

Hearing notice

Title: Public Hearing: Antis Township Rutter's NPDES application

On August 4, 2022, beginning at 6:30 PM at the Pinecroft Volunteer Fire Company (2134 Old 6th Avenue Rd., Altoona, PA 16601), the Pennsylvania Department of Environmental Protection (DEP) will hold a public hearing regarding M&G Realty, Inc.'s application for a DEP Individual National Pollutant Discharge Elimination System permit for Stormwater Discharges Associated with Construction Activities (NPDES Construction Stormwater). M&G Realty, Inc., 2100 North George Street, York, PA 17404, proposes to construct a Rutter's convenience store with fuel dispensing, parking Lot, and stormwater best management practices, also known as Rutter's Store No. 82. The NPDES Construction Stormwater permit application no. is PAD070014 and the application proposes 19.25 acres of earth disturbance activity. Notice of receipt of M&G Realty, Inc.'s complete application was published in the *Pennsylvania Bulletin* on February 6, 2021. Notice of DEP's tentative determination to issue NPDES permit PAD070014 and availability of the draft permit, Fact Sheet, and notice of this public hearing will be published in the July 2, 2022 *Pennsylvania Bulletin* (pacodeandbulletin.gov).

The purpose of the hearing is to collect public comments on the Individual NPDES Construction Stormwater permit application permit submitted and the Draft NPDES permit for this project. The DEP has already received written public comments and requests for DEP to hold a public hearing. The public comments received to date primarily express concerns about degradation of Sandy Run and the wetlands associated with Sandy Run due to stormwater runoff, gas station spills, and potentially contaminated stormwater runoff from the proposed project. Concerns about increased traffic, noise and light pollution, and crime were also expressed.

The proposed Rutters No. 82 site is located in Antis Township, Blair County at the North West corner of the intersection of Pleasant Valley Boulevard and Sabbath Rest Road, Altoona, Pennsylvania, 16601. Stormwater discharges from the proposed project would be to an unnamed tributary to Sandy Run, Sandy Run and wetlands. The discharges will be conveyed from the site to the surface waters of the Commonwealth through an existing culvert under Sabbath Rest Road, then by a swale along U.S. 220 (Bus.) East Pleasant Valley Boulevard. As identified in 25 Pa. Code § 93.9n Drainage List N, Sandy Run has a designated use of High-Quality Cold Water Fishes, and Migratory Fishes. The wetlands are protected as Exceptional Value. The proposed stormwater discharges from the site are from the stormwater control Best Management Practices proposed in the permit application. M&G Realty, Inc.'s NPDES Construction Stormwater permit application, draft Individual NPDES Permit and Fact Sheet is available for public review at the DEP Southcentral Region Office (SCRO) or the SCRO's webpage: <https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Community%20Information/Pages/default.aspx>

Individuals who wish to offer testimony at the public hearing should register with John Repetz, Community Relations Coordinator for DEP's Southcentral Region, at 717-705-4904 or by email at jrepetz@pa.gov by 4:00 PM on Wednesday, August 3, 2022. Oral comments are limited to five minutes per person. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time to other speakers will be prohibited, and groups are asked to designate one speaker. Registration is not required simply to attend the hearing.

Individuals with questions regarding the hearing or application can also contact the DEP at 717-705-4802. Individuals wishing to schedule a file review at the SCRO should call 717-705-4732.

Hearing Notice

Written comments on this application or the draft NPDES permit will be accepted until 4:00 PM on Tuesday, August 16, 2022, and may be submitted to RA-EPWW-SCRO@pa.gov or mailed to the SCRO, Waterways and Wetlands Program, 909 Elmerton Ave., Harrisburg, PA 17110-8200. To assist with mail routing, it is requested that mailed comments contain the following on the envelope: "Comments on Rutter Store #82, PAD070014."

DEP representatives will be on hand prior to the hearing from 5:45-6:15pm so that the public may ask questions about the Individual NPDES permitting process and regulatory requirements.