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**Northampton County Conservation District**  
Greystone Building – 14 Gracedale Avenue - Nazareth, Pennsylvania 18064-9211  
Phone (610) 829-6276 - Fax (610) 746-1980 – E-mail:  
northamptoncd@northamptoncd.org

March 15, 2021

Louis P. Pektor, III ([lpektor@ashleydevelopment.com](mailto:lpektor@ashleydevelopment.com))  
New Demi Road, LLC  
559 Main St., Ste. 300  
Bethlehem, PA 18018

Re: Incompleteness Letter  
303 Demi Road Logistics Park (Major Amendment)  
NPDES Permit Application No. PAD480132 A-1  
City.#: 31-21-1-18  
Upper Mt. Bethel Township, Northampton County

Dear Mr. Pektor:

The Northampton County Conservation District has reviewed the above referenced application for an Individual NPDES permit and has determined that it is incomplete. The list below specifies the items that must be included in the resubmittal of your application and/or the submission of additional information. The *Pennsylvania Erosion and Sediment Pollution Control Program Manual* (E&S Manual) and the *Pennsylvania Stormwater Best Management Practices Manual* (BMP Manual) include information that may aid you in responding to some of the items listed below. The items are based on applicable laws and regulations, and the guidance sets forth the DEP's preferred means of satisfying the applicable regulatory requirements.

Please note that pursuant to 25 Pa. Code § 102.6(c)(2), this information must be received within 60 calendar days by **May 14, 2021** or the District may consider the application withdrawn.

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**Items for Resubmittal or Submission of Additional Information**

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1. **Please submit the E&S plan review fee according to the current NCCD E&S Plan Review Fee Schedule with the NPDES Permit application resubmission.**
2. **General**
  - a. NCCD Application should identify all receiving waters/ stream and their Ch. 93 designation, i.e., EV Wetlands, etc.
  - b. Fully completed, and properly signed Notice of Intent form.
    - i. Section D.2.C – Please provide a brief summary of the applicable Alternative Design Standards on the NOI, and clarify in the PCSM

- Narrative/ Plans a complete demonstration meeting or exceeding the requirements specified.
- ii. Section D.3 – The Summary table(s) should be consistent with Stormwater Worksheets 4 & 5.
    1. Box #1 (POI #1) should be actual impervious negating the 20% meadow requirement, i.e., 0.03 + 0.13 + 0.03, or 0.19 ac.
    2. Box #7 (Both POI) should be the total non-structural and structural volume credit from Worksheets 3 and 5.
    3. Box #8 (Both POI) should be the difference in volume from Worksheet 5.
  - iii. Section D.4 (POI #2) – Soil Amendments could not be located on PCSM 04 or PCSM 05; please revise.
  - iv. Section D.4 (POI #2) – Listed BMPs appear inconsistent with Worksheets 3, 5, 10; please revise as needed.
  - v. Section D.4 (Both POI) – VC and WQ are calculated differently from RC and may have more than one volume/acres listed; please clarify where applicable.
- c. The PNHP/PNDI review receipt for the project area.
    - i. The project search area should be greater than or equal to the entire site in question (i.e. total project area/ or 132.55 acres). Please provide a new PNDI search receipt and applicable resolution letters.
    - ii. An updated resolution letter for PA Department of Conservation and Natural Resources (DCNR) does not appear to have been provided. Please provide a copy of the resolution letter upon receipt. NOTE: NPDES permit cannot be issued until all conflicts are resolved.
  - d. Complete Erosion and Sediment Control Plan
    - i. See comments in Section 3 below.
  - e. Complete Post Construction Stormwater Management Plan
    - i. See comments in Section 4 below.
  - f. Fully Completed General Information Form (GIF)
    - i. Project Information – Questions 1-3 should be answered; please revise.
    - ii. Coordination Information (9.0.1) – Act 537 approval letter should be provided; please provide a copy of approval/ exemption letter prior to start of earth disturbance activities on site. NOTE: Please clarify if no change to existing conditions under current NPDES approval, if applicable.
- 3. E&S Plan Planning & Design §102.4(b)(4)**
- a. **Location of all surface waters and their classification under Chapter 93 §102.4(b)(5)(v)**
    - i. Existing/designated uses of all streams, lakes, ponds, wetlands or other surface waters identified
      1. Information could not be found on Narrative page 1 as indicated on the Completeness Review Checklist, please provide the complete existing/designated uses of the receiving waters/ streams (Chapter 93 classification) in the E&S Narrative, i.e., EV Wetlands, etc.

**4. General PCSM planning and design 102.8 (b)****a. Net change in volume and rate of stormwater §102.8(f)(4)**

- i. Documentation summarizing the alternative approach's design criteria for rate, volume and water quality, if applicable
  1. NOI Section D.2 appears inconsistent with Completeness Review Checklist; please revise as needed for consistency.

**b. Receiving surface waters §102.8(f)(5)**

- i. Wetland boundaries consistent with delineation report
  1. Wetland Delineation Report could not be located with major amendment application; please clarify if existing 12/23/2015 report is re-certified, or provide updated/revised report/ location.

**c. Written Description of the PCSM BMPs §102.8(f)(6)**

- i. All permanent PCSM BMPs identified in the narrative and shown on plan drawings
  1. Soil Amendments could not be located on PCSM 04 or PCSM 05; please revise.

**d. Supporting calculations §102.8(f)(8)**

- i. Worksheets from the Stormwater BMP Manual provided when applicants have utilized the manual to meet design standards
  1. Worksheet 1 – The site area (POI #1 and POI #2 combined) should be equivalent to the total project area, (i.e. 132.55 Ac.); please clarify. NOTE: the protected areas and areas outside the limit of disturbance can be subtracted on Worksheet 3. Revise NOI Section D.3 as needed for consistency.
  2. Worksheet 2 (POI #1) – Values appear inconsistent with NOI Section D.4; please revise as needed.
  3. Worksheet 2 (POI #1) – Sensitive Resource Map should be provided; please revise.
  4. Worksheet 3 (POI #1 and POI #2 combined) – The site area should be equivalent to the total project area, (i.e. 132.55 Ac.); please revise.
  5. Worksheet 3 (POI #1) – Values for riparian forest buffer protection appear inconsistent with NOI Section D.4; please revise as needed.
  6. Worksheet 3 – The combined stormwater management area should be equal to the total project/Limit of Disturbance (i.e., 98.69 Ac.); please clarify.
  7. Worksheet 3 (POI #1) – Non-structural BMP credit should be taken in areas located within the stormwater management area (i.e., 5.6.3, 5.4.3, etc.)
  8. Worksheet 4 – The same managed area should be analyzed for both the existing and developed conditions. When separate POI exist and the managed area changes from pre- to post-, please clarify the shift in acreage from one to the other.

9. Worksheet 4 (POI #1) – Clarification is requested regarding the analysis of existing conditions provided on worksheet 4, as only meadow, woods and impervious are allowed to be analyzed in the existing conditions.
  10. Worksheet 4 (POI #1) –Agricultural sites typically rotate crops or crop areas for the purpose of re-vitalizing the soils with essential nutrients. When this is done, those areas are planted with vegetation that has a quick growth period and a root structure with a good holding ability for the soils. These criteria tend to revert those areas back to a meadow or meadow-like condition with this type of vegetation. Therefore Row Crops are typically addressed as a meadow condition.
  11. Worksheet #4 (Additional calculations on PCSM Narrative page 33) – Please clarify if included as part of POI #1, e.g., PCSM Narrative page 6 provides a breakdown of drainage areas pre- to post-, a similar reference for calculations utilizing multiple Worksheet #4 may be applicable.
  12. Worksheets 4 & 5 should be consistent with the NOI summary table, re: comment NOI Section D.3.
  13. Worksheet 10 (POI #2) – Worksheet appears inconsistent with NOI Section D.4 for POI #2; please revise as needed. NOTE: If Worksheet 10 cannot be met, please provide Worksheets 12 & 13.
- ii. Figures contained on worksheets consistent with those in of NOI/application
1. Please revise NOI/ Application as needed to be consistent with any changes to worksheets.

**e. Plan drawings §102.8(f)(9)**

- i. Locations of all proposed BMPs shown along with tributary drainage areas
  1. Identify the existing natural sensitive resource area(s) to be protected (Worksheet 2). This/these area(s) should be outside the limits of disturbance (LOD) (re: Section 5.4.1 of the Stormwater BMP Manual); please clarify and revise accordingly. §102.11(a)(2)

DEP has developed a standardized review process and processing times for all permits or other authorizations that it issues or grants. Pursuant to its Permit Review Process and Permit Decision Guarantee Policy (Document # 021-2100-001), DEP guarantees to provide permit decisions within the published time frames, provided applicants submit complete, technically adequate applications/registrations that address all applicable regulatory and statutory requirements, in the first submission. Since you did not submit a complete and/or technically adequate application, DEP's Permit Decision Guarantee is no longer applicable to your application.

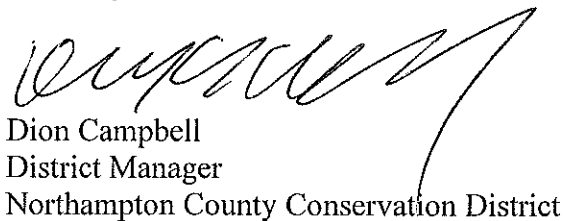
As stipulated in 25 Pa. Code § 102.6(c)(2) of DEP's Chapter 102 rules and regulations (regarding complete applications), information requested by this office must be received within sixty (60) calendar days from the date of this letter, or the District may consider the application to be

withdrawn by the applicant and no further action will be taken. Fees are not refunded when an application is withdrawn.

**Based on guidance received from PADEP, to reduce the spread of the COVID-19 virus, NCCD will be accepting electronic submissions. When you are ready to submit your documents, please follow the instructions on NCCD's website.**

If you have questions about the information contained in this letter, please contact Jonathan Fox by e-mail at [jmfox@northamptoncounty.org](mailto:jmfox@northamptoncounty.org) or by telephone at 610-829-6276 and refer to Application No. PAD480132 A-1.

Sincerely,



Dion Campbell  
District Manager  
Northampton County Conservation District

cc: Michael Sodl, Vertek Construction Management ([msodl@vertekcm.net](mailto:msodl@vertekcm.net))

ecc: PA DEP NERO - [RA-EPNEROWW@pa.gov](mailto:RA-EPNEROWW@pa.gov)  
Upper Mt. Bethel Township  
District Manager

bcc: File

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