which the proposed development activity is to take place is an existing separate and single parcel owned by my client.

Name: **Donald Haas**

Title: **Branch Manager**

Date: **June 30, 2025**

Signature: A handwritten signature in black ink that appears to read 'Donald Haas'.

ENGINEERING EXCELLENCE THROUGH KNOWLEDGE AND COMMUNICATION

1340 Penn Avenue
Wyomissing, PA 19610
T: 610-678-3071
www.bogiaeng.com

1101 S. Broad Street
Lansdale, PA 19446
T: 215-362-3878
www.bogiaeng.com

667 Exton Commons
Exton, PA 19341
T: 484-872-8886
www.bogiaeng.com

I, the undersigned, a Registered Landscape Architect, hereby certify that the proposed construction has been adequately designed to protect against damage from the base flood, in accordance with applicable floodplain regulations.

Professional Name: Donald Haas

License No.: LA003411

Firm: Bogia Engineering Inc.

Date: June 30, 2025

Signature and Seal:



ENGINEERING EXCELLENCE THROUGH KNOWLEDGE AND COMMUNICATION

1340 Penn Avenue
Wyomissing, PA 19610
T: 610-678-3071
www.bogiaeng.com

1101 S. Broad Street
Lansdale, PA 19446
T: 215-362-3878
www.bogiaeng.com

667 Exton Commons
Exton, PA 19341
T: 484-872-8886
www.bogiaeng.com

I, Donald Haas, a qualified Landscape Architect, certify that I have evaluated the potential for pollution resulting from this development during a base flood. The proposed design includes measures to minimize such pollution, and any potential impacts to human life have been analyzed and addressed.

Professional Name: Donald Haas

License No.: LA003411

Firm: Bogia Engineering Inc.

Date: June 30, 2025

Signature and Seal:



ENGINEERING EXCELLENCE THROUGH KNOWLEDGE AND COMMUNICATION

1340 Penn Avenue
Wyomissing, PA 19610
T: 610-678-3071
www.bogiaeng.com

1101 S. Broad Street
Lansdale, PA 19446
T: 215-362-3878
www.bogiaeng.com

667 Exton Commons
Exton, PA 19341
T: 484-872-8886
www.bogiaeng.com

I, Donald Haas, a Landscape Architect, certify that I have conducted a thorough analysis of the effect the proposed development will have on base flood elevation and flow characteristics. The development will not cause an adverse impact on the surrounding area.

Professional Name: Donald Haas

License No.: LA003411

Firm: Bogia Engineering Inc.

Date: June 30, 2025

Signature and Seal:



ENGINEERING EXCELLENCE THROUGH KNOWLEDGE AND COMMUNICATION

1340 Penn Avenue
Wyomissing, PA 19610
T: 610-678-3071
www.bogiaeng.com

1101 S. Broad Street
Lansdale, PA 19446
T: 215-362-3878
www.bogiaeng.com

667 Exton Commons
Exton, PA 19341
T: 484-872-8886
www.bogiaeng.com

I, Donald Haas, a Landscape Architect, certify that the site has been evaluated for the presence of any buoyant materials or debris located below the base flood elevation. The type and amount of such materials have been documented, and the design ensures they will not contribute to increased flood elevations or flow obstructions.

Professional Name: Donald Haas

License No.: LA003411

Firm: Bogia Engineering Inc.

Date: June 30, 2025

Signature and Seal:



ENGINEERING EXCELLENCE THROUGH KNOWLEDGE AND COMMUNICATION

1340 Penn Avenue
Wyomissing, PA 19610
T: 610-678-3071
www.bogiaeng.com

1101 S. Broad Street
Lansdale, PA 19446
T: 215-362-3878
www.bogiaeng.com

667 Exton Commons
Exton, PA 19341
T: 484-872-8886
www.bogiaeng.com

1. Introduction

This evacuation plan outlines procedures to ensure the safe and timely evacuation of the premises located at **1525 Wood Ave, Easton, PA**, situated within the Flood Hazard Overlay District of the City of Easton, during or in advance of a base flood event.

2. Flood Risk Overview

- The site lies within the FEMA-designated 100-year floodplain, with a base flood elevation and delineation.
- The proposed structure will be constructed away from the base flood delineation.
- Flooding may occur due to overflow of unnamed tributary to Bushkill Creek or Bushkill Creek during major storm events.

3. Monitoring and Notification

The owner/resident will monitor real-time alerts issued by:

- NOAA Weather Radio
- Lehigh County Emergency Management Services
- City of Easton, Palmer Township, and Wilson Borough flood alerts and siren system

Flood watches and warnings will trigger pre-evacuation preparation.

4. Evacuation Triggers

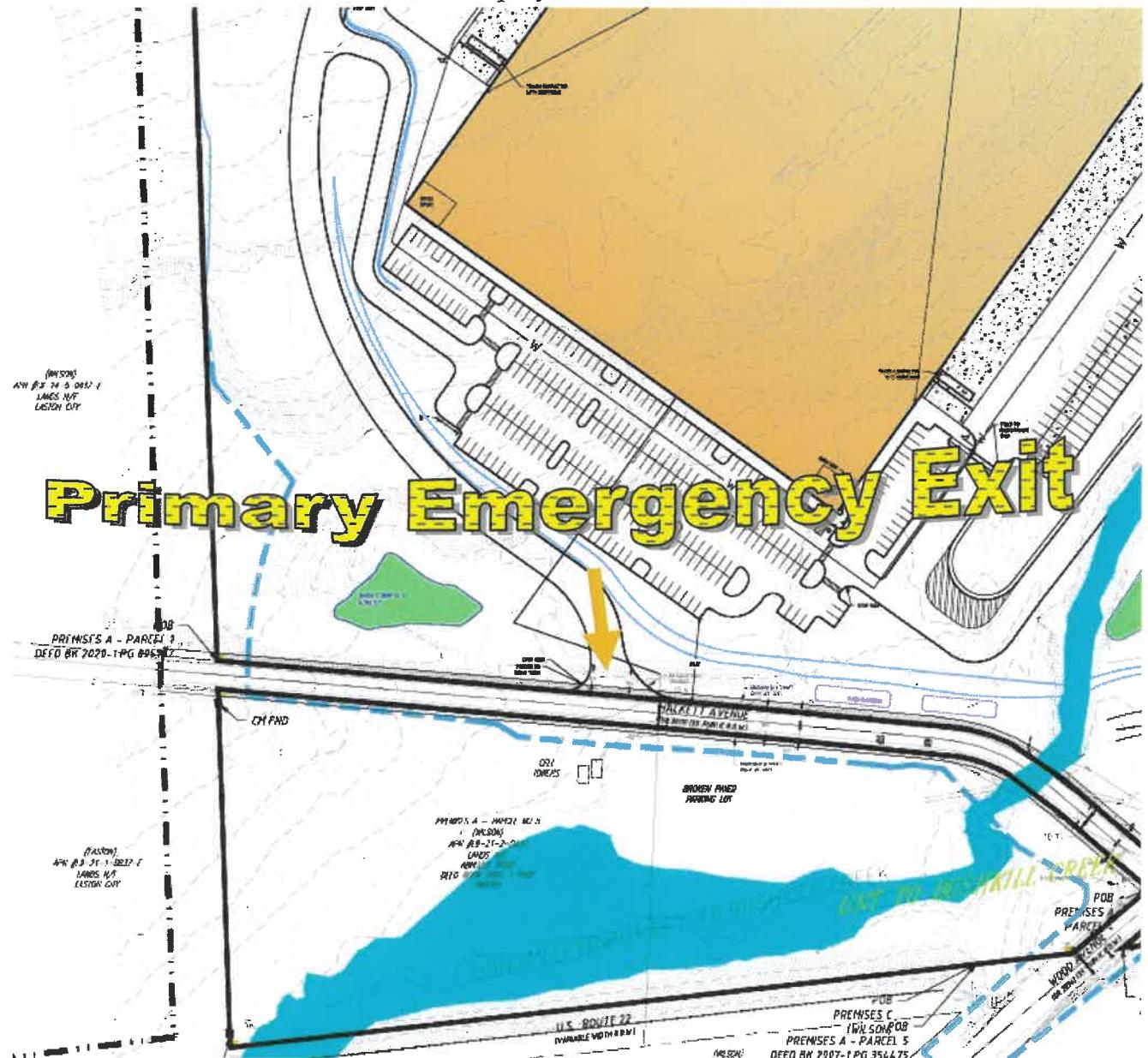
Evacuation will be initiated under any of the following conditions:

- Flood Warning issued by the National Weather Service
- Water levels predicted to rise above the site elevation
- Directive from local emergency management or City of Easton, Palmer Township, and Wilson Borough

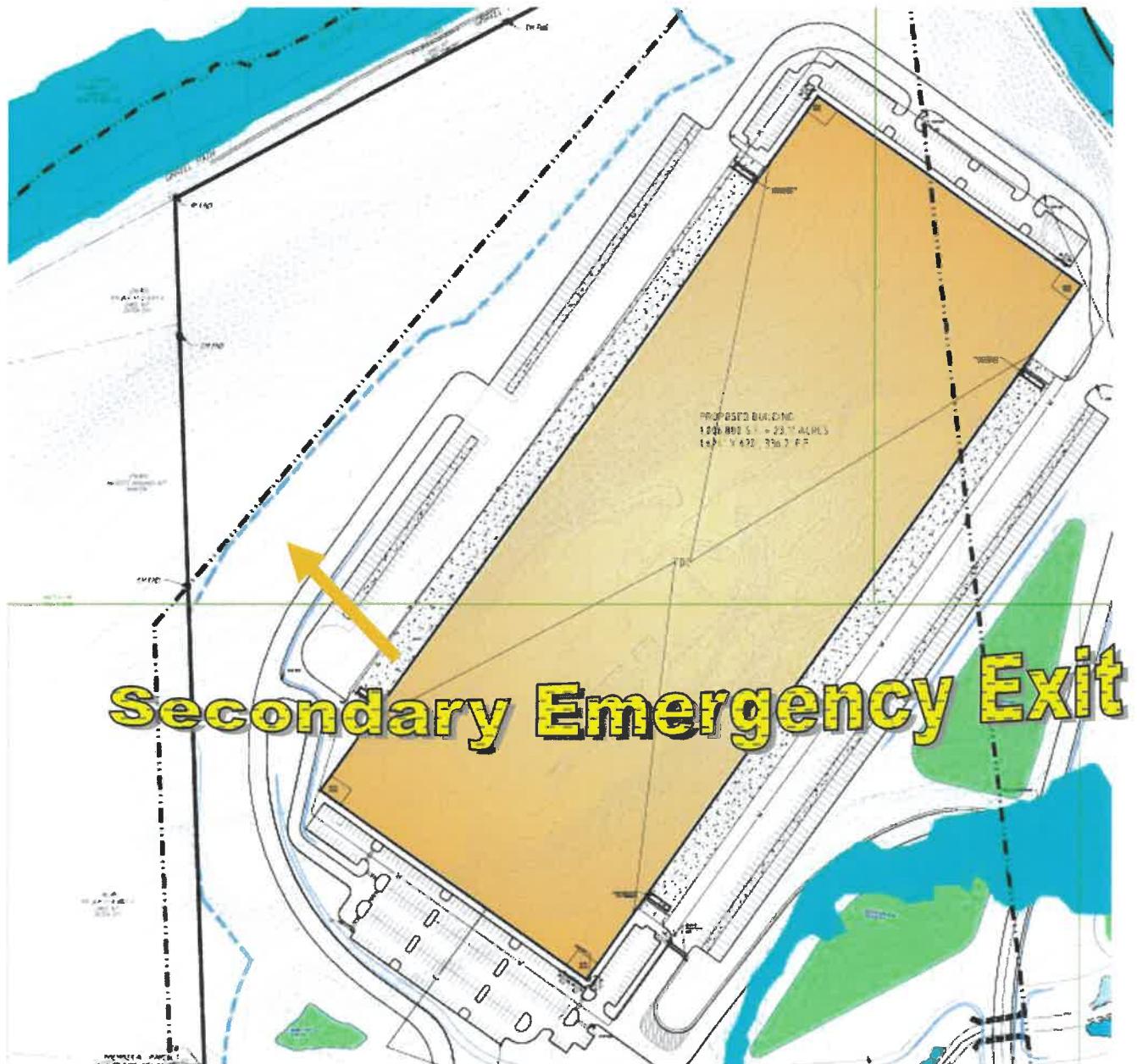
ENGINEERING EXCELLENCE THROUGH KNOWLEDGE AND COMMUNICATION

5. Evacuation Procedure

- Primary Exit Route: [Hacket Avenue between south of the building and southern UNT to Bushkill, as displayed below:



- Secondary Exit Route: to elevated location west of the building, as depicted below:



- Evacuation Timeframe: Immediately upon receipt of official warning or observed water rise.
- Transportation: Personal vehicles or local emergency services (if needed)

6. Emergency Contacts

- City of Easton and Northampton County Emergency Management: [610-759-2200, 610-829-6500]
- Lehigh County 911 Dispatch: 911
- FEMA Flood Resources: 1-800-621-3362

7. Assembly and Shelter

- Nearest high ground: west of the building as displayed above for the secondary emergency exit
- Emergency shelter:
 - ✓ GSC Emergency Shelter (Greater Shiloh Church) located at 201 Brother Thomas Bright Ave (Lower Level), Easton, PA
 - ✓ Safe Harbor Easton located at 536 Bushkill Drive, Easton, PA 18042

8. Special Considerations

- The structure will have no basement or habitable space below the base flood elevation.
- Loose materials will be secured or stored above the flood elevation.
- Utilities are elevated or floodproofed per code.



EASTON AREA JOINT SEWER AUTHORITY

September 27, 2024

Mr. Donald A. Haas, RLA, ASLA, CBLP
Bogia Engineering Inc.
Branch Manager
667 Exton Commons, Exton, PA 19341

Subject: PADEP Sewage Facilities Planning - Chapter 94 Consistency Determination
City of Easton – Easton Commerce Park Project

Dear Mr. Haas:

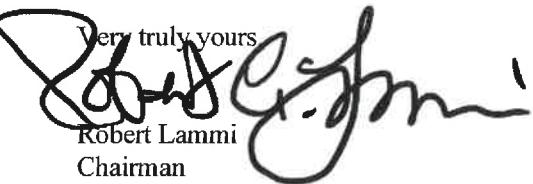
The Easton Area Joint Sewer Authority (Authority) has reviewed your submittal which was recently emailed to our Consulting Engineer's office regarding the above referenced project. This project is forecasted to discharge an additional flow of 8,156 gal/day from the proposed construction of a warehouse/distribution center located at 1525 Wood Avenue in Wilson Borough. Overall sewage capacity for this new facility will be allocated by the City of Easton and this facility will connect a new private sewer line to the EAJSAs Bushkill Interceptor in the area. This project will be served by the Authority's conveyance and treatment systems. The City has capacity available within these Authority systems and no overload of these Authority systems is projected within the next five years.

Note that this approval is only for capacity in the Authority's conveyance system and wastewater treatment plant. It does not include any capacity or capacity determination associated with the City's collection system. Further, it is assumed that the calculations provided in the submittal are consistent with City sewer use ordinances and requirements.

Also note that the Authority does not make any planning module related submissions to PADEP nor do we normally sign any of the PADEP planning module forms. Instead, we request that you include this letter with you or your client's submittal to PADEP.

Finally, if this project will generate any type of wastewater, other than sewage as defined in the Authority's Rules and Regulations, the Authority's Industrial Pretreatment Program (IPP) Coordinator must be contacted to have an IPP Permit determination completed.

Should you have any question regarding this letter, please contact our office.

Very truly yours,

Robert Lammi
Chairman

cc: City of Easton



CITY OF EASTON

PENNSYLVANIA

Department of Planning & Codes

123 South 3rd St., 2nd Floor

Easton, PA 18042

610-250-6724 fax 610-250-6607

codes@easton-pa.gov

Donald Haas
667 Exton Commons
Exton, PA 19341

Re: ,

Application # Z-24-217

Date: October 7, 2024

Dear Applicant:

I have reviewed your Zoning Permit Application to establish a New Construction at above referenced property and herewith issue a Zoning Permit to you, since your proposal is in conformance with the requirements of Easton's Zoning Ordinance. **This approval is valid for six (6) months in accordance with section 595.05 of the Easton Zoning Code. Failure to obtain a Certificate of Occupancy prior to occupancy and within the six (6) month period will result in the Zoning Application becoming null and void**

Be advised that any new construction, alteration, or change of use of any kind requires a Certificate of Use and Occupancy and must meet all building, fire, health, and other safety codes prior to occupancy. Contact the Bureau of Codes and Inspections upon receipt of this letter for further instructions.

If you plan any new construction or repairs, alterations, improvements, renovations or changes whatsoever to an existing structure, the following approvals may be required:

- Building, Electrical, Plumbing, Mechanical, Fire Alarm System, and Sign Permit. These permits can be obtained from the Building Inspector's Office.
- Water & Sewage Permits from the City Engineer.
- Land development approval in accordance with Chapter 520 of the Codified Ordinance of the City of Easton

Other miscellaneous permits that may be required are as follows:

- Certificate of Occupancy from the Department of Code Enforcement
- Business Privilege License from the City License Officer
- Emergency Municipal Services Tax from Berkheimer Assoc., call 1-800-360-8989

Any activity involving the purveying or dispensing of food products of any kind may require a license from the Bureau of Health.

Also, if your business is located in the local historic district, any signs or exterior alterations will require a certificate of appropriateness from the City Council.

In addition, approval from the Pennsylvania Department of Labor and Industry may be required (boiler and elevator installation only). You may contact them directly at (717) 787-3806. If their approval is required, a copy of their Certificate of Occupancy shall be submitted to the Code Office to become part of the property file.

When you have obtained the necessary permits and the work has been completed, you must contact the Department of Code Enforcement to schedule an inspection. Also, please return the attached Certificate of Use and Occupancy application along with the applicable fee at least five (5) days in advance of the scheduled inspection. The final inspection is a prerequisite in obtaining a Certificate of Occupancy

Sincerely,



Dwayne Tillman
Chief Zoning Administrator & UCC Plans Examiner

NOTICE

A CERTIFICATE OF USE AND OCCUPANCY IS
REQUIRED PRIOR TO OCCUPYING THE
SUBJECT BUILDING OR UNIT(S) THEREIN

City of Easton

Department of Code Enforcement

TO: Applicant
SUBJECT: Important Information

CONSTRUCTION PERMITS – After you receive zoning approval, if applicable, the next step in the process is to determine whether or not your building complies with the various building codes based on the actual use. In order to process your application for building, plumbing, electrical or mechanical permits, it is extremely important to provide our office with clear and precise information and plans as outlined in the *“Guide for Submission”*. All applicable forms must be complete and legible. Upon review, and providing your plans address all applicable codes and regulations, you will be issued permits to start work. Applications that do not meet the submission requirements will be returned to the applicant with comment.

The process of making application and plan submission and the subsequent review is designed to provide the applicant with a thorough and timely approval toward a successful completion of your project. It should be noted also that your applications and plans should be submitted well in advance of your starting date for construction. If your property is located within the Local Historic District, you may need to obtain a certificate of appropriateness from the Historic District Commission.

For your information the City of Easton enforces Pennsylvania Act 45 Uniform Construction Code, as well as:

- City of Easton Property Maintenance Code
- 2018 International Building Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Residential Code, Energy Code, with amendments
- International Fire Code
- National Electrical Code/2017

NOTE: CONSTRUCTION IS NOT TO PROCEED UNTIL THE PERMIT APPLICATION IS APPROVED, THE FEE PAID AND A PERMIT CARD IS ISSUED FOR DISPLAY ON THE PROPERTY.

NOTE: A PROPERTY MAY NOT BE OCCUPIED PRIOR TO A FINAL INSPECTION AND THE ISSUANCE OF A CERTIFICATE OF USE AND OCCUPANCY.

Please feel free to contact our office at (610) 250-6724 if you have any questions relating to building permits or submission requirements.



Aditya Singh

Mailing Address: 667 Exton Commons, Exton PA 19341

Date: May 15, 2024

Point of Service Description: Intersection of Wood Ave and Hackett Ave Easton, PA

Dear Requestor:

In response to your recent request for service on the subject property, the following information is provided regarding the process for obtaining electric service from Met-Ed.

It has been determined that the subject property is within Met-Ed's service territory. Electric service will be provided in accordance with Met-Ed's Tariff for Service which is on file with and approved by the Pennsylvania Board of Public Utilities. Completion of your request for service is contingent upon your obtaining all required approvals from appropriate authorities and agencies, including, but not limited to, permits for construction. It will be your responsibility to provide Met-Ed with complete electric load information and site plans for review, approvals, and engineering, etc. well in advance of construction of the proposed facility.

The Applicant/Customer is responsible for compliance with all Federal, State and Local Codes. This includes but is not limited to the National Electric Code and the National Electric Safety Code. Met-Ed reserves the right to refuse connection to customer premises that are not in compliance with applicable Codes.

The exact method of service to the point of delivery will be determined subject to the above-requested information and approval by our Regional Engineering Process. This may require the Applicant/Customer to pay for a prorated portion of the cost to upgrade system facilities or add other necessary equipment to the electrical infrastructure to meet your requirements.

Thank you for your inquiry. If you wish to proceed with this project, you'll need to apply for service by calling 1-800-686-0011. We look forward to working with you.

Commonwealth of Pennsylvania
Department of Environmental Protection
Waterways and Wetlands Program
Northeast Regional Office

WATER OBSTRUCTION AND ENCROACHMENT PERMIT

The Department of Environmental Protection "Department", established by the Act of December 3, 1970, P.L. 834 (71 P.S. §§510.1 et seq.) and empowered to exercise certain powers and perform certain duties under and by virtue of the Act of November 26, 1978, P.L. 1375, as amended by the Act of October 23, 1979, P.L. 204 (32 P.S. §§693.1 et seq.) known as the "Dam Safety and Encroachments Act"; Act of October 4, 1978, P.L. 851, (32 P.S. §§679.101 et seq.) known as the "Flood Plain Management Act"; Act of June 22, 1937, P.L. 1987, (35 P.S. §§691.1 et seq.), known as "The Clean Streams Law"; and the Administrative Code, Act of April 9, 1929, P.L. 177, as amended, which empowers the Department to exercise certain powers and perform certain duties by law vested in and imposed upon the Water Supply Commission of Pennsylvania and the Water and Power Resources Board, hereby issues this permit to:

**Easton Wood Ave. Propco, LLC
8801 River Crossing Boulevard
Indianapolis, IN 46240-2294**

giving its consent to:

construct and maintain the following water obstructions and encroachments associated with the Easton Commerce Park Project:

- 1) A fill within 0.064 acre of PEM/PFO Wetlands (EV) for the purpose of constructing a 40-ft wide paved road to access a proposed 1,006,880 ft² industrial building.**
- 2) A channel change within an 870-ft segment of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of the relocation of the existing stream and the construction of a 1,532-ft long, 8-ft wide, 1.1-ft deep trapezoidal channel having 2.5:1 side slopes, a bed lined with R-3 riprap, and longitudinal slopes ranging from 0.01% to 3%.**
- 3) A stream crossing of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of a 75-ft long, 96-inch diameter concrete culvert, concrete wingwalls, and an invert depressed 12-in below streambed elevation.**
- 4) A utility line crossing of an enclosed portion of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of a 12-inch diameter water main.**

- 5) A utility line crossing of an enclosed portion of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of an 18-inch diameter smooth lined corrugated polyethylene pipe conveying stormwater.
- 6) The remove an existing stream crossing of an UNT to Bushkill Creek (HQ-CWF, MF) and to construct and maintain a replacement stream crossing consisting of a 60-foot long, 6.4-foot wide, 8.1-foot high, open-bottom reinforced con-span arch pipe. This crossing carries an UNT to Bushkill Creek below S.R. 2017 (Hackett Avenue).
- 7) A utility line crossing of an enclosed portion of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of an 18-inch diameter smooth lined corrugated polyethylene pipe conveying stormwater.
- 8) A stormwater outfall within the floodway of an UNT to Bushkill Creek (HQ-CWF) consisting of a 6.5-foot long, 18-inch diameter perforated level spreader.
- 9) A stormwater outfall within the floodway of an UNT to Bushkill Creek (HQ-CWF) consisting of a 118-foot long, 24-inch diameter perforated level spreader.

The project is located approximately 0.3 miles west of the intersection of N. 13th Street and Bushkill Drive (Easton, PA Quadrangle Latitude: 40° 41' 55" Longitude: -75° 14' 5") in City of Easton, Palmer Township, and Wilson Borough, Northampton County.

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

If this work authorized by this permit is not completed on or before the **31st** day of **December A.D. 2029**, this permit, if not previously revoked or specifically extended by the Department in writing, shall become void without further notification.

This permit is issued in response to an application filed with the Department of Environmental Protection on the **11th** day of **April A.D. 2024** and with the understanding that the work shall be performed in accordance with the maps, plans, profiles and specifications filed and made a part of the application on made part of the application on **November 4th, 2024** and **January 31st, 2025**, subject, however, to the provisions of the Dam Safety and Encroachments Act, the Flood Plain Management Act, the Clean Streams Law, the Administrative Code, the rules and regulations promulgated thereunder and the following conditions and restrictions:

1. The permittee shall sign the Acknowledgement of Appraisal of Permit Conditions thereby expressly certifying the permittee's acceptance of, and agreement to comply with, the terms and conditions of this permit. The permittee shall return a signed copy of the Acknowledgement of Appraisal of Permit Conditions to the Department. Unless the Acknowledgement of Appraisal of Permit Conditions for is completed and filed with the Department, this permit is void.
2. The Department, in issuing this permit, has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or

inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the Department may, in addition, institute appropriate legal proceedings.

3. This permit does not give any property rights, either in real estate or material, nor any exclusive privileges, nor shall it be construed to grant or confer any right, title, easement, or interest in, to, or over any land belonging to the Commonwealth of Pennsylvania; neither does it authorize any injury to private property or invasion of private rights, nor any infringement of Federal, State, or Local laws or regulations; nor does it obviate the necessity of obtaining Federal assent when necessary.
4. The work shall at all times be subject to supervision and inspection by representatives of the Department, and no changes in the maps, plans, profiles, and specifications as approved shall be made except with the written consent of the Department. The Department, however, reserves the right to require such changes or modifications in the maps, plans, profiles, and specifications as may be considered necessary. The Department further reserves the right to suspend or revoke this permit if in its opinion the best interest of the Commonwealth will be subserved thereby.
5. This permit authorizes the construction, operation, maintenance and normal repair of the permitted structures conducted within the original specifications for the water obstruction or encroachment, and in accordance with the regulations of the Department and terms and conditions of this permit. Any repairs or maintenance involving modifications of the water obstruction or encroachment from its original specifications, and any repairs or reconstruction involving a substantial portion of the structure as defined by regulations of the Department shall require the prior written approval and permit of the Department.
6. All construction debris, excavated material, brush, rocks, and refuse incidental to this work shall be removed entirely from the stream channel and placed either on shore above the influence of flood waters, or at such dumping ground as may be approved by the Department.
7. There shall be no unreasonable interference with the free discharge of the river or stream or navigation during construction.
8. If future operations by the Commonwealth of Pennsylvania require modification of the structure or work, or if, in the opinion of the Department of Environmental Protection, the structure or work shall cause unreasonable obstruction to the free passage of floodwaters or navigation, the permittee shall, upon due notice remove or alter the structures, work or obstructions caused thereby, without expense to the Commonwealth of Pennsylvania, so as to increase the flood carrying capacity of the channel or render navigation reasonably free, easy, and unobstructed, in such manner as the Department may require. No claim shall be made against the Commonwealth of Pennsylvania on account of any such removal or alteration.
9. The permittee shall notify the Department, in writing, of the proposed time for commencement of work at least 15 days prior to the commencement of construction.
10. If construction work has not been completed within the time specified in this permit and the time limit specified in this permit has not been extended in writing by the Department or if

this permit has been revoked for any reason, the permittee shall, at his own expense and in a manner that the Department may prescribe, remove all or any portion of the work as the Department requires and restore the watercourse and floodplain to their former condition.

11. The permittee shall fully inform the engineer or contractor, responsible for the supervision and conduct of the work, of the terms, conditions, restrictions and covenants of this permit. Prior to the commencement of construction, the permittee shall file with the Department in writing, on a form provided by the Department, a statement signed by the permittee and an individual responsible for the supervision or conduct of the work acknowledging and accepting the general and special conditions contained in this permit. Unless the acknowledgment and acceptance have been filed, this permit is void. A copy of this permit and the acknowledgment shall be available at the work site for inspection upon request by an officer or agent of the Department or another Federal, State, County or Municipal Agency.
12. The permittee shall operate and maintain the structure or work authorized herein in a safe condition in accordance with the permit terms and conditions and the approved maps, plans, profiles and specifications.
13. This permit may not be transferred without prior written approval from the Department, such approval being considered upon receipt of the properly executed "Application for Transfer of Permit" form.
14. If and when the permittee desires to discontinue use or abandon the activity authorized herein, he must remove all or part of the structure or work authorized and take other actions as are necessary to protect safety and the environment in accordance with a permit issued by the Department.
15. If the use of explosives in any waterways is required, the permittee shall secure the prior written permit from the Pennsylvania Fish and Boat Commission, pursuant to the Pennsylvania Fish and Boat Code, Act 1980-175 Title 30 Pennsylvania Consolidated Statutes, Section 2906. Requests should be directed to the Pennsylvania Fish and Boat Commission, Division of Environmental Services, 450 Robinson Lane, Bellefonte, PA 16823-9620, Telephone 814-359-5140.
16. Permittee shall implement and monitor an Erosion and Sedimentation Control Plan prepared in accordance with Chapter 102 so as to minimize erosion and prevent excessive sedimentation into the receiving watercourse or body of water.
17. The project site shall at all times be available for inspection by authorized officers and employees of the Pennsylvania Fish and Boat Commission. Prior to commencement and upon completion of the work authorized by this permit, the permittee shall notify the Pennsylvania Fish and Boat Commission's Northeast Regional Office at: 5566 Main Road Sweet Valley, PA 18656, Telephone 717-477-5717.
18. The project site shall at all times be available for inspection by authorized officers and employees of the County Conservation District. Prior to commencement and upon completion of the work authorized by this permit, the permittee shall notify the Northampton County Conservation District at: 3158 Newburg Rd, Nazareth, PA 18064.

19. Work may not commence until a signed copy of the Acknowledgement of Appraisal of Permit Conditions is received by the Department. Any work authorized by this permit conducted prior to the Department's receipt of a signed copy of the Acknowledgement of Appraisal of Permit Conditions is a violation of the Dam Safety and Encroachments Act and the Clean Streams Law, and you may be subject to fines and penalties pursuant to those Acts.

SPECIAL CONDITIONS:

- A. The permittee shall provide for 0.064 acre of replacement wetlands. The construction of replacement wetlands shall be started at the commencement of or prior to initiating the encroachment activity authorized by this permit.
- B. Within 30 days of completing construction of the replacement wetlands, the permittee shall submit "as-built" plans of the replacement wetlands to the Department.
- C. Wetland replacement activities shall be completed within 60 days of the initiation of said activities or as per the schedule as outlined within the approved Wetland Replacement Plan.
- D. Permittee shall monitor the wetland replacement site for at least five years. Reports shall be submitted to the Department every six months for the first two years after construction and annually for three years thereafter. The monitoring reports shall contain information describing the success of the site at the time of inspection, an inventory of the surviving plant species and percent areal coverage, photographs of the replacement sites with plans showing the location and orientation of each of the photographs, and a written plan to correct any deficiencies identified during the monitoring phase.
- E. If wetlands constructed on the approved sites have not achieved design objectives within the monitoring period, remedial work will be required to assure establishment of 0.064 acre of functional wetlands. Replacement wetlands shall be considered successful when they meet the design objectives as stated in the approved wetland replacement plan.
- F. The wetland replacement activities and requirements of this permit including, but not limited to, the construction of replacement wetlands, monitoring requirements, reporting duties and ownership of the wetland replacement site shall not be transferred without prior written approval of the Department.
- G. This UNT to Bushkill Creek is classified as a high-quality, cold-water fishery; therefore, construction shall take place during normal low flow.
- H. The channel shall be in smooth transition between existing and proposed sections of the relocation with a minimum side slope ratio of two horizontal: one vertical.
- I. When constructing the channel change, the stream bed shall not exceed original width and all material and debris removed from new stream bed shall be moved entirely out of the flood plain area.
- J. The new stream channel must be constructed in its entirety in the dry prior to diverting stream flow into the new channel.

- K. Since this stream is a wild trout stream, no work shall be done in the stream channel between October 1 and December 31 without the prior written approval of the Pennsylvania Fish and Boat Commission.
- L. Since this stream is a stocked trout stream, no work shall be done in the stream channel between March 1 and June 15 without the prior written approval of the Pennsylvania Fish and Boat Commission.
- M. The permittee shall establish monumented cross sections for the purpose of project monitoring. At least two cross sections shall be established (one pool and one riffle), and other cross sections as necessary to provide a representative sample of the entire project reach.
- N. This permit also authorizes the installation of temporary pumps, pipes, and cofferdams, which upon completion of the project shall be completely removed and the area restored and stabilized.
- O. The permittee shall be responsible for any damages resulting from increased backwater caused by the temporary pumps, pipes, and cofferdams. The permittee shall remove the temporary pumps, pipes, and cofferdams in the event of high water to prevent the increased backwater.

DEPARTMENT OF ENVIRONMENTAL PROTECTION



Pamela R. Kania, P.E.
Environmental Program Manager
Northeast Regional Office

4/15/2025

Issue Date

ACTION – Water Obstruction & Encroachments

Northeast Regional Office, Waterways and Wetlands Program,
2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511

E4802224-006. Easton Wood Ave. Propco, LLC, 8801 River Crossing Boulevard, Indianapolis, IN 46240-2294, City of Easton, Palmer Township, and Wilson Borough, Northampton County, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Easton Commerce Park Project:

- 1) A fill within 0.064 acre of PEM/PFO Wetlands (EV) for the purpose of constructing a 40-ft wide paved road to access a proposed 1,006,880 ft² industrial building.
- 2) A channel change within an 870-ft segment of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of the relocation of the existing stream and the construction of a 1,532-ft long, 8-ft wide, 1.1-ft deep trapezoidal channel having 2.5:1 side slopes, a bed lined with R-3 riprap, and longitudinal slopes ranging from 0.01% to 3%.
- 3) A stream crossing of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of a 75-ft long, 96-inch diameter concrete culvert, concrete wingwalls, and an invert depressed 12-in below streambed elevation.
- 4) A utility line crossing of an enclosed portion of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of a 12-inch diameter water main.
- 5) A utility line crossing of an enclosed portion of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of an 18-inch diameter smooth lined corrugated polyethylene pipe conveying stormwater.
- 6) The remove an existing stream crossing of an UNT to Bushkill Creek (HQ-CWF, MF) and to construct and maintain a replacement stream crossing consisting of a 60-foot long, 6.4-foot wide, 8.1-foot high, open-bottom reinforced con-span arch pipe. This crossing carries an UNT to Bushkill Creek below S.R. 2017 (Hackett Avenue).
- 7) A utility line crossing of an enclosed portion of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of an 18-inch diameter smooth lined corrugated polyethylene pipe conveying stormwater.
- 8) A stormwater outfall within the floodway of an UNT to Bushkill Creek (HQ-CWF) consisting of a 6.5-foot long, 18-inch diameter perforated level spreader.
- 9) A stormwater outfall within the floodway of an UNT to Bushkill Creek (HQ-CWF) consisting of a 118-foot long, 24-inch diameter perforated level spreader.

The project is located approximately 0.3 miles west of the intersection of N. 13th Street and Bushkill Drive (Easton, PA Quadrangle Latitude: 40° 41' 55" Longitude: -75° 14' 5") in City of Easton, Palmer Township, and Wilson Borough, Northampton County.

Date Received: 4/11/2024
Date Acknowledged: 4/15/2025

ACKNOWLEDGMENT OF APPRISAL OF PERMIT CONDITIONS

I,

(Permittee name)

and

(Name address and telephone of individual responsible for supervision of work)

acknowledge and accept the general and special conditions of Permit No. E4802224-003, issued to

**Easton Wood Ave. Propco, LLC
8801 River Crossing Boulevard
Indianapolis, IN 46240-2294**

which authorizes the permittee to:

construct and maintain the following water obstructions and encroachments associated with the Easton Commerce Park Project:

- 1) A fill within 0.064 acre of PEM/PFO Wetlands (EV) for the purpose of constructing a 40-ft wide paved road to access a proposed 1,006,880 ft² industrial building.**
- 2) A channel change within an 870-ft segment of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of the relocation of the existing stream and the construction of a 1,532-ft long, 8-ft wide, 1.1-ft deep trapezoidal channel having 2.5:1 side slopes, a bed lined with R-3 riprap, and longitudinal slopes ranging from 0.01% to 3%.**
- 3) A stream crossing of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of a 75-ft long, 96-inch diameter concrete culvert, concrete wingwalls, and an invert depressed 12-in below streambed elevation.**
- 4) A utility line crossing of an enclosed portion of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of a 12-inch diameter water main.**
- 5) A utility line crossing of an enclosed portion of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of an 18-inch diameter smooth lined corrugated polyethylene pipe conveying stormwater.**
- 6) The remove an existing stream crossing of an UNT to Bushkill Creek (HQ-CWF, MF) and to construct and maintain a replacement stream crossing consisting of a 60-foot long, 6.4-foot wide, 8.1-foot high, open-bottom reinforced con-span arch pipe. This crossing carries an UNT to Bushkill Creek below S.R. 2017 (Hackett Avenue).**

- 7) A utility line crossing of an enclosed portion of an UNT to Bushkill Creek (HQ-CWF, MF) consisting of an 18-inch diameter smooth lined corrugated polyethylene pipe conveying stormwater.
- 8) A stormwater outfall within the floodway of an UNT to Bushkill Creek (HQ-CWF) consisting of a 6.5-foot long, 18-inch diameter perforated level spreader.
- 9) A stormwater outfall within the floodway of an UNT to Bushkill Creek (HQ-CWF) consisting of a 118-foot long, 24-inch diameter perforated level spreader.

The project is located approximately 0.3 miles west of the intersection of N. 13th Street and Bushkill Drive (Easton, PA Quadrangle Latitude: 40° 41' 55" Longitude: -75° 14' 5") in City of Easton, Palmer Township, and Wilson Borough, Northampton County.

(Permittee signature)

(Date)

(Signature of individual responsible
for supervision of work)

(Date)

Return To:

rojevin@pa.gov

Department of Environmental Protection
Northeast Regional Office
Waterways and Wetlands Program
2 Public Square
Wilkes-Barre, PA 18701-1915



April 15, 2025

Via Email: marcp@scannellproperties.com

Easton Wood Ave. Propco, LLC
c/o Marc Pfleging
8801 River Crossing Boulevard, Suite 300
Indianapolis, IN 46240-2294

Re: Individual NPDES Permit Issuance
Easton Commerce Park
NPDES Permit Application No. PAD480218
City of Easton, Wilson Borough, and Palmer Township, Northampton County

Dear Mr. Pfleging:

Under the authority of the federal Clean Water Act and Pennsylvania's Clean Streams Law, the Department of Environmental Protection (DEP) approves your application for a new Individual NPDES Permit for Discharges of Stormwater Associated with Construction Activities ("Individual NPDES Permit"). Your permit is enclosed. The latest versions of the permit application and all supporting documents, including the Erosion and Sediment Control (E&S) Plan and Post-Construction Stormwater Management (PCSM) Plan, are incorporated into this approval, including the following plan drawings:

- The E&S Plan drawings for the Easton Commerce Park Project, originally dated April 1, 2023 and revised on March 11, 2025.
- The PCSM Plan drawings for the Easton Commerce Park Project, originally dated April 1, 2023 and revised on March 11, 2025.

Your Individual NPDES Permit, which has been assigned NPDES Permit No. PAD480218 is effective on **April 15, 2025** and will expire on **April 14, 2030**. If stormwater discharges associated with construction activities are expected to continue beyond the expiration date of the Individual NPDES Permit, you must apply to renew your permit at least 180 days prior to the expiration date, unless otherwise approved by DEP.

Please review the Individual NPDES Permit, including special conditions, and the enclosed attachments carefully and contact this office if you have any questions. Please pay particular attention to the following requirements of the Individual NPDES Permit:

- In accordance with 25 Pa. Code § 102.5(h), operators who are not the permittee shall be co-permittees. An operator is a person who either has oversight responsibility of an earth disturbance activity on a project site who has the ability to make modifications to the E&S

Plan, PCSM Plan or site specifications, or has day to day operational control over an earth disturbance activity on a project site. Please be advised that after an operator (contractor) has been selected for the project, the operator must be made a co-permittee and enter into an agreement with the permittee. Please use the enclosed Co-Permittee Acknowledgement Form for Chapter 102 Permits (3800-FM-BCW0271a) to add a co-permittee.

- A pre-construction meeting is required as specified in 25 Pa. Code § 102.5(e), unless otherwise notified in writing by this office. The purpose of this meeting is to review all aspects of the permit with the permittee, co-permittees, operators, consultants, inspectors and licensed professionals or their designees who will be responsible for the implementation of the critical stages of the approved PCSM Plan. You must provide at least seven days notice of the pre-construction meeting to all invited attendees.
- You must conduct inspections of all best management practices (BMPs) on a weekly basis and after each measurable stormwater event (i.e., precipitation in an amount of 0.25 inch or greater over a 24-hour period) to ensure effective and efficient operation. The Visual Site Inspection Report Form (3800-FM-BCW0271d) is enclosed along with instructions. This form (or an equivalent electronic form providing the same information) must be used to document the required site inspections.
- For any property containing a PCSM BMP, the permittee or co-permittee must 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 (O&M) for PCSM BMPs, and provide notice that the responsibility for long-term O&M of the PCSM BMP is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees. **You must record an instrument with the Recorder of Deeds within 45 days and provide proof of the recording at the time an application to transfer permit coverage is submitted, if applicable, and at the time a Notice of Termination (NOT) is submitted to this office.**
- If there are any changes to the PCSM BMPs or long-term operation and maintenance plan after the initial instrument recording and prior to permit termination, the permittee(s) will need to amend the initial recorded instrument at the Recorder of Deeds office prior to permit termination. Please note, most Recorder of Deeds offices require that the landowner (at the time of actual recording) signs the instrument to be recorded. If the landowner changes and an amended instrument needs to be recorded, the Recorder of Deeds office will likely require the new landowner's signature on the amended instrument. It is recommended that for any sale or transfer of property to a new owner before this permit is terminated that the permittee seek legal counsel on how to structure the sale or transfer to allow the recorded instrument to be amended.
- The Notice of Termination (NOT) form (3800-PM-BCW0229b) is also enclosed and must be completed and filed when construction activities have ceased and final stabilization has been achieved. The NOT must identify the responsible person(s) for the long-term O&M of the PCSM BMPs. Please be advised that the permittee and any co-permittees remain responsible

for all operational maintenance for this project site until the NOT has been filed and acknowledged. **It is important that you fulfill your obligations under the permit and submit a complete NOT to this office upon final stabilization of the site.**

Please note that the permit number associated with your Individual NPDES Permit has been changed to conform to U.S. Environmental Protection Agency (EPA) NPDES permit numbering requirements. All future correspondence will reference this new permit number.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800.654.5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717.787.3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. 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 AT 717.787.3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have questions, please contact Justin Dresch by e-mail at jdresch@pa.gov or by telephone at 570.830.3040 and refer to Permit No. PAD480218.

Sincerely,



Pamela R. Kania, P.E.
Environmental Program Manager
Waterways and Wetlands Program

cc: Northampton County Conservation District (NDiPaolo@norcpa.gov)
Bogia Engineering, Inc. (donald@bogiaeng.com)
City of Easton (sdesalva@easton-pa.gov)
Wilson Borough (mwall@tandmassociates.com)
Palmer Township (jcaiazzo-strouse@palmertwp.com)

Enclosures: Individual NPDES Permit
Stamped Approved E&S Plan Drawings and E&S Module 1
Approved PCSM Plan and PCSM Module 2
Visual Site Inspection Report Form and Instructions
Co-Permittee Acknowledgement Form for Chapter 102 Permits and Instructions
Notice of Termination Form
Riparian Forest Buffer Reporting Form (if applicable)

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

NPDES PERMIT NO: PAD480218

In compliance with the provisions of the Clean Water Act, 33 U.S.C.A. §§ 1251–1387 and the Clean Streams Law, as amended, 35 P.S. §§ 691.1–691.1001,

Easton Wood Ave. Propco, LLC
8801 River Crossing Boulevard, Suite 300
Indianapolis, IN 46240-2294

(permittee) is authorized to discharge from a project site known as **Easton Commerce Park** project, located in **City of Easton, Wilson Borough, Palmer Township, Northampton County** to **UNT to Bushkill Creek (HQ-CWF, MF)** in accordance with the effluent limitations, monitoring and reporting requirements, best management practices (BMPs), stormwater control measures (SCMs) and other conditions set forth in Parts A, B, and C herein.

THIS PERMIT SHALL BECOME EFFECTIVE ON APRIL 15, 2025

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON APRIL 14, 2030

The authority granted by this permit is subject to the following further qualifications:

1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.
2. Failure to comply with the terms, conditions or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (40 CFR 122.41(a))
3. A complete application for renewal of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. (40 CFR 122.41(b), 122.21(d))

In the event that a timely and complete application for renewal has been submitted and DEP is unable, through no fault of the permittee, to reissue the permit before the above expiration date, the terms and conditions of this permit will be automatically continued and will remain fully effective and enforceable against the discharger until DEP takes final action on the pending permit application. (25 Pa. Code §§ 92a.7(b), (c))

ISSUANCE DATE:

APRIL 15, 2025



Pamela R. Kania
Environmental Program Manager
Northeast Regional Office

PART A

EFFLUENT LIMITATIONS, MONITORING AND REPORTING REQUIREMENTS

I. DEFINITIONS

Antidegradation Best Available Combination of Technologies (ABACT) means environmentally sound and cost-effective treatment, land disposal, pollution prevention and stormwater re-use BMPs that individually or collectively manage the difference in the net change in stormwater volume, rate, and quality for storm events up to and including the 2 year/24 hour storm when compared to the stormwater rate, volume, and quality prior to the earth disturbance activities to maintain and protect the existing quality of the receiving surface waters of this Commonwealth. (25 Pa. Code § 102.1)

Accelerated Erosion means the removal of the surface of the land through the combined action of human activities and the natural processes, at a rate greater than would occur because of the natural process alone. (25 Pa. Code § 102.1)

Best Management Practices (BMPs) means activities, facilities, measures, planning, or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim, and restore the quality of waters and the existing and designated uses of waters of this Commonwealth before, during, and after earth disturbance activities. (25 Pa. Code § 102.1)

Clean Fill means uncontaminated, nonwater-soluble, nondecomposable, inert solid material used to level an area or bring an area to grade. The term does not include materials placed in or on the waters of the Commonwealth. Although the placement of clean fill in or on waters of the Commonwealth cannot be managed under this policy, placement of clean fill in or on waters of the Commonwealth may be approved under a separate DEP authorization. The term includes only those materials that are identified as "fill," as the term is defined in this policy. The term does not include fill that has been blended, mixed or treated with the purpose of meeting the definition of "clean fill" and that without being blended, mixed or treated would fail to meet the numeric limits identified in the definition of "uncontaminated material" contained in this policy.

Clean Streams Law means the Act of June 22, 1937, P.L. 1987, No. 394, as amended. (35 P.S. §§ 691.1--691.1001)

Clean Water Act means the Federal Water Pollution Control Act, as amended. (33 U.S.C.A. §§ 1251--1387)

Combined Sewer System means a sewer system that has been designed to serve as both a sanitary sewer and a storm sewer. (25 Pa. Code § 92a.2)

Co-Permittee means a person identified on the Authorization to Discharge page of this permit as responsible for the discharges of stormwater associated with construction activity who is jointly and individually responsible together with the permittee for compliance with all terms and conditions of this permit and applicable laws.

County Conservation District (CCD) means a conservation district, as defined in Section 3(c) of the Conservation District Law (3 P.S. § 851(c)), which has the authority under a delegation agreement executed with DEP to administer and enforce all or a portion of the erosion, sediment, and stormwater management program in this Commonwealth. (25 Pa. Code § 102.1)

Critical Stages means the installation of underground treatment BMPs, structurally engineered BMPs, or other BMPs or components thereof as deemed appropriate by DEP or a CCD and that require the oversight of a licensed professional or designee.

DEP means the Department of Environmental Protection.

Designated uses means those uses specified in 25 Pa. Code §§ 93.4(a) and 93.9a--93.9z for each water body or segment, whether or not they are being attained, to be achieved as part of Pennsylvania's water quality standards. (25 Pa. Code § 93.1)

Designee means a licensed professional as defined in this permit or someone acting on behalf of a licensed professional who has knowledge, skill, experience, training and education in the field of engineering, landscape

architecture, geology, or land surveying that is beyond that possessed by a layperson and upon which a licensed professional can rely upon to provide oversight of critical stages of PCSM Plan implementation. A designee must be independent from the operator co-permittee(s) responsible for the construction or installation of SCMs on a project site.

Dewatering means the act of draining accumulated stormwater and/or groundwater from building foundations, vaults, and trenches, or other similar points of accumulation.

Disturbed area means unstabilized land area where an earth disturbance activity is occurring or has occurred. (25 Pa. Code § 102.1)

Earth Disturbance Activity means a construction or other human activity which disturbs the surface of the land, including land clearing and grubbing, grading, excavations, embankments, land development, agricultural plowing or tilling, operation of animal heavy use areas, timber harvesting activities, road maintenance activities, oil and gas activities, well drilling, mineral extraction, and the moving, depositing, stockpiling, or storing of soil, rock, or earth materials. (25 Pa. Code § 102.1)

Environmental Due Diligence means investigative techniques, including visual property inspections, electronic database searches, review of ownership and use history of property, Sanborn maps, environmental questionnaires, transaction screens, analytical testing, and environmental assessments or audits.

EPA means the United States Environmental Protection Agency.

Erosion means the natural process by which the surface of the land is worn away by water, wind, or chemical action. (25 Pa. Code § 102.1)

Erosion and Sediment Control Plan (E&S Plan) – A site-specific plan consisting of both drawings and a narrative that identifies BMPs to minimize accelerated erosion and sedimentation before, during, and after earth disturbance activities. (25 Pa. Code § 102.1)

Exceptional Value Waters means surface waters of high quality which satisfy 25 Pa. Code § 93.4b(b) (relating to antidegradation). (25 Pa. Code § 93.1)

Existing uses means those uses actually attained in the water body on or after November 28, 1975, whether or not they are included in Pennsylvania's water quality standards. (25 Pa. Code § 93.1)

Impaired Waters means surface waters that fail to attain one or more of its designated uses under 25 Pa. Code Chapter 93 and is listed in Categories 4 and 5 of Pennsylvania's Integrated Report.

Integrated Water Quality Monitoring and Assessment Report (Integrated Report) means DEP's report on the conditions of Pennsylvania's surface waters to satisfy Sections 305(b) and 303(d) of the Clean Water Act when approved by EPA.

Intermittent stream means a body of water flowing in a channel or bed composed primarily of substrates associated with flowing water which, during periods of the year, is below the local water table and obtains its flow from both surface runoff and groundwater discharges. (25 Pa. Code § 102.1)

High Quality Waters means surface waters having quality which exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water by satisfying 25 Pa. Code § 93.4b(a). (25 Pa. Code § 93.1)

Infiltration-based SCM means an SCM that principally functions by allowing stormwater to infiltrate through the bottom and/or sides of the SCM to the subsurface environment.

Licensed Professional means professional engineers, landscape architects, geologists, and land surveyors licensed to practice in the Commonwealth. (25 Pa. Code § 102.1)

Long-Term Operation and Maintenance (O&M) means the routine inspection, maintenance, repair, or replacement of a BMP to ensure proper function for the duration of time that the BMP is needed. (25 Pa. Code § 102.1)

Municipal Separate Storm Sewer System (MS4) means all separate storm sewers that are defined as "large" or "medium" or "small" municipal separate storm sewer systems pursuant to 40 CFR §§ 122.26(b)(4), (b)(7), and (b)(16), respectively, or designated under 40 CFR § 122.26(a)(1)(v). (25 Pa. Code § 92a.32(a) and 40 CFR § 122.26(b)(18))

Municipality means a county, city, borough, town, township, school district, institution, or authority, or another public body created by or pursuant to State Law. For the purposes of this definition, town includes an incorporated town. (25 Pa. Code § 102.1)

Notice of Termination (NOT) – A request, on a form provided by DEP, to terminate coverage under a General NPDES Permit for Discharges of Stormwater Associated with Construction Activities. (25 Pa. Code § 102.1)

Non-discharge alternative – Environmentally sound and cost effective BMPs that individually or collectively eliminate the net change in stormwater volume, rate, and quality for stormwater events up to and including the 2-year/24-hour storm when compared to the stormwater rate, volume, and quality prior to the earth disturbance activities to maintain and protect the existing quality of the receiving surface waters of this Commonwealth. (25 Pa. Code § 102.1)

Non-Stormwater Discharges means discharges that do not originate from storm events, which may include, but are not limited to, discharges of air conditioner condensate, non-contact cooling water, pavement wash water, external building washdown, irrigation water, or uncontaminated ground water or spring water.

Off-Site Construction Support Activities or Off-Site Support Activities means activities providing support for construction and earth disturbance activities covered by this permit, including but not limited to concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas (spoil), borrow areas, stockpiling of topsoil, transfer of topsoil to other locations, and turnaround areas.

Operator or Operator Co-Permittee means a person who has one or more of the following: (i) oversight responsibility of earth disturbance activity on a project site or a portion thereof who has the ability to make modifications to the E&S Plan, PCSM Plan or site specifications, (ii) day-to-day operational control over earth disturbance activity on a project site or a portion thereof to ensure compliance with the E&S Plan or PCSM Plan. (25 Pa. Code § 102.1)

Owner means a person who holds the legal title to the land subject to construction activity. This term also includes the person who held legal title to the land subject to construction activity at the time such activity was commenced on a site.

PCSM SCM means an SCM that is designed and implemented to satisfy the requirements of 25 Pa. Code § 102.8(g).

Perennial stream means a body of water flowing in a channel or bed composed primarily of substrates associated with flowing waters and capable, in the absence of pollution or other manmade stream disturbances, of supporting a benthic macro-invertebrate community which is composed of two or more recognizable taxonomic groups of organisms which are large enough to be seen by the unaided eye and can be retained by a United States Standard No. 30 sieve (28 meshes per inch, 0.595 mm openings) and live at least part of their life cycles within or upon available substrates in a body of water or water transport system. (25 Pa. Code § 102.1)

Permittee means a person who has coverage under this permit.

Permanent Stabilization means long-term protection of soil and water resources from accelerated erosion. (25 Pa. Code § 102.1)

Person – Any operator, individual, public or private corporation, partnership, association, municipality or political subdivision of this Commonwealth, institution, authority, firm, trust, estate, receiver, guardian, personal representative, successor, joint venture, joint stock company, fiduciary; Department, agency or instrumentality of state, federal, or local government, or an agent or employee thereof; or any other legal entity. Whenever used in any clause prescribing and imposing a penalty, or imposing a fine or imprisonment or both, the term "person" may not exclude the members of an association and the directors, officers, or agents of a corporation. (25 Pa. Code § 102.1)

Point Source means any discernable, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, Concentrated Aquatic Animal Production Facility (CAAP), Concentrated Animal Feeding Operation (CAFO), landfill leachate collection system, or vessel, or other floating craft, from which pollutants are or may be discharged. (25 Pa. Code § 92a.2)

Post-Construction Stormwater means stormwater associated with a project site after the earth disturbance activity has been completed and the project site is permanently stabilized.

Post-Construction Stormwater Management Plan (PCSM Plan) means a site-specific plan consisting of both drawings and a narrative that identifies BMPs to manage changes in stormwater runoff volume, rate, and water quality after earth disturbance activities have ended and the project site is permanently stabilized. (25 Pa. Code § 102.1)

Preparedness, Prevention, and Contingency Plan (PPC Plan) means a written plan that identifies an emergency response program, material and waste inventory, spill and leak prevention and response, inspection program, housekeeping program, security and external factors, and that is developed and implemented at the construction site to control potential discharges of pollutants other than sediment into waters of this Commonwealth. (25 Pa. Code § 102.1)

Project Site means the entire area of activity, development, lease, or sale including: (i) the area of the earth disturbance activity; (ii) the area planned for the earth disturbance activity; and (iii) Other areas which are not subject to earth disturbance activity. (25 Pa. Code § 102.1)

Record Drawings means drawings that wholly and accurately depict as-built conditions of a project site following completion of an earth disturbance activity including but not limited to land covers, structures, grades, and SCMs and components thereof.

Regulated Fill means fill, as the term is defined in DEP's Management of Fill Policy (DEP ID No. 258-2182-773), that has been affected by release of a regulated substance and is not "uncontaminated material," as the term is defined in this policy. The term does not include fill that has been blended, mixed or treated with the purpose of meeting the definition of "regulated fill" and that without being blended, mixed or treated would fail to meet the regulated fill concentration limits, as the term is defined in this policy.

Snowmelt means the conversion of snow into overland stormwater and ground water flow as a result of warmer temperatures.

Stabilization means the proper placing, grading, constructing, reinforcing, lining, and covering of soil, rock, or earth to ensure their resistance to erosion, sliding, or other movement. (25 Pa. Code § 102.1)

Stormwater means runoff from precipitation, snowmelt, surface runoff, and drainage. (25 Pa. Code § 102.1)

Stormwater Control Measure (SCM) means any natural feature or manmade structure designed or utilized to reduce or manage the volume, pollutant load, and/or the peak rate of stormwater runoff. SCMs are BMPs that are implemented to treat stormwater from impervious surfaces and/or post-construction stormwater.

Structural PCSM SCM means a PCSM SCM that is a manmade structure used to manage post-construction stormwater, including but not limited to infiltration-based SCMs.

Surface Waters means perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, excluding water at facilities approved for wastewater treatment such as wastewater treatment impoundments, cooling water ponds, and constructed wetlands used as part of a wastewater treatment process. (25 Pa. Code § 102.1)

Total Maximum Daily Load (TMDL) means the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources and natural quality, and a margin of safety expressed in terms of mass per time, toxicity, or other appropriate measures. (25 Pa. Code § 96.1)

Toxic Pollutant (Toxics) means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly

from the environment or indirectly by ingestion through food chains may, on the basis of information available to DEP cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in these organisms or their offspring. (25 Pa. Code § 92a.2)

Wasteload Allocation (WLA) means the portion of a surface water's loading capacity that is allocated to existing and future point source discharges. (25 Pa. Code § 96.1)

Waters of this Commonwealth means rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth. (25 Pa. Code § 102.1)

Wetlands means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. (25 Pa. Code § 105.1)

II. EFFLUENT LIMITATIONS

A. This permit establishes effluent limitations through the implementation of BMPs, including E&S BMPs and PCSM SCMs, to reduce the discharge of pollutants in stormwater discharges associated with construction activities. All stormwater discharges must comply with all applicable requirements established in accordance with 25 Pa. Code Chapters 91-96, 102, and 105 of DEP's rules and regulations. Permittees must implement BMPs exceeding those identified in approved E&S and PCSM Plans to protect and maintain water quality when notified in writing to do so by DEP/CCD.

B. BMPs and SCMs.

1. The permittee must design, install, and maintain E&S BMPs and PCSM SCMs, as identified in the approved E&S and PCSM Plans, respectively, to minimize the discharge of pollutants. At a minimum, such BMPs and SCMs must be designed, installed, and maintained to: (25 Pa. Code § 102.11(c) and 40 CFR § 450.22(c))
 - a. Control stormwater volume and velocity to minimize soil erosion in order to minimize pollutant discharges.
 - b. Control stormwater discharges, including both peak flow rates and total stormwater volume, to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points.
 - c. Minimize the amount of soil exposed during construction activity.
 - d. Minimize the disturbance of slopes exceeding 15%.
 - e. Minimize sediment discharges from the site. The design, installation and maintenance of E&S BMPs must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site.
 - f. Provide and maintain natural buffers around surface waters of the Commonwealth, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce pollutant discharges, unless infeasible.
 - g. Avoid or minimize soil compaction in all areas where SCMs utilizing infiltration to manage stormwater is proposed. If the areas planned for infiltration SCMs are compromised through compaction or other means, the permittee must conduct soil testing to verify that the SCM will perform as designed and implement measures to decompact the soils, as applicable.
 - h. Preserve topsoil unless the intended function of a specific area of the project site dictates that the topsoil be disturbed or removed.

2. Site Stabilization. (25 Pa. Code § 102.22)

a. Temporary Stabilization.

- (i) Upon temporary cessation of an earth disturbance activity or any stage or phase of an activity where a cessation of earth disturbance activities will exceed four (4) days, the site must be immediately seeded, mulched, or otherwise protected from accelerated erosion and sedimentation pending future earth disturbance activities.
- (ii) For an earth disturbance activity or any stage or phase of an activity to be considered temporarily stabilized, the disturbed areas must be covered with one of the following:
 - (1) A minimum uniform coverage of mulch and seed, with a density capable of resisting accelerated erosion and sedimentation.
 - (2) An acceptable BMP which temporarily minimizes accelerated erosion and sedimentation.

b. Permanent Stabilization – Upon final completion of an earth disturbance activity or any stage or phase of an activity, the site must immediately have topsoil restored, replaced, or amended, seeded, mulched or otherwise permanently stabilized and protected from accelerated erosion and sedimentation.

- (i) E&S BMPs must be implemented and maintained until the permanent stabilization is completed. Once permanent stabilization has been established, the temporary E&S BMPs must be removed or converted to PCSM SCMs. Any areas disturbed in the act of removing temporary E&S BMPs must be permanently stabilized upon completion of the temporary E&S BMP removal or conversion activity.
- (ii) For an earth disturbance activity or any stage or phase of an activity to be considered permanently stabilized, the disturbed areas must be covered with one of the following:
 - (1) A minimum uniform 70% perennial vegetative cover, with a density capable of resisting accelerated erosion and sedimentation.
 - (2) An acceptable BMP which permanently minimizes accelerated erosion and sedimentation.

c. The permittee may not utilize seed mixtures containing invasive species or species that may be harmful to native plant communities.

3. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed as follows: (25 Pa. Code § 102.11(c) and 40 CFR § 450.22(e))

- a. The permittee must utilize upland vegetated areas of the project site to infiltrate construction dewatering water prior to discharge, to the extent feasible.
- b. For construction dewatering water that cannot be infiltrated in accordance with paragraph 3.a, above, construction dewatering water must be treated by an approved series of two or more BMPs prior to discharge to surface waters to reduce discharges with visual turbidity, unless the permittee can document that the outflow from a single BMP will achieve a turbidity of 50 Nephelometric Turbidity Units (NTUs) or less and receives written approval from DEP/CCD.
- c. The permittee must notify in writing DEP/CCD at least seven (7) days prior to discharges if the permittee has reason to believe that dewatering water may contain pollutants other than sediment. The permittee must collect sample(s) of the dewatering water and analyze the water for the pollutants specified by DEP/CCD when notified by DEP/CCD in writing. If the dewatering water is found by the permittee or DEP/CCD to contain concentrations of pollutants exceeding numeric water quality criteria under Chapter 93 or may otherwise adversely affect surface waters, DEP/CCD may require the permittee to cease discharging and submit an application for an individual permit.

- d. The permittee must use an oil-water separator or suitable filtration device that is designed to remove oil, grease, or other products if dewatering water is found to contain those materials.
- e. The permittee must collect and dispose of materials and substances collected by filtration devices and backwash from these devices off-site unless otherwise authorized by DEP/CCD.

4. The permittee must design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to: (25 Pa. Code § 102.11(c) and 40 CFR § 450.22(f))

- a. Prevent the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated or otherwise controlled prior to discharge.
- b. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the project site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use).
- c. Prevent the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures. The permittee must prepare and implement a Preparedness, Prevention, and Contingency (PPC) Plan when storing, using, or transporting materials including: fuels, chemicals, solvents, pesticides, fertilizers, lime, petrochemicals, wastewater, wash water, core drilling wastewater, cement, sanitary wastes, solid wastes, or hazardous materials onto, on, or from the project site during earth disturbance activities. The PPC Plan must be available upon request by DEP/CCD. (25 Pa. Code § 102.5(l))

5. The permittee may not discharge the following:

- a. Wastewater from washout of concrete. (25 Pa. Code § 102.11(c))
- b. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials. (25 Pa. Code § 102.11(c))
- c. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance. (25 Pa. Code § 102.11(c))
- e. Soaps or solvents used in vehicle and equipment washing. (25 Pa. Code § 102.11(c))
- f. Floating solids, scum, sheen or substances that result in observed deposits in the receiving water, and foam or substances that produce an observable change in the color, taste, odor or turbidity of the receiving water. (25 Pa. Code § 92a.41(c))
- g. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa. Code § 93.6(a))

6. The permittee shall utilize outlet structures that withdraw water from the surface when discharging from basins and impoundments, unless infeasible. (25 Pa. Code § 102.11(c) and 40 CFR § 450.22(h))

III. MONITORING, REPORTING, AND RECORDKEEPING

- A. When stormwater samples are collected and analyzed or measurements are taken under this permit, the permittee must ensure:
 1. Samples and measurements taken for the purpose of monitoring are representative of the monitored activity. (25 Pa. Code § 92a.3(c) and 40 CFR § 122.41(j)(1))
 2. Records of monitoring information includes: (25 Pa. Code § 92a.3(c) and 40 CFR § 122.41(j)(3))
 - a. The date, exact place, and time of sampling or measurements.
 - b. The individual(s) who performed the sampling or measurements.
 - c. The date(s) analyses were performed.
 - d. The individual(s) who performed the analyses.
 - e. The analytical techniques or methods used.
 - f. The results of such analyses.
 3. Monitoring is conducted according to test procedures approved under 40 CFR Part 136 unless another method is required under 40 CFR Subchapters N or O. (25 Pa. Code § 92a.3(c) and 40 CFR § 122.41(j)(4))
 4. Sampling and analysis of samples meet proper quality assurance and quality control (QA/QC) procedures. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(i) and 40 CFR §§ 122.41(e), 122.41(i)(3), 122.41(i)(4))
- B. Records Retention.
 1. The permittee must retain all records of monitoring activities and results, copies of all plans and reports required by this permit, and records of all data used to complete the application for this permit for at least three (3) years from the date of the Notice of Termination (NOT) approval. The permittee must submit such records to DEP/CCD or EPA upon request. (25 Pa. Code § 92a.3(c) and 40 CFR § 122.41(j)(2))
 2. The permittee must retain a physical or electronic copy of the following documents on-site during earth disturbance activities at all times, and must make this information available for review and inspection by DEP/CCD or EPA during all stages of the earth disturbance activity: this permit, the application submitted for permit coverage, all attachments to the application, and the E&S Plan, PCSM Plan, and PPC Plan, as applicable.
- C. Inspection and Oversight Requirements. (25 Pa. Code § 102.4(b)(5)(x))
 1. Site Inspections – The permittee must conduct visual site inspections throughout the duration of construction and until the NOT has been approved by DEP/CCD (unless otherwise approved in writing by DEP/CCD), at the following frequencies:
 - Routine Inspections must be conducted weekly.
 - Post-Storm Event Inspections must be conducted within 24 hours after the conclusion of each measurable storm event (i.e., precipitation in an amount of 0.25 inch or greater over a 24-hour period) or the occurrence of snowmelt sufficient to cause a discharge.
 - Corrective Action Inspections must be conducted anytime the permittee observes a deficiency in implementation of the E&S or PCSM Plans.
 - a. The permittee must document each site inspection on DEP's Chapter 102 Visual Site Inspection Report (3800-FM-BCW0271d) or alternative document or electronic form that collects and retains identical information. All requested information on the Visual Site Inspection Report must be completed as instructed. The permittee must take color photographs of E&S BMPs and PCSM SCMs on the project site at least monthly, unless otherwise approved in writing by DEP/CCD, and when deficiencies in BMPs and SCMs are identified. The photographs must have a date and time stamp and be made available for DEP/CCD review upon request.
 - b. The permittee must make Visual Site Inspection Reports available upon request during inspections, submit and provide copies of Visual Site Inspection Reports to DEP/CCD upon request, and submit

Visual Site Inspection Reports to DEP/CCD as part of the notification requirements identified in Paragraph III.D.3, below.

- c. Effective December 8, 2025, site inspections must be performed and Visual Site Inspection Reports must be completed by qualified personnel that are trained and experienced in E&S BMP and PCSM SCM construction, function, and maintenance and are familiar with the E&S and PCSM Plans for the project site. A person is qualified when one or more of the following conditions are satisfied:
 - (i) They have completed the Qualified Site Inspector Training Program in DEP's Clean Water Academy initially and every two years thereafter;
 - (ii) They hold active certification as a Certified Professional in Erosion and Sediment Control (CPESC) or as a Certified Erosion, Sediment, and Stormwater Inspector (CESSWI) from a recognized organization; or
 - (iii) They can demonstrate to the satisfaction of DEP/CCD that they have qualifications equivalent to or exceeding those identified in Paragraphs (i) or (ii). If this option is selected, the person must submit documentation of their training and experience to DEP/CCD and receive written approval from DEP/CCD prior to conducting site inspections, unless waived by DEP/CCD.

For site inspectors satisfying Paragraph (i) or (ii), the permittee must provide documentation (e.g., completion certificate) of the inspector's qualifications upon the request of DEP/CCD.

- d. To determine if a storm event of 0.25 inch or greater has occurred on a project site, the permittee must either maintain a rain gauge on-site or obtain storm event information from a weather station that is representative of the project site location.

2. Licensed Professional Oversight of Critical Stages (25 Pa. Code § 102.8(k))

- a. The permittee must ensure that a licensed professional or a designee is present on-site and is responsible for oversight of critical stages of implementation of approved PCSM SCMs, unless the project meets the requirements of 25 Pa. Code § 102.8(n) and does not include PCSM SCMs. The critical stages that must receive licensed professional oversight are identified in the approved PCSM Plan.
- b. The permittee must document the implementation of each structural PCSM SCM using DEP's SCM Construction Certification Form (3800-FM-BCW0271j) and submit the completed form to DEP/CCD within 30 days of the completion of SCM construction, as determined by a licensed professional. The form must be signed by the licensed professional responsible for oversight of critical stages.

D. Reporting and Fee Requirements.

1. Annual Report.

- a. The permittee shall submit a complete Annual Report to the CCD by December 7 each year using DEP's Annual Report template (3800-PM-BCW0405e). The Annual Report must address activities under this permit for the reporting period of October 1 – September 30.
- b. The first annual report is due on December 7, 2026 and shall cover the period from permit issuance to 2026. Following the first annual report, the reporting period shall thereafter be October 1 – September 30, and the report shall be due by December 7.
- c. The permittee must submit the Annual Report to DEP/CCD in electronic format upon receipt of written notification from DEP/CCD.

2. Annual Fee. (25 Pa. Code § 92a.62)

- a. Permittees shall pay an annual fee in accordance with 25 Pa. Code § 92a.62. As of the effective date of this permit, the facility covered by the permit is classified in the **Chapter 102 Individual NPDES Permit** fee category, which has an annual fee of \$500.

- b. Invoices for annual fees will be mailed to permittees approximately three months prior to the due date. In the event that an invoice is not received, the permittee is nonetheless responsible for payment. Permittees may contact DEP's Bureau of Clean Water at 717-787-6744 with questions related to annual fees. The fee identified above is subject to change if DEP publishes changes to 25 Pa. Code § 92a.62.
- c. Payment for annual fees shall be remitted to DEP at the address below or through DEP's electronic payment system (www.depgreenport.state.pa.us/NPDESpay) by the due date specified on the invoice. Checks, if used for payment, should be made payable to the Commonwealth of Pennsylvania.

PA Department of Environmental Protection
Bureau of Clean Water
Re: Chapter 92a Annual Fee
P.O. Box 8466
Harrisburg, PA 17105-8466

- d. This section does not apply to any Federal or State agency or independent State commission that provides funding for program administration by DEP through terms and conditions of a mutual agreement and is exempt from fees in accordance with 25 Pa. Code § 102.6(b)(4).

3. Unanticipated Non-Compliance or Potential Pollution Reporting
 - a. Immediate Reporting – The permittee must immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code §§ 91.33 and 92a.41(b) listed below:
 - (i) If, because of an accident or other activity or incident, a toxic substance or another substance is discharged which would endanger downstream users of the water receiving the discharge or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee must immediately notify DEP by telephone of the location and nature of the danger. Verbal notification to DEP is required as soon as possible, but no later than four (4) hours after the permittee becomes aware of the incident causing or threatening pollution. Emergency response phone numbers for DEP are available on DEP's website (www.dep.pa.gov, select "Report an Incident").
 - (ii) The permittee must immediately notify known downstream users of the waters of the Commonwealth to which the substance was discharged if notice is reasonably possible. Notice must include the location and nature of the danger.
 - (iii) The permittee must immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, must remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.
 - b. The permittee must report any non-compliance to DEP/CCD which may endanger health or the environment in accordance with the requirements of 40 CFR § 122.41(l)(6) (incorporated by 25 Pa. Code § 92a.3(c)). These requirements include the following obligations:
 - (i) 24-Hour Reporting – The permittee must verbally report any non-compliance with this permit to DEP/CCD that may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances.
 - (ii) Written Report – A written submission must also be provided to DEP/CCD within five (5) days of the time the permittee becomes aware of any non-compliance that may endanger health or the environment. The written submission must contain a description of the non-compliance and its cause; the period of non-compliance, including exact dates and times, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the non-compliance. The written submission must include a Visual Site Inspection Report that documents the incident.

(iii) Waiver of Written Report – DEP/CCD may waive the written report on a case-by-case basis if the associated verbal report has been received within 24 hours from the time the permittee becomes aware of the circumstances that may endanger health or the environment. Unless such a waiver is expressly granted in writing by DEP/CCD, the permittee must submit a written report in accordance with this paragraph.

3. Other Non-Compliance

The permittee must identify all instances of non-compliance not reported under paragraph D.3.b of this section on the Visual Site Inspection Report. The reports must contain the information listed in paragraph D.3.b.(ii) of this section. (25 Pa. Code § 92a.3(c) and 40 CFR § 122.41(l)(7))

E. Signatory Requirements.

1. Applications, reports, and other information submitted to DEP/CCD must be signed and certified by either of the following applicable persons, in accordance with 40 CFR § 122.22 (incorporated by 25 Pa. Code § 92a.22):
 - For a corporation – by a president, secretary, treasurer, or vice president in charge of a principal business function of the corporation or a duly authorized representative.
 - For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
 - For a municipality, state, federal, or other public agency – by a principal executive officer or ranking elected official.
2. If signed on behalf of a corporation by a duly authorized representative of the permittee, the authorization must meet the following:
 - The authorization must be made in writing by a person described in Paragraph 1, above, consistent with the corporation's delegation procedures and must be attached to the application or otherwise be submitted to DEP/CCD.
 - The authorization must specify either an individual or a position having responsibility for the operation of the regulated system, facility, or activity consistent with the corporation's delegation procedures, such as the position of manager, operator, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the corporation.
3. Changes in Signatory Authorization – If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the project site, a new authorization satisfying the requirements of Paragraphs 1 and 2, above, must be submitted to DEP/CCD prior to or together with any reports or information to be signed by an authorized representative.

F. Planned Changes to Physical Facilities – The permittee must give notice to DEP/CCD as soon as possible but no later than 30 days prior to planned physical alterations or additions to the permitted project site or activity. An application or other written submission to DEP/CCD providing equivalent information can be used to satisfy the notification requirements of this section.

Notice is required when:

1. The alteration or addition to a permitted facility or activity may meet one of the criteria for determining whether a facility or activity is a new source in 40 CFR § 122.29(b). (25 Pa. Code § 92a.41(a) and 40 CFR § 122.41(l)(1)(i))
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. (25 Pa. Code § 92a.41(a) and 40 CFR § 122.41(l)(1)(ii))

This may include:

- a. The construction of additional impervious surfaces not reported in the application.
- b. Increases in earth disturbance compared to the original planned limit of disturbance.

- c. Modifications to the design standards, BMPs, or SCMs used for the project.
- d. Proposals to eliminate structural or non-structural BMPs or SCMs planned for in the original design or reduce the dimensions and/or capacities of structural BMPs or SCMs that may affect performance of those BMPs or SCMs.
- e. Proposed site alterations that would allow new stormwater flows from off-site to flow onto the site.

3. The planned change may result in non-compliance with permit requirements. (25 Pa. Code § 92a.41(a) and 40 CFR § 122.41(l)(2))

G. Monitoring

DEP/CCD may require additional monitoring where an increased risk of potential water pollution is present, or water pollution is suspected to be occurring from a construction activity subject to this permit, or for any reason in accordance with 25 Pa. Code § 92a.61 (relating to monitoring). The permittee or co-permittee must commence such monitoring upon notification from DEP/CCD. (25 Pa. Code § 92a.61(b))

PART B

STANDARD CONDITIONS

I. MANAGEMENT REQUIREMENTS

A. Compliance

The permittee must comply with all conditions of this permit. Any permit non-compliance constitutes a violation of the Act and Clean Streams Law and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or denial of a permit renewal application. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(a))

B. Permit Modification, Termination, or Revocation and Reissuance

1. DEP may modify, terminate, or revoke and reissue this permit during its term. (25 Pa. Code §§ 92a.3, 92a.41(a), 92a.72 – 92a.75 and 40 CFR § 122.41(f))
2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated non-compliance, does not stay any permit condition. (25 Pa. Code §§ 92a.3, 92a.41(a) and 40 CFR § 122.41(f))
3. In the absence of DEP action to modify or revoke and reissue this permit, the permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time specified in the regulations that establish those standards or prohibitions. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(a)(1))
4. DEP may terminate coverage under this permit for the reasons specified at 40 CFR § 122.64(a). (25 Pa. Code §§ 92a.74(c) and 40 CFR § 122.64(a))

C. Requirement to Submit NOT (25 Pa. Code §§ 102.7, 92a.74(c), 92a.76 and 40 CFR § 122.64(c))

The permittee or a co-permittee must submit a complete NOT form to the DEP/CCD office that approved coverage, utilizing DEP's NOT for Chapter 102 Permits form (3800-PM-BCW0229b), when the project site has been permanently stabilized, all temporary E&S BMPs have been removed, and construction of all approved PCSM SCMs have been completed, in accordance with 25 Pa. Code § 102.7. An operator co-permittee may submit the NOT only when documentation is provided with the NOT that the permittee or co-permittee is unable or unwilling to sign the NOT.

1. The permittee or co-permittee must submit the NOT electronically when required by DEP in writing.
2. The permittee and co-permittee must continue complying with the terms and conditions of this permit until the NOT is approved by DEP/CCD.
3. Until the permittee or co-permittee has received written approval of the NOT from DEP/CCD, the permittee and co-permittee remains responsible for compliance with the terms and conditions of this permit, including the submission of annual reports and long-term operation and maintenance (O&M) of all PCSM SCMs on the project site in accordance with 25 Pa. Code § 102.8(m).
4. The permittee must retain a copy of record drawings required by 25 Pa. Code § 102.8(l) as part of the approved PCSM Plan and must provide a copy of the record drawings to the persons identified as responsible for the long-term O&M of PCSM SCMs.

D. Duty to Provide Information

1. The permittee must provide to DEP/CCD, within a reasonable time, any information which DEP/CCD may request to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage under this permit, or to determine compliance with this permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(h))

2. The permittee must provide to DEP/CCD copies of records required to be kept by this permit upon request. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(h))
3. Other Information – Where the permittee becomes aware that it failed to submit any relevant facts in an application or submitted incorrect information in an application or in any report to DEP/CCD, it must promptly submit the correct and complete facts or information. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(l)(8))

E. Proper Operation and Maintenance (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(e))

1. The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), including BMPs, which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes adequate laboratory controls such as appropriate quality assurance procedures. The permittee must properly operate and maintain backup or auxiliary facilities or similar systems installed by the permittee, as necessary to achieve compliance with the terms and conditions of this permit.
2. Removed Substances – Solids, sediments, and other pollutants removed in the course of treatment or control of stormwater must be disposed of in accordance with federal and state law and regulations, to prevent any pollutant in these materials from adversely affecting public health or the environment.
3. Reduction, Loss, or Failure of BMP or SCM – Upon the reduction, loss, or failure of any E&S BMP or PCSM SCM, the permittee and co-permittee(s) must initiate the repair or replacement of the BMP or SCM as follows:
 - Immediately upon discovery if the reduction, loss, or failure of a BMP or SCM has resulted in or is likely to result in sediment or other pollutants flowing off the project site and/or discharging to surface waters. Completion of the repair or replacement of the BMP or SCM must occur within 24 hours unless otherwise required by DEP/CCD.
 - Within 24 hours of discovery for all other situations where there is a reduction, loss, or failure of a BMP or SCM. Completion of the repair or replacement of the BMP or SCM must occur within seven (7) days unless otherwise required by DEP/CCD.

F. Duty to Mitigate

The permittee must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(d))

II. PENALTIES AND LIABILITY

A. Violations of Permit Conditions

DEP may take an enforcement action to restrain violations, to impose criminal or civil penalties, to withhold a permit, or to seek other remedies or relief as authorized by law against a permittee that violates any condition or limitation of this permit, or any rule, regulation or order issued by DEP pursuant to the Clean Streams Law.

In addition, EPA may take an enforcement action to restrain violations, to impose criminal or civil penalties, or to seek other remedies or relief as authorized by the Clean Water Act against a permittee that violates any condition or limitation of this permit, or any rule, regulation or order issued by EPA pursuant to the Clean Water Act.

B. Falsifying Information

The permittee or any person who engages in the conduct described below may, upon conviction, be punished by a fine and/or imprisonment pursuant to 18 Pa.C.S. § 4904, or 40 CFR §§ 122.41(j)(5) or (k)(2). (25 Pa. Code §§ 92a.3(c), 92a.41(c))

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or

- Knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit (including monitoring reports or reports of compliance or non-compliance).

C. Liability

Nothing in this permit will be construed to relieve the permittee from civil or criminal penalties for non-compliance pursuant to Section 309 of the Clean Water Act or Sections 602, 603 or 605 of the Clean Streams Law.

Nothing in this permit will be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under the Clean Water Act and the Clean Streams Law.

D. Need to Halt or Reduce Activity Not a Defense

The permittee may not maintain as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(c))

III. OTHER RESPONSIBILITIES

A. Right of Entry

The permittee must allow authorized representatives of DEP/CCD and EPA to conduct the following activities upon the presentation of credentials and other documents as may be required by law (35 P.S. §§ 691.5(b) and 305, 25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(i)(2)):

1. To enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit; (40 CFR § 122.41(i)(1))
2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; (40 CFR § 122.41(i)(2))
3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and (40 CFR § 122.41(i)(3))
4. To sample or monitor at reasonable times, for the purposes of ensuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or pollutants at any location. (40 CFR § 122.41(i)(4))

B. Transferring Permit Coverage

1. Transfer Requests by Permittees. (25 Pa. Code § 92a.71 and 40 CFR § 122.61(b))

- a. If the permittee (i.e., the person identified on the permit application as the applicant) decides to transfer permit coverage to another person prior to submission of an NOT to terminate coverage, the permittee must submit an application to DEP/CCD to transfer permit coverage at least 30 days prior to the proposed date of transfer, using DEP's Application for NPDES or WQM Permit Transfer form (3800-PM-BCW0041) (Transfer Application). Permit coverage will be transferred automatically to the proposed permittee on the date specified in the Transfer Application if all of the following conditions are satisfied:

1. The Transfer Application is signed by the existing and proposed permittees and contains a specific date for transfer of permit responsibility, coverage and liability between the permittees.
2. DEP/CCD does not notify the existing permittee and the proposed permittee in writing prior to the transfer date of its intent to modify or revoke and reissue this permit.

3. The proposed permittee is in compliance with existing DEP/CCD issued permits, regulations, orders and schedules of compliance, or has demonstrated that any non-compliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code § 92a.51 (relating to schedules of compliance) and other appropriate DEP regulations.
- b. If the transfer does not occur automatically as specified in Paragraph B.1.a of this section, permit coverage may be transferred by the existing permittee to a proposed permittee only if both parties request a modification of permit coverage, using the Transfer Application, and DEP/CCD approves the modification or revokes and reissues the permit coverage. Permit coverage may be transferred both during the term of this permit and during a period of administrative extension of this permit.
- c. In the event DEP/CCD does not approve transfer of this permit, the proposed permittee must submit a new application.
- d. Transfer of a portion of a project site is not authorized under this permit unless otherwise approved by DEP.
- e. If the transfer of permit coverage will coincide with a transfer of property containing PCSM SCM(s), the Transfer Application must include a New Property Owner Notification Form (3800-FM-BCW0271i) signed by the existing and proposed permittees.

C. Amending Permit Coverage

The permittee must notify DEP/CCD of any planned change to earth disturbance activities, BMPs, SCMs, or any other change that may affect permit coverage, including planned changes identified in Part A III.F of this permit, at least 30 days prior to implementing the change. DEP/CCD will notify the permittee whether the submission of an application to amend permit coverage is required. The permittee may not proceed to implement the proposed change until the permittee receives written approval for the amendment from DEP/CCD, when applicable.

D. Property Rights

The approval of coverage under this permit does not convey any property rights, or any exclusive privilege. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR 122.41(g))

E. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a)(2) and 40 CFR § 122.41(b))

F. Other Laws

The approval of coverage under this permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local laws or regulations.

PART C

OTHER CONDITIONS

I. GENERAL

- A. The permittee is authorized to discharge stormwater associated with construction activities from its project site, alone or in combination with authorized non-stormwater discharges, at discharge points identified in the application submitted for coverage under this permit.
- B. Authorized Non-Stormwater Discharges – The following non-stormwater discharges associated with construction activities are authorized under this permit provided that, with the exception of water used to control dust and to irrigate vegetation in stabilized areas, these discharges are not routed to areas of exposed soil on the project site and that the permittee complies with any applicable requirements for these discharges under the permit:
 - Discharges from emergency firefighting activities;
 - Potable water – including water line flushings, fire suppression system flushings, and fire hydrant flushings – that does not contain measurable concentrations of Total Residual Chlorine (TRC), and where appropriate control measures are implemented to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors (if treatment through an oil/water separator is provided) and from the outside storage of refrigerated gases or liquids;
 - Irrigation and dust control drainage;
 - Landscape water if such water does not contain pesticides, herbicides or fertilizers;
 - Pavement wash waters, other than wash waters used on newly sealed pavement (sealant applied within the prior week), where: no detergents or hazardous cleaning products are used; the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities, or any other toxic or hazardous materials; and appropriate control measures are implemented to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - Routine external building washdown or power wash water that does not contain detergents or hazardous cleaning products (e.g., those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols) and where appropriate control measures are implemented to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - Uncontaminated ground water or spring water;
 - Foundation or footing drains where flows are not contaminated with process materials; and
 - Construction dewatering water that complies with the construction dewatering discharge requirements of Part A II.B.3 of this permit.
- C. The permittee must handle, recycle and/or dispose of building materials and wastes, collected screenings, slurries, sludges, and other solids generated in the course of treatment or control of stormwater runoff in compliance with state and federal law, including the Solid Waste Management Act (35 P.S. §§ 6018.101, et seq.), 25 Pa. Code Chapters 271-285 (relating to municipal waste), 287-299 (relating to residual waste), Chapters 261a, 262a, 263a, and 270a (related to identification of hazardous waste, requirements for generators and transporters, hazardous waste requirements for generators and transporters, and hazardous waste permit programs), the Clean Streams Law, the federal Clean Water Act, and 40 CFR Part 257 (related to criteria for classification of solid waste disposal facilities and practices) and in a manner that prevents any pollutant from such materials from adversely affecting the environment.

The permittee is responsible to obtain or ensure that contracted agents have all necessary permits and approvals for the handling, storage, transport, and disposal of solid waste materials generated as a result of construction activities, stormwater management, and treatment.

- D. No new discharge may be commenced under this permit until the applicant demonstrates compliance with and/or completes all of the following:
 1. A complete application package (3800-PM-BCW0408b and required attachments) has been submitted, as determined by DEP/CCD, in accordance with the requirements of this permit and the application instructions.

2. The applicant has received a permit, signed by the appropriate DEP manager.
3. The applicant has obtained all other state and local permits and approvals arising out of the earth disturbance activities reported in the application, including but not limited to sewage planning approval required by the Pennsylvania Sewage Facilities Act, 35 P.S. §§ 750.1 et seq. (Act 537), if applicable.
4. The permittee has recorded a legal instrument disclosing planned post-construction stormwater management (PCSM) stormwater control measure(s) (SCM(s)) on applicable properties with the Recorder of Deeds and has received written authorization from DEP/CCD to schedule a pre-construction meeting, except as specified in Part C II.B of this permit.
5. A pre-construction meeting has been held unless waived by DEP/CCD, in writing.

II. INITIAL RECORDING

If the approved PCSM Plan includes PCSM SCMs that will be located on non-Commonwealth and non-federal property, the permittee must record a legal instrument with the Recorder of Deeds for each property that will contain SCMs that identifies the planned SCMs, provides access for long-term O&M of the SCMs, and provides notice that the responsibility for long-term O&M of the SCMs is a covenant that runs with the land.

- A. The permittee must provide a copy of the recorded instrument, all attachments or exhibits to the instrument, and proof of recording to DEP/CCD prior to the pre-construction meeting, unless the project is conducted for the benefit of a public utility, as defined in the Public Utility Code (66 Pa.C.S.A. § 102), or otherwise approved by DEP/CCD in writing. The permittee may not schedule the pre-construction meeting or commence the earth disturbance activity until DEP/CCD receives this documentation and determines it is complete. Upon written authorization from DEP/CCD, the permittee may schedule the pre-construction meeting.
- B. For public utility projects and other projects for which written approval is obtained from DEP/CCD to provide the recorded documentation following the pre-construction meeting, the permittee must provide a copy of the recorded instrument, all attachments or exhibits to the instrument, and proof of recording to DEP/CCD within 45 days of permit issuance.
- C. The permittee must record the following documentation under this section:
 1. An instrument that is consistent with DEP's Sample Instrument for the Declaration of Restrictions and Covenants, available on DEP's website (www.dep.pa.gov/constructionstormwater, select E&S Resources).
 2. Approved PCSM Plan Drawing(s) identifying the SCMs or other documentation that identifies the location of the SCMs on the relevant properties; the planned size (length, width, depth) of the SCMs; depictions of the inlet and outlet structures of the SCMs, as applicable; construction materials and media, as applicable; and the planned vegetation for the SCMs, as applicable.
 3. Long-Term O&M Plans for the SCMs, if separate from the documentation in Paragraph II.C.2, above.

III. PRE-CONSTRUCTION MEETING

Upon notification from DEP/CCD that the recorded instrument is complete, if applicable, the permittee must schedule and hold a pre-construction meeting unless the permittee has been notified otherwise in writing by DEP/CCD. The permittee must invite the agency approving coverage under this permit to attend the pre-construction meeting and provide at least seven (7) days' notice of the pre-construction meeting to all invited attendees. The permittee must also invite to the pre-construction meeting co-permittees, operators, municipal representative(s), licensed professionals or designees, and all others responsible for implementing or monitoring the earth disturbance activity and implementation of E&S, PCSM and PPC Plans and critical stages of implementation of the approved PCSM Plan.

IV. NOTIFICATION OF PERIMETER CONTROL BMPs

Upon the installation of all perimeter sediment control BMPs and at least three (3) days prior to proceeding with the bulk earth disturbance activities, the permittee or co-permittee shall provide notification to DEP or CCD by phone or electronic mail.

V. E&S PLANS

- A. The permittee must implement an approved E&S Plan that meets the requirements of 25 Pa. Code § 102.4(b) and contains E&S BMPs that will be designed, implemented and maintained to minimize the potential for accelerated erosion and sedimentation and achieve the effluent limitations set forth in Part A of this permit.
- B. The E&S Plan, including construction sequencing and O&M of BMPs, must be implemented at all times.
- C. The permittee must make the approved E&S Plan available for review and inspection by DEP/CCD and EPA during all stages of earth disturbance activities.

VI. PCSM PLANS

- A. The permittee must implement an approved PCSM Plan that meets the requirements of 25 Pa. Code § 102.8 and contains PCSM SCMs that will be designed, implemented and maintained to achieve the effluent limitations set forth in Part A of this permit.
- B. The PCSM Plan, including construction sequencing and O&M of SCMs, must be implemented at all times.
- C. The permittee must make the approved PCSM Plan available for review and inspection by DEP/CCD and EPA during all stages of earth disturbance activities.

VII. LONG-TERM OPERATION AND MAINTENANCE OF PCSM SCMs

- A. The permittee or co-permittee is responsible for long-term O&M of PCSM SCMs unless a different person is identified in the NOT and that person has agreed to long-term O&M of PCSM SCMs. A permittee or co-permittee that fails to transfer long-term O&M of the PCSM SCMs or otherwise fails to comply with this requirement remains jointly and severally responsible with the landowner for long-term O&M of the PCSM SCMs located on the property. (25 Pa. Code §§ 102.8(m)(1), 102.8(m)(5))
- B. The permittee or co-permittee must record a final instrument with the Recorder of Deeds for each non-Commonwealth and non-federal property containing PCSM SCMs when changes are made following the initial recording. The instrument must identify the implemented SCMs, provide access for long-term O&M of the PCSM SCMs, and provide notice that the responsibility for long-term O&M for the SCMs is a covenant that runs with the land. The final recording must amend the original recording as referenced in Part C II of this permit, as applicable. The permittee or co-permittee must provide a copy of the final instrument, all attachments or exhibits to the instrument, and proof of recording to DEP/CCD with the NOT. The permittee or co-permittee must record the following documentation under this section at a minimum, when applicable:
 1. An instrument that is consistent with DEP's Sample Instrument for the Declaration of Restrictions and Covenants, available on DEP's website (www.dep.pa.gov/constructionstormwater, select E&S Resources).
 2. Documentation that identifies the location of the SCMs on the relevant properties; the planned size (length, width, depth) of the SCMs; depictions of the inlet and outlet structures of the SCMs, as applicable; construction materials and media, as applicable; and the vegetation for the SCMs, as applicable; or otherwise record drawings as identified at 25 Pa. Code § 102.8(l).
 3. Long-Term O&M Plans for the SCMs, if separate from the documentation in Paragraph VII.B.2, above.

- C. If a parcel, lot, road, or other real property containing or planned to contain a PCSM SCM is sold during the term of permit coverage, the permittee must provide the new property owner with 1) record drawings or other plans identifying the SCM; 2) a long-term O&M Plan for the SCM; and 3) a completed New Property Owner Notification form (3800-FM-BCW00271i). The permittee must submit copies of completed New Property Owner Notification forms to DEP/CCD and to the municipality where the SCM is located within 30 days of the date of transfer of the property.
 - 1. If a permittee submits to DEP/CCD a New Property Owner Notification form containing the signature of the first owner of a lot containing PCSM SCMs that is acquired from the permittee, the permittee is not obligated to obtain the signatures of any future lot owner unless the permittee failed to record a legal instrument disclosing the PCSM SCMs on the lot.
 - 2. If the new property owner or subsequent property owners enter into an agreement for a separate party to be responsible for long-term O&M and do not disclose this to the permittee, it is not the permittee's responsibility to disclose this to DEP/CCD.
 - 3. If there are increases in impervious area on a lot following its sale, in which a New Property Owner Notification form was submitted, the permittee is not responsible for identifying the increase in impervious area if SCMs were designed to manage the maximum allowable impervious under an ordinance or the planned impervious with a factor of safety of at least 10%.
- D. For Commonwealth-owned or federally-owned property, a covenant that runs with the land is not required until the transfer of the land containing a PCSM SCM to a non-Commonwealth or non-federal entity occurs. Upon transfer of the Commonwealth-owned or federally-owned property containing the PCSM SCM, the deed must comply with 25 Pa. Code § 102.8(m). (25 Pa. Code § 102.8(m)(3))
- E. The person responsible for performing long-term O&M may enter into a written agreement with another person, including a CCD, nonprofit organization, municipality, authority, private corporation, or other person, to transfer the responsibility for PCSM SCMs or to perform long-term O&M and provide notice thereof to DEP/CCD. (25 Pa. Code § 102.8(m)(4))
- F. The recorded instrument must provide for access to the PCSM SCMs in addition to information on inspection, repair, replacement, and routine maintenance to ensure proper function and operation of the PCSM SCMs.
- G. For PCSM SCMs that discharge to an MS4, the permittee must specify in the long-term O&M plan that copies of all inspection reports must be submitted by the person responsible for long-term O&M to the municipality or other entity that owns or operates the MS4.

VIII. PREPAREDNESS, PREVENTION, AND CONTINGENCY PLANS

If toxic, hazardous, or other polluting materials will be on site, the permittee or co-permittee(s) must develop a PPC Plan for use while those materials are on-site in accordance with 25 Pa. Code §§ 91.34 (relating to activities utilizing pollutants) and 102.5(l). The PPC Plan must identify areas which may include waste management areas, raw material storage areas, fuel storage areas, temporary and permanent spoils storage areas, maintenance areas, and any other areas that may have the potential to cause non-compliance with the terms and conditions of this permit due to the storage, handling, or disposal of any toxic or hazardous substances such as oil, gasoline, pesticides, herbicides, solvents, or concrete wash waters. BMPs must be developed and implemented for each identified area. Names and contact information within the PPC Plan must be kept up to date. The PPC Plan must be made available for review at the request of DEP/CCD.

IX. IMPORTED FILL AND SITE CONTAMINATION

- A. Imported Fill.
 - 1. With the exception of sites enrolled in DEP's Land Recycling and Remediation Standards Act (Act 2) Program and sites with DEP Waste Management General Permit (WMGR096) approval to use regulated fill, all fill material imported to the site must meet the definition of clean fill, as defined in DEP's Management of Fill Policy. Regulated fill used on Act 2 sites must comply with the standards established by the Act 2 Program. Regulated fill used outside of Act 2 sites must comply with DEP Waste Management General Permit WMGR096.

2. For areas not enrolled in the Act 2 Program, the permittee must comply with DEP's Management of Fill Policy (Document No. 258-2182-773) if fill is imported to the site, and comply with the following when using fill at the site to level an area or bring it to grade:
 - a. The permittee must conduct environmental due diligence to determine whether the fill has been affected by a release of a regulated substance. If due diligence was conducted prior to submitting the permit application and circumstances have not changed between the due diligence and the use of the fill, due diligence does not need to be repeated.
 - b. If due diligence results in evidence of a release, as defined in DEP's Management of Fill Policy, the permittee must test the material to determine whether it qualifies as clean fill, and if so, DEP's electronic Form FP-001 (Certification of Clean Fill) must be completed, retained by the permittee and be made available to DEP/CCD upon request. If the fill does not qualify as clean fill, but meets the regulated fill standards, it may be used in accordance with an approval for coverage under DEP Waste Management General Permit WMGR096.

B. On-Site Soil Contamination.

1. For sites enrolled in the Act 2 Program, if the results of soil sampling in the area of earth disturbance activities demonstrate newly discovered soil contamination with concentrations of regulated substances exceeding the residential or non-residential medium-specific concentrations (MSCs), whichever is applicable, the permittee or operator co-permittee must notify DEP/CCD by phone within 24 hours of receiving the sampling results. Earth disturbance activities in areas of newly discovered contamination need not cease after notification to DEP/CCD unless so directed by DEP/CCD.
2. For areas not enrolled in the Act 2 Program, if the permittee or operator co-permittee discovers during earth disturbance activities wastes or other materials or substances that have or have likely caused soil contamination with concentrations of regulated substances exceeding the residential or non-residential MSCs, whichever is applicable, the permittee must notify DEP/CCD by phone within 24 hours. Earth disturbance activities in areas of newly discovered contamination need not cease after notification to DEP/CCD unless so directed by DEP/CCD.

C. On-Site Groundwater Contamination.

If the results of sampling performed on groundwater encountered during earth disturbance activities demonstrate that the groundwater is contaminated by one or more pollutants at concentrations exceeding water quality criteria contained in 25 Pa. Code Chapter 93, that were not previously disclosed to DEP/CCD, the permittee or operator co-permittee must notify DEP/CCD by phone within 24 hours of receiving the sampling results. Contaminated groundwater may not be pumped or otherwise diverted to surface waters unless specifically authorized by the DEP Clean Water Program.

X. INFILTRATION SCMs

- A. The permittee must protect the infiltration surface for any area on a project site that will be used for infiltration-based SCMs. The surface must be protected from compaction, fines, and sediment unless it is used as an E&S BMP.
- B. Effective December 8, 2025, the permittee must complete confirmation testing for infiltration capacity to verify that infiltration SCMs will perform as designed anytime 1) the area of an infiltration SCM has not been protected, as determined by a licensed professional or DEP/CCD, and 2) an E&S BMP will be converted to a PCSM SCM and used for infiltration. Confirmation testing is a critical stage of SCM construction that must be overseen by a licensed professional or designee.
- C. Confirmation testing for infiltration capacity may be performed by 1) a simulated runoff test using a ponding depth of no less than six (6) inches within the SCM; 2) inspection during and after a storm event that produces a ponding depth of no less than six (6) inches within the SCM; or 3) infiltration testing using acceptable methods from the Pennsylvania Stormwater BMP Manual (363-0300-002), as amended and updated. The testing or inspection must be performed after major earthwork is complete, after permanent stabilization of the

SCM's drainage area, and, where an E&S BMP is being converted to a PCSM SCM, prior to placing soil media or stone in an SCM.

- D. The permittee may not proceed to complete construction of the SCM until a licensed professional evaluates the confirmation testing and notifies the permittee that the infiltration SCM meets the purpose and intent of the approved PCSM Plan, without overflowing at the storm event the SCM is designed to manage, and will protect waters of the Commonwealth.
- E. If the licensed professional determines that the SCM will not function as designed, the permittee shall implement corrective measures under the direction of the licensed professional and retest. If the licensed professional recommends changes to the dimensions, location, or type of SCM, the permittee must notify DEP/CCD prior to implementing the changes to determine the possible need for an amendment to the approved PCSM Plan and permit coverage. If an amendment is required, the permittee may not proceed with implementing the changes until written approval is obtained.
- F. Where confirmation testing for infiltration capacity is completed, the permittee must report the results of the testing on the SCM Construction Certification form that is required by Part A III.C.2.b of this permit.

XI. IMPLEMENTATION OF PERMIT REQUIREMENTS

- A. Prior to commencement of construction activities or commencement of work on the project site, the permittee and co-permittee(s) must ensure that the following personnel understand the requirements of, and their specific responsibilities under, this permit:
 - Personnel responsible for the installation, maintenance, and/or repair of E&S BMPs and PCSM SCMs and implementation of the PPC Plan.
 - Personnel responsible for the application and storage of treatment chemicals (if applicable).
 - Personnel responsible for conducting inspections.
 - Personnel responsible for taking corrective actions.
- B. The permittee and co-permittees are responsible for ensuring that all activities on the project site comply with the requirements of this permit.
- C. All personnel must have access at all times during earth disturbance activities to an electronic or paper copy of this permit, the approved copies of the E&S, PCSM and PPC Plans, and other relevant documents or information that must be kept with these plans.

XII. OTHER REQUIREMENTS

- A. Cessation of Earth Disturbance Activities.

The permittee must cease earth disturbance activities resulting in stormwater discharges during construction upon written notification from DEP/CCD in the form of an order or inspection report, and may not resume such activities until authorized to do so by DEP/CCD. DEP/CCD may require cessation of earth disturbance activities where required plans are not in place, where plans are significantly deficient and could result in environmental harm, where potential or actual harm is identified during on-site inspections, or for other reasons pursuant to applicable law.

- B. Compliance and Enforcement.

1. A person aggrieved by an action of a CCD must request an informal hearing with DEP within 30 days following the notice of the action. DEP will schedule the informal hearing and make a final determination within 30 days of the request. Any final determination by DEP under the informal hearing may be appealed to the Environmental Hearing Board (EHB) in accordance with established administrative and judicial procedures. ([25 Pa. Code § 102.32\(c\)](#))

2. For enforcement action taken under this permit, DEP/CCD may collect or recover, from the responsible party, costs and expenses involved in taking enforcement action and initiating cost recovery actions. DEP/CCD may collect the amount in the same manner as civil penalties are collected under Section 605 of The Clean Streams Law (35 P.S. § 691.605). (25 Pa. Code § 102.32(d))

C. Non-Stormwater Discharges.

Except as set forth in Part C I.B of this permit, non-stormwater discharges are not authorized under this permit. The permittee must cease any non-stormwater discharge upon receipt of written notification from DEP/CCD that the discharge is not authorized under this permit.

D. Off-Site Support Activities.

The permittee may utilize only those off-site support activities meeting the following criteria:

1. The off-site support activities have been identified in the application and are eligible for coverage under this permit.
2. If the off-site support activities have not been identified in the application for permit coverage, the permittee has notified DEP/CCD of the identification of the off-site support activities, prior to their use, and DEP/CCD has approved an amendment of the permittee's coverage under this permit.
3. A written E&S Plan that includes all off-site support activities has been developed, submitted for review, and approved by DEP/CCD.

E. Off-Site Discharges.

The permittee must ensure that E&S BMPs and PCSM SCMs are installed and maintained for all off-site discharges to areas other than surface waters, as applicable, including but not limited to swales, ditches, and the ground surface.

F. Archaeological Specimens.

The permittee and its agents must visually inspect for archaeological specimens, as the term is defined in the Pennsylvania State History Code (37 Pa. C.S.A., §§ 101 *et seq.*), during earth disturbance activities, and must immediately cease earth disturbance activities upon discovery of archaeological specimens. Upon discovery the permittee must immediately notify DEP/CCD and the Pennsylvania Historical and Museum Commission (PHMC) (Phone: (717) 783-8947).

G. Threatened and Endangered Species Protection.

1. If applicable, the permittee and co-permittee(s) must comply with the provisions of any Habitat Conservation Plan approved by the jurisdictional resource agencies to protect state or federal threatened and endangered species.
2. If any potential impact to federal or state threatened or endangered species is identified on the Pennsylvania Natural Diversity Inventory (PNDI) receipt, the permittee must implement any avoidance/mitigation measures indicated on the PNDI receipt and/or other measures determined necessary by the resource agencies in a clearance letter, determination or other correspondence to resolve potential species impacts and ensure compliance with applicable federal and State laws pertaining to the protection of state or federal threatened and endangered species.
3. When conducting earth disturbance activities, the permittee and co-permittees have a continuing obligation to ensure compliance with applicable state and federal laws pertaining to the protection of state or federal threatened and endangered species.



Lehigh Valley Planning Commission

DR. CHRISTOPHER R. AMATO
Chair

CHRISTINA V. MORGAN
Vice Chair

ARMANDO MORITZ-CHAPELLIQUEN
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

February 26, 2025

Mr. Robert Williams, Manager
Palmer Township
3 Weller Place
Palmer, Pennsylvania 18045-1975

Mr. Dwayne Tillman, Director of Planning and Codes
City of Easton
123 South Third Street
Easton, Pennsylvania 18042

Mr. Leonard Feinberg, Chair
Wilson Borough Planning Commission
2040 Hay Terrace
Easton, PA 18042

**Re: Easton Commerce Park
Plans Revised October 28, 2024 and January 28, 2025
Palmer Township, Wilson Borough, City of Easton
Northampton County**

Dear Mr. Williams, Tillman and Feinberg:

The proposed storm drainage concept presented in the plans revised October 28, 2024 and January 28, 2025 and storm drainage calculations revised January 2025 have been reviewed for consistency with the *Bushkill Creek Watershed Act 167 Storm Water Management Ordinance*, May 1992. A checklist of the Act 167 review items is attached for your information. As indicated on the checklist, each item of the Drainage Plan has been reviewed for consistency with the Act 167 Ordinance. A brief narrative of the review findings is as follows:

The proposed development is located within drainage districts 129 and 130 of the Bushkill Creek Watershed as delineated in the Act 167 Plan. As such, the runoff control criterion for the site is Provisional No Detention for the 2-, 10-, 25- and 100- year return period storms. If downstream capacity exists or is provided from the site to the main channel, increased runoff may be discharged without detention. If downstream capacity does not exist, a 100% Release Rate may be applied to the 2-, 10-, 25- and 100-year return period storms at each point of discharge. Based on review of the plans and calculations, the Drainage Plan has been found to be consistent with the Act 167 requirements.

Note that only those details of the Drainage Plan included on the checklist have been covered by this review. Therefore, notable portions of the Drainage Plan not reviewed include any aspect of the post-construction storm water management plan concerning water quality, the details and design of any proposed water

Mr. Robert Williams, Mr. Dwayne Tillman and Mr. Leonard Feinberg
Palmer Township, Wilson Borough and City of Easton
February 26, 2025
Page 2

quality BMPs, the Erosion and Sedimentation Control Plan and the details of the runoff collection system (piping). These items are reviewed by the municipal engineer and/or others, as applicable.

Please call with any questions regarding these comments.

Sincerely yours,



Geoffrey A. Reese, PE
Master Planner and Engineer



Denjam Khadka
Senior Civil/Environmental Engineer

Attachment

cc: Kent Baird, Planning Director
Craig Beavers, Assistant Planning Director
Chris Briglia, PE, Carroll Engineering
Ronald Madison, PE, Colliers Engineering & Design
Steve DeSalva, City of Easton
Donald Haas, RLA, ASLA, CBLP, Bogia Engineering, Inc.
Northampton County Conservation District

LVPC ACT 167 REVIEW CHECKLIST

Development Name: Easton Commerce Park
 Municipality: Wilson Borough, Palmer Township, City of Easton
 Date: February 26, 2025

Watershed: Bushkill Creek
 Reviewers: Denjam Khadka & Geoffrey A. Reese, PE
 Checked by: _____

Ordinance Reference	Item	Consistency w/Ordinance	Yes	No	N/A	Comment
	301.A-G. General storm water management requirements	X / /				
	H. Consideration of volume controls	/ / X				Preferred, not required.
	302.A,B. Applicable Storm Water Management Provisions					
	Subarea(s)	129, 130				
	Criteria	PND				
	Criteria Key: RR = release rate; PND = provisional no detention					
	303.A. Design consistency with applicable provisions from 302.A. and B.....	X / /				
	B. Mapping of Storm Water Management District Boundaries	X / /				
	C. Downstream capacity analysis	/ / X				
	D. Multiple discharge points within a single subarea.....	/ / X				
	E,F. Multiple discharge points within multiple subareas	X / /				
	G. Documentation of "no harm" downstream	/ / X				
	H. Regional or subregional detention analysis.....	/ / X				
	I. Capacity improvements analysis.....	/ / X				
	304.A. Computation method (rational or soil-cover-complex)	X / /				Soil-cover-complex method used.
	B. Verification of detention design by routing.....	X / /				
	Check rational method detention volume vs. TR55	/ / X				
	C. Minimum detention pond freeboard specifications.....	X / /				
	D. Soil-cover-complex method design rainfall	X / /				
	E. Rainfall intensities for rational method.....	/ / X				
	F. Curve Numbers for soil-cover-complex method.....	X / /				
	G. Runoff coefficients for the rational method	/ / X				
	H. Manning equation to calculate watercourse capacity	X / /				
403.	Drainage Plan Contents	X / /				

PROJECT TITLE: EASTON COMMERCE PARK

N



1. ALL DEATHS DUE TO COVID-19 MUST BE REPORTED TO THE STATE AND FEDERAL REGULATORS.
2. IT IS RECOMMENDED, FOR THE CLARIFICATION TO FOLLOW AND STAY WITH THE PRESCRIBED ENVIRONMENTAL PERMITTING AND PLANNING PROCESS WHERE THE ACTIVITIES ARE LOCATED. REQUIREMENTS THAT HAVE BEEN APPROVED NEED TO BE FOLLOWED.
3. OPERATE PERMITTED MATERIALS TO BE IN OPERATED IN THE MANNER AS PERMITTED TO HANDLE MATERIALS.
4. ALL HAZARDOUS MATERIALS SHOULD BE TREATED AS HAZARDOUS AND NOT TO BE HANDLED BY HAND OR TO ACCIDENTS AND NOT TO BE LEFT AT ANYTIME UNHELD.

BEI

UGIA ENGINEERING INC.
1340 PENN AVE. WYOMING, PA 18610
PHONE 610-578-1900 - FAX 610-578-3617
WWW.BOGAENG.COM
TENN. & UTAH
EASTON COMMERCIAL PARK
EXCITING CONDITION INC. DI AND

EXISTING CONDITIONS: PLAN B

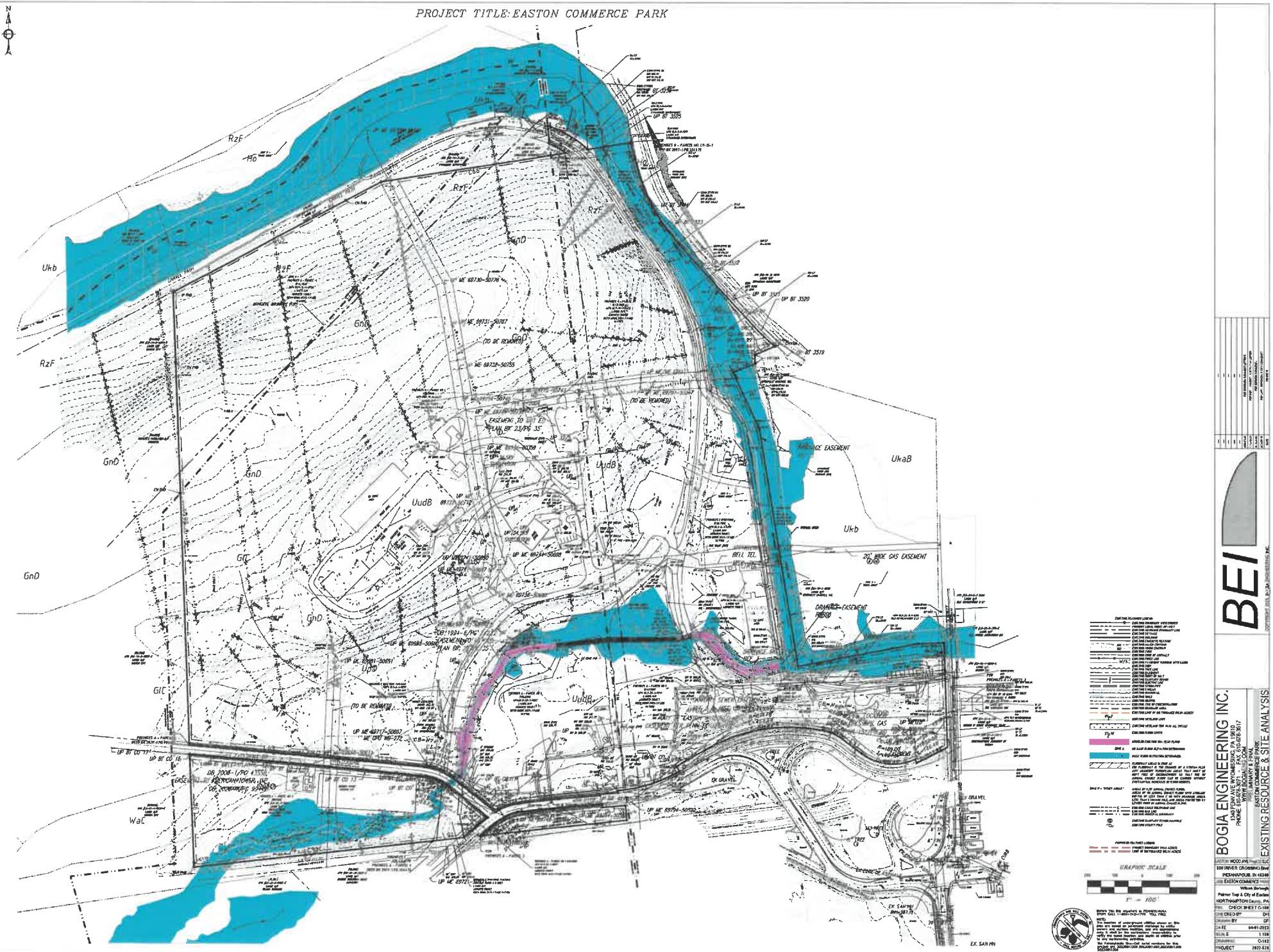
ZONE 4 - "WET AREA"
ABOVE 4.5% ANNUAL CHANCE PLANNING
AREAS OF 1000' OR MORE
DEPTH OF LESS THAN 1' WITH AN
EFFECTIVE PERMEABILITY OF
LOWEST FIVE OR ANNUAL CHANCE AREA
EACH ONE CHANCE PERIOD
CREATE GUL LINE
CREATE HISTORICAL ANALYSIS
CREATE SANITARY JEWEL APPROX
CREATE TURBULENCE



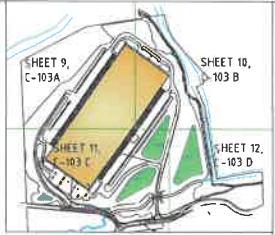
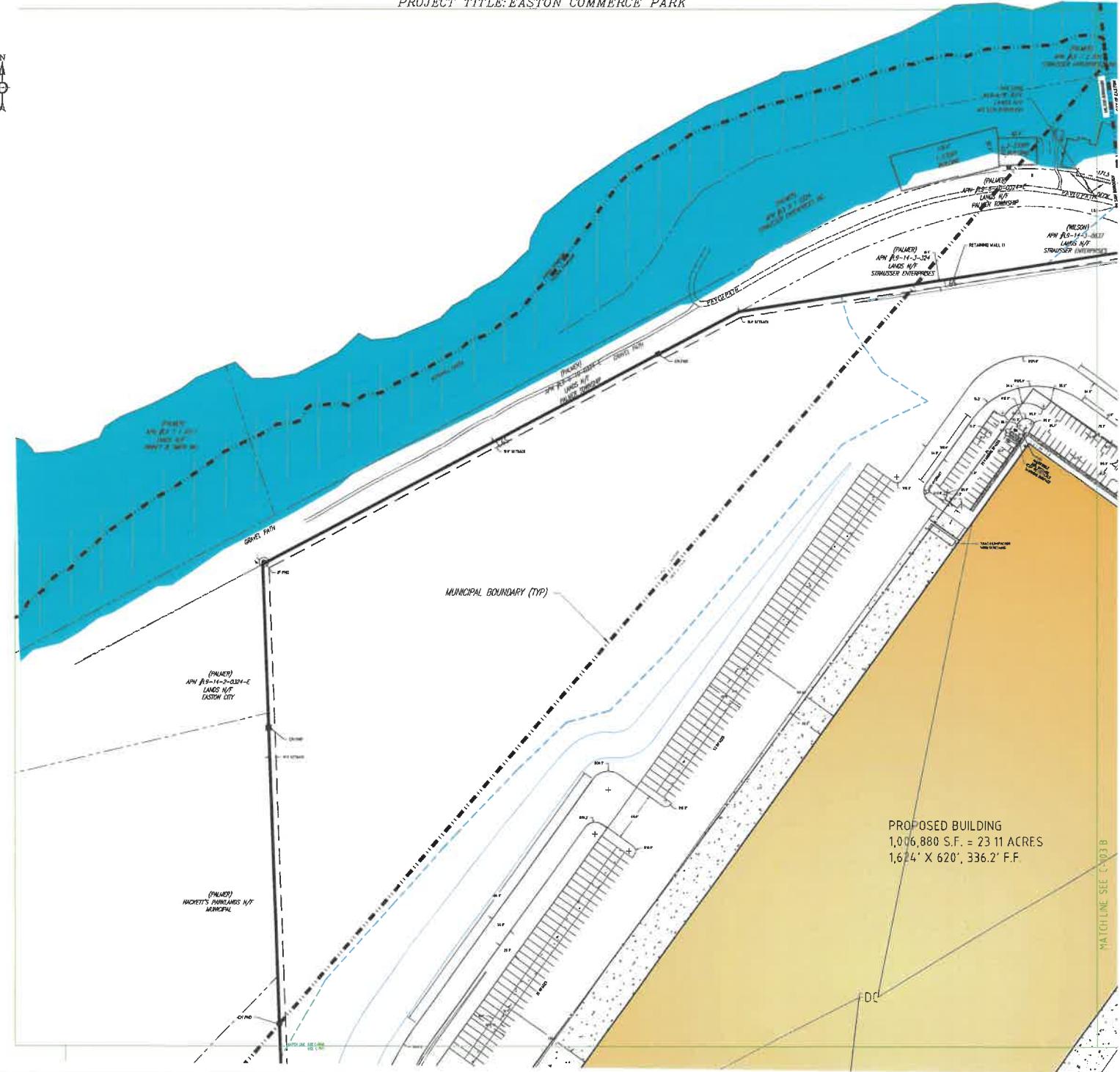
where You Dig Adrienne in Pennsylvania.
STOP CALL 1-800-243-1779 TOLL FREE

ADRIENNE
The production of underground utilities storage areas are
now being handled or purchased exclusively by utility
owners and utility businesses, and are represented
only by the two companies represented by
ADRIENNE. Call or write for information
at 800 243-1779 or 412-261-0000.
The Pennsylvania General World members for a
project, 1-800-243-1779, 1-800-243-1779, 1-800-243-1779.

PROJECT TITLE: EASTON COMMERCE PARK



PROJECT TITLE: EASTON COMMERCE PARK



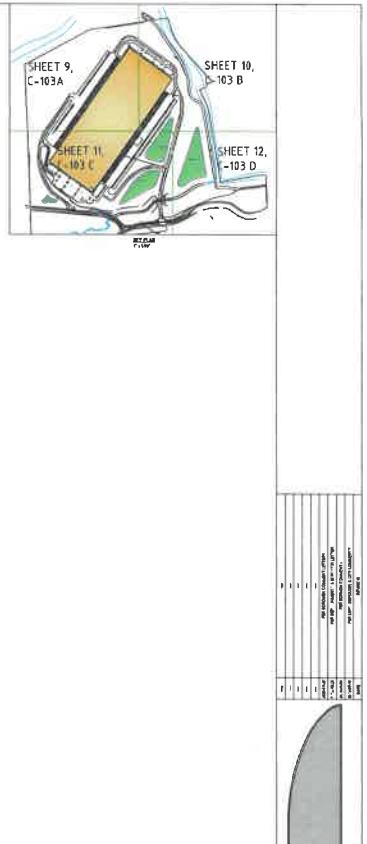
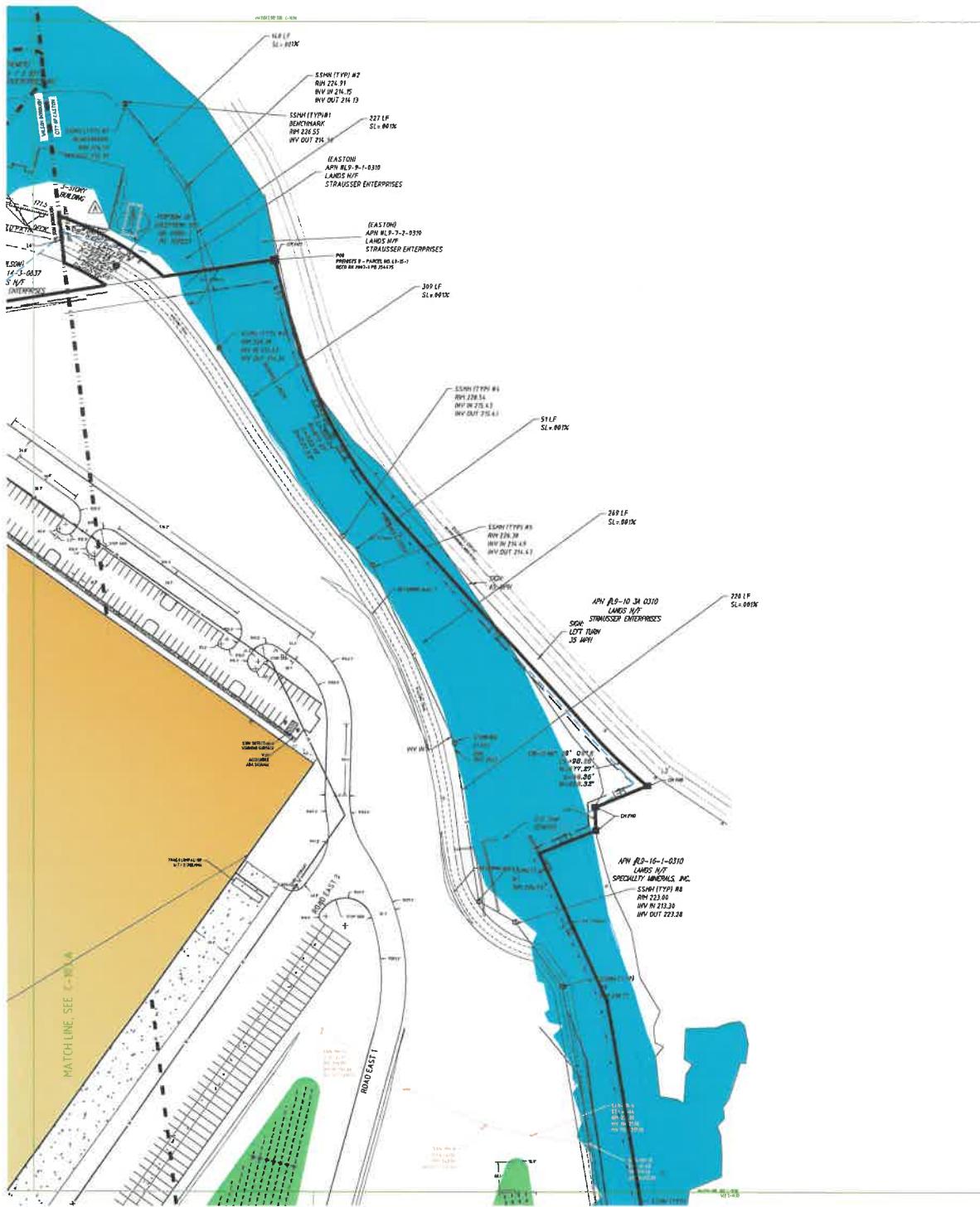
STATE DATA:

1. ALL LEADS MUST BE CERTIFIED OR SEQUESTERED.
2. ALL LEADS APPROVED SHALL BE MAINTAINED BY THE PROPERTY OWNER, AND ANY LEADS RETAINED FOR MORE THAN 6 MONTHS SHALL BE MAINTAINED IN A SEQUESTERED FOLDER. ALL SEQUESTERED LEADS SHALL BE REPAIRED BY THE TURNAROUND PROPERTY OWNER BY THE 10TH BUSINESS DAY AS SOON AS IT IS PRACTICAL. TURNAROUND PROPERTY OWNERS SHALL NOT MAINTAIN LEADS FOR MORE THAN 6 MONTHS.
3. ALL LEADS ARE FOR ALL EXISTING TENANT AGREEMENTS AND EXISTING TURNAROUND FACILITIES. LEADS IN EXISTING TENANT AGREEMENTS SHALL BE SUBMITTED FOR REVIEW.

1010 WOOD AVE INC LLC
4810 RIVER CROSSING BM
INDIANAPOLIS, IN 46249
EASTON COMMERCE PLAZA
Wilson Borough
Palmer Twp & City of Easton
NORTHAMPTON CO., PA
CHECK SHEET C-10
CHECKED BY DH
MAINT BY CF
DATE 04-10-2023
ITEM E 150
SUBITEM C-103 A
PROJECT 2022-628
SHEET 8 OF 39

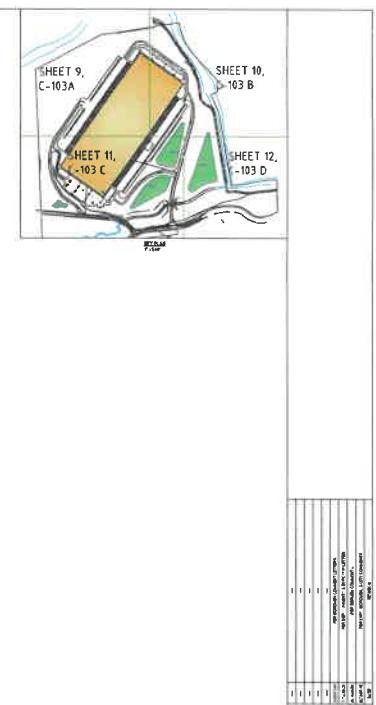
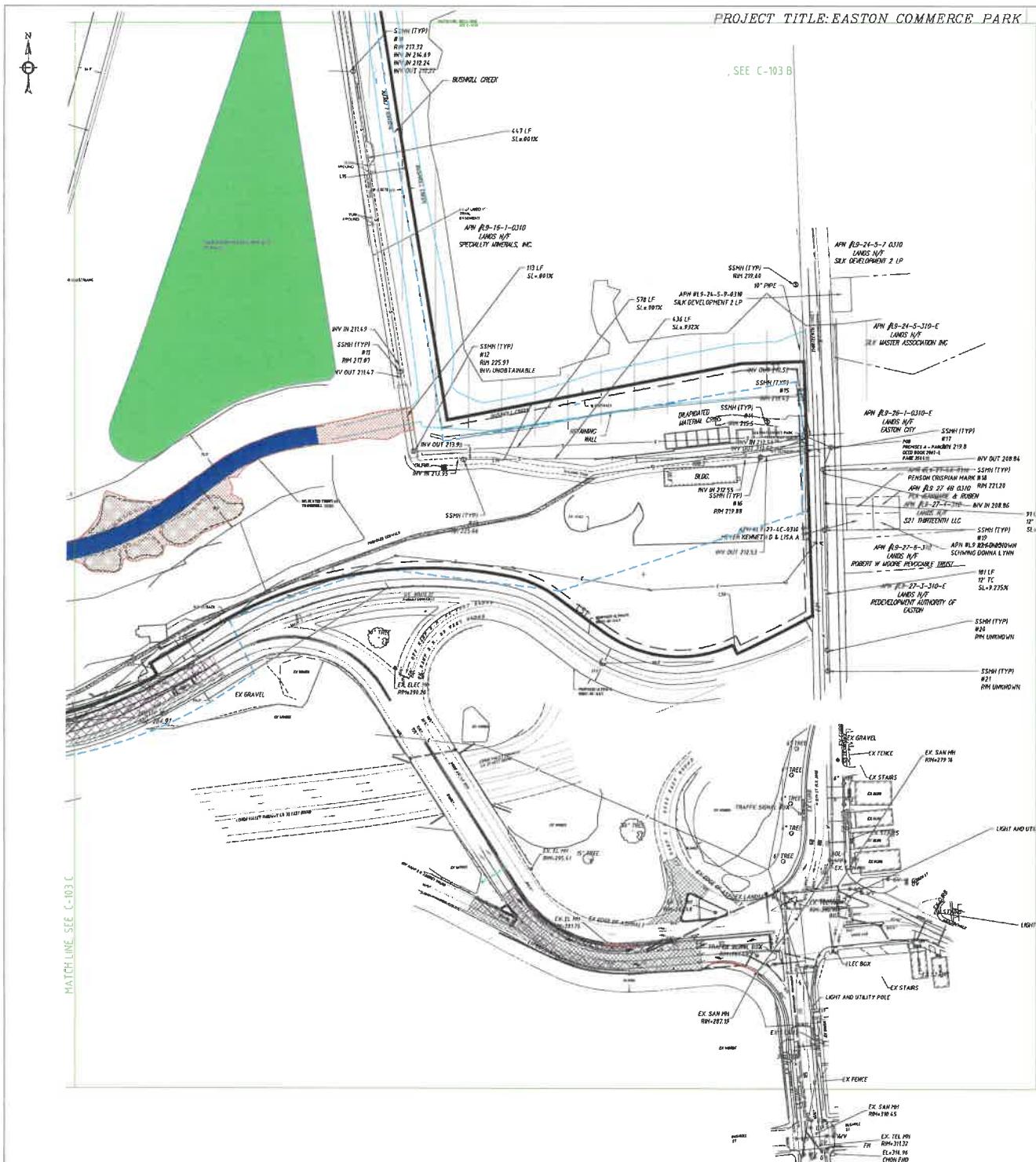
PROJECT TITLE: EASTON COMMERCE PARK

N



BEI

BOGA CRATING INC.
 3407 N. 101ST INDIANAPOLIS, IN 46260
 PHONE 317-274-9517 FAX 317-274-9517
 WWW.BOGA-CRATING.COM
 PRELIMINARY & FINAL
 EASTON COMMERCE PARK,
 INDIANAPOLIS, IN 46256
 1001 RIVER Twp. Ctg. of Easton
 NORTHHAMPTON, PA 18067
 CHECK SHEET
 CHECKED BY
 DATE 04-30-2011
 BY JAMES E.
 C-100
 Q3242
 SHEET 10 OF 10



BEI

ENGINEERING INC.
440 PENN AVE WYOMISSING, PA 19610
PHONE: 610-678-3071 FAX: 610-678-3517
WWW.BECHTEL.COM

250

ENGINEERING INC.
4040 PENN AVE WYOMISSING, PA 19610
PHONE: 610-678-3071 FAX: 610-678-3517
WWW.BECHTEL.COM

PRELIMINARY & FINAL
EASTON COMMERCE PARK
PROPOSED PLAN-D

BRITCH WOOD AT
1101 RIVER DR
INDIANAPOLIS

PE Project LLC
118, RN 4624E

W
Palmer Twp & C
NORTHAMPTON
CHECKED BY
CHECKED BY
DRAWN BY
DATE
NAME
DRAWN BY
OBJECT
SHEET

IN BURG
Cay al East
NC PA
SHEET C-104
DR
CP
04-01-2021
130
C-104
2022-01
12 OF 51

PROJECT TITLE: EASTON COMMERCE PARK

N

HACKETT PARK

BEI

BOGA ENGINEERING INC.
1340 PENN AVE WYOMINGSBG, PA 18610
PHONE 516-372-3721 FAX 516-372-3517

2014-03-26

LANDSCAPING PLAN-A

GRAPHIC SCALE

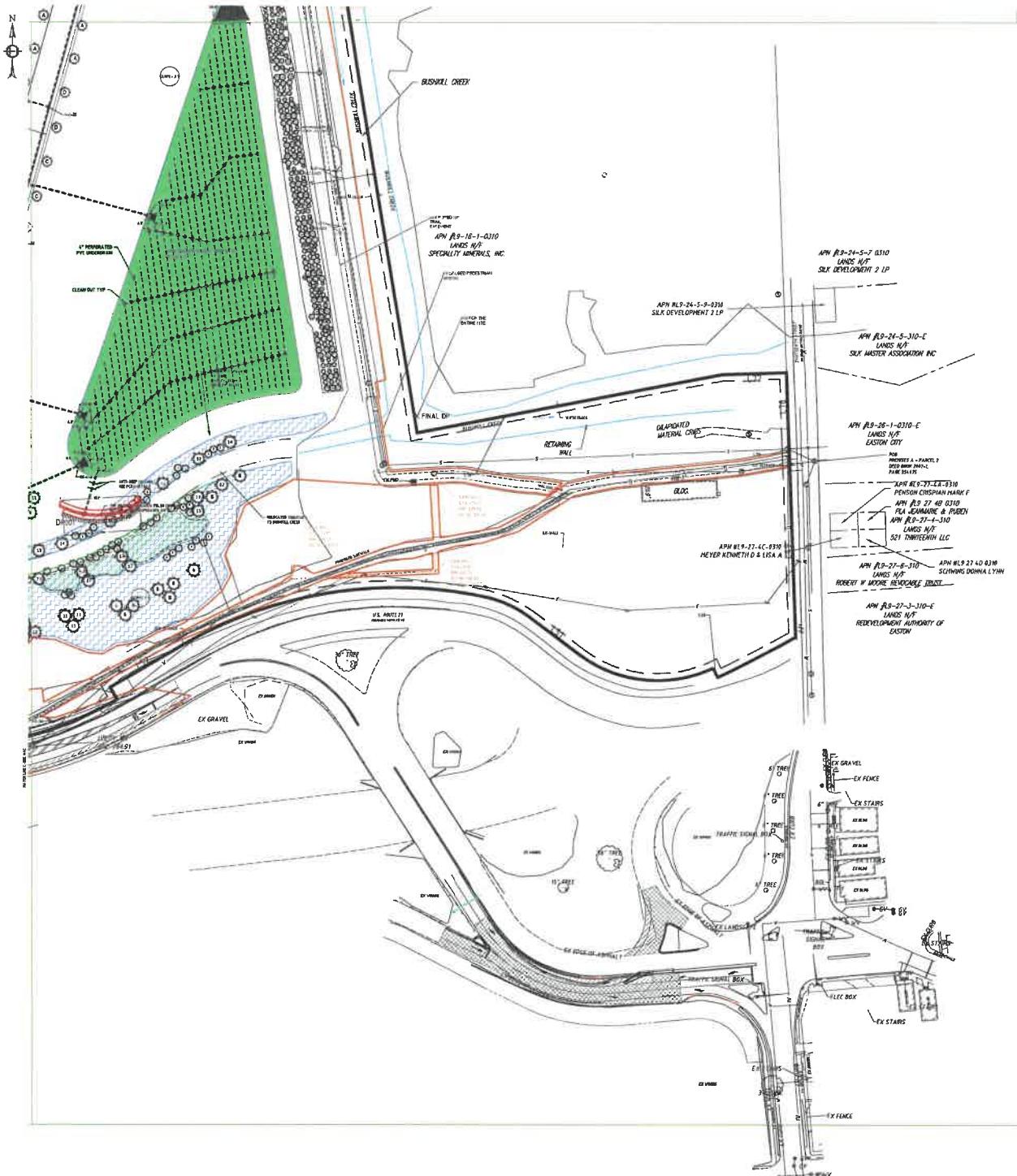
100 200 300 400 500 600 700 800 900 1000

50°



1010 WOOD AVE PHOENIX LLC
1010 W. BIRCHER CROSSING BLDG
INDIANAPOLIS, IN 46240
DB EASTON COMMERCE
Wilson Bergough
Palmer Corp & City of Easton
NORTHAMPTON COUNTY, PA
CHECK SHEET C-109
CRED BY DH
BY GF
DATE 04-01-2013
CALE 150
PABLINE C-104
PROJECT 2022-519
SHEET 14 OF 59

PROJECT TITLE: EASTON COMMERCE PARK

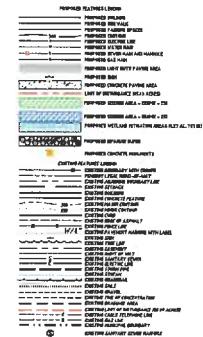


ERNMX-233 PA VALLEY & RIDGE PROVINCE RIPARIAN MIX

SEEDING RATE: 20 LBS/ACRE WITH 38 LBS/ACRE OF A COVER CROP. FOR A COVER CROP USE EITHER GRAIN OATS (1 JAN TO 31 JUL) OR GRAIN RYE (1 AUG TO 31 DEC).

ERNMX-232 PA VALLEY & RIDGE PROVINCE DBL MIX

SEEDING RATE: 20 LB PER ACRE WITH A COVER CROP. FOR A COVER CROP USE ONE OF THE FOLLOWING: GRAIN RYE (1 SEP TO 30 APR; 30 LBS/ACRE), JAPANESE MILLET (1 MAY TO 31 AUG; 18 LBS/ACRE), OR BARNYARD GRASS (1 MAY TO 31 AUG; 18 LBS/ACRE).



GIA ENGINEERING INC.
1340 PEINN AVE. WYOMISSING, PA 18610
PHONE: 610-576-3071 • FAX: 610-578-3517
WWW.BODGIA.COM
PINE MOUNTAIN & WILLOW
EASTON COMMERCE PARK
LANDSCAPING PLAN-D

BOOK
EASTIN WOOD AVE. PHO CO. LLC
8801 RIVER CROSSING PKWY
INDIANAPOLIS, IN 46248

109 EASTON COMMERCIAL PARK
Wilson Borough
Palmer Twp & City of Easton
NORTHAMPTON COUNTY, PA
FIR CHECK SHEET C-180
DRAWN BY C-180
CHECKED BY C-180
DATE 04-01-2023
SCALE 1:50
DRAWING C-184 D
PROJECT 2822-529
ET 12 OF 99