



Pennsylvania  
**Department of  
Environmental Protection**

August 26, 2026

**Via Email:** [dstiles@krigerconstruction.com](mailto:dstiles@krigerconstruction.com)

Archbald Energy & Data Center, LLC.  
c/o David Stiles  
1144 E. Drinker St  
Dunmore, PA 18512-1917

Re: Technical Deficiency Letter  
Project Boson  
Application No. PAD350071  
Authorization ID No. 1575507  
Archbald Borough, Lackawanna County

Dear Applicant:

The Department of Environmental Protection (DEP) has reviewed the above-referenced application and has identified the technical deficiencies listed below. 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.

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**Technical Deficiencies**

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1. ***§102.4(b)(5)(i) Existing topographic features of the project site and the immediate surrounding area.***
  - A) Provide the name of the quad map used on sheet C9.01
2. ***§102.4(b)(5)(ii) The types, depth, slope, locations & limitations of the soils.***
  - A) Identify the soil types shown on C9.03.
  - B) Several soil types on site have potential soil use limitations associated with them. Identify the limitations and discuss the resolutions in #2 on Module 1.
  - C) Provide a copy of the NRCS Soil Map with the site boundary outlined within the E&S plan drawings.
3. ***§102.4(b)(5)(iv) The volume and rate of runoff from the project area and its upstream watershed area.***
  - A) Due to increase in volume coming from the site, easements from the downslope property owners are suggested.
  - B) It appears an EP Analysis is needed for the flow path to the Lackawanna River due to the

increase in Volume from the site. Please provide.

C) Identify the critical sections of the flow path on C9.17.

D) Identify all property owners on sheet C9. 17 along the flow path.

**4. §102.4(b)(5)(vi) A narrative description of the location and type of perimeter and onsite BMPs used before, during and after the earth disturbance activity.**

A) Question 5 of Module 1, states seven compost filter socks will be used and eight were shown on the plans. Please revise to be consistent.

**5. §102.4(b)(5)(vii) A sequence of BMP installation and removal in relation to the scheduling of earth disturbance activities, prior to, during and after earth disturbance activities that ensure the proper functioning of all BMPs.**

A) Remove waters of the commonwealth boundaries which are not site specific from step 1.

B) How will the wetland boundaries be marked?

C) How will the Limits of Disturbance be marked?

D) Provide more detail in steps #12 and #17. Please specify specific pipes/manholes/structures to be installed in these steps. Check all similar sequence steps.

E) Step 45.A – specify what BMPs are required. Check rest of the sequence.

F) Ensure the conditions for stabilization (refer to step 40) are well defined. Check all similar sequence numbers.

G) Identify (name) all pipes to be installed on a plan map and refer to them accordingly in the sequence.

H) Ensure the installation of the stub pipe at E-11-MH is mentioned in the sequence.

**6. §102.4(b)(5)(viii) Supporting Calculations and Measurements**

A) Are additional BMPs needed to the East of CFS # 7/8? Basin B is in a cut at this location. However, since the L.O.D. is to the N & E of the cut slope, it appears additional disturbance may occur during construction.

B) The bottom elevation of Basin B ranges from 1143 to 1139. Sediment basins are normally designed with a flat bottom. How will this effect storage, dewatering time, etc.? It does not appear this was considered in the design.

C) What is the existing condition of 18" pipe at the outlet of sediment basin A?

D) Does the existing 18" pipe have adequate capacity to safely accept flows from the site in both the temporary & permanent conditions? Provide analysis.

E) Will the project increase the drainage area or flows to the existing 18" pipe?

F) Ensure the size storm event used to design swales 1 & 2 is provided.

G) Provide all required design capacity information for the sediment basins emergency spillway. Please see pp 193-199 of the E&S Manual.

H) Design information for sediment basin C seems to indicate an emergency spillway, will it not be installed? Can the skimmer/principal riser safely discharge flows from a 100-year storm event without overtopping? Provide analysis.

I) It appears rock aprons are planned at inlet pipes on MRC SCM 1-3, 15-19 and SCM 020. Provide all required calculations for these aprons.

J) Ensure calculations are provided for the erosion control blanket to be used on site.

Calculations can be based on the worst-case scenario. (slope)

- K) Ensure all compost filter socks are included on worksheet #1 (See CFS #8).
- L) Provide all relevant size and elevation information for pipes, inlet, manholes, etc. on a plan map. Include invert, outlet, rim, etc. elevations.
- M) Provide an inlet protection symbol in the mapping symbols legend.
- N) Illustrate on the plan maps where inlet protection will be utilized.
- O) Include installation and removal in the sequence.
- P) Ensure drainage areas to inlet protection is  $\frac{1}{2}$  acre or less.
- Q) Calculations indicate that the pipes outletting to apron A1 and B1 will be installed at a 0.5 and 0.45% slope. Is this accurate? Normally pipes are installed with a minimum 1% slope.
- R) Peak flow from the principal risers for Basins B & D are the same (5.78), is this correct? Please address.
- S) Provide the required information (design & construction) for the anti-seep collars. Refer to pg. 203-205 and pg. 389 of the E&S Manual.
- T) Please see #16 on pg. 161 of the E&S Manual. Do the soils in site conform to the specifications listed? If not, how will that be addressed during construction of the basins?
- U) The dewatering time for all four sediment basins is listed as 5 days. Is this accurate? Provide calculations regarding dewatering times.
- V) Ensure the dewatering time is measured from the top of dewatering zone to the top of the sediment storage zone.
- W) The Lackawanna River is listed as an Impaired & TMDL waterway (due to being within the Chesapeake Bay Watershed), therefore reductions in sediment basin capacity cannot be taken. Refer to Basin C.
- X) Provide standard worksheet 16 for all sediment basins.
- Y) Provide Figure 7.2 from E&S Manual plotted for all sediment basins.
- Z) Ensure sediment basin spillway discharge capacity is greater than or equal to the 10 year/24hr storm. Provide documentation. Refer to Basin A. Check all.

#### 7. ***§102.4(b)(5)(ix) Plan Drawings***

- A) Include pumped water filter bag symbol on plans and in mapping symbols legend.
- B) Include concrete washout symbol on plans and in mapping symbols legend.
- C) E&S Module 1, #18 should mention the removal of contaminated soil from the site.
- D) Ensure all standard E&S notes and applicable optional notes are included on C9.02 of the plans. See page 394-396 of the E&S Manual.
- E) Ensure the Grading Standard Notes are provided on the drawings. See page 325 of the E&S Manual.
- F) Ensure the footprint of the temporary soil stockpile areas are accurate for the amount of material to be stockpiled.
- G) How will sediment laden flows be directed and conveyed into the sediment basins during construction? Are temporary swales, berms, pipes needed? Overland flow into basins is not acceptable.
- H) The project site has been cleared of trees. On Module 1, page 1, #1.
- I) Revise existing site conditions on sheet C9.03.

- J) Ensure locations of all areas where soil samples including infiltration tests, were taken are illustrated on a plan map. Provide depth of infiltration tests, etc.
  - K) Specify the type of erosion control blanket that will be used. (detail & plan map)
  - L) Ensure compost filter sock tables 4.1 and 4.2 are included in the detail portion of the plans.
  - M) Provide and complete figure 4.2 for all compost filter socks.
  - N) Please consider including worksheet #1 (compost filter socks) within the plan maps.
  - O) Ensure the grading/contours required to achieve the correct terminal width of the apron at G1-Ew is illustrated on the plan maps. Check all aprons.
  - P) Ensure the top-soil replacement specifications (table 11.1) on p. 263 of the E&S manual is included within the detail portion of the plans.
  - Q) Show the locations of the sediment clean put stakes for all sediment basins on the plans.
  - R) Please clarify the limit of CFS-5 on plans. It is partially obscured.
  - S) Clearly identify location of swale 1 on C9.05 and C9.06.
  - T) It appears sediment basin C will be in a location where two wetlands presently exist. Will the sediment basin construction/functionality be impacted by a potential high-water table? Please address.
  - U) Identify all locations of rock aprons on plan maps.
  - V) Illustrate the offsite drainage areas associated with swales 1 & 2 on a map. See sheet C9.16.
  - W) Ensure all existing and proposed utilities and tie-ins are clearly illustrated on the plans.
  - X) Please illustrate on a plan map (recommended drainage area maps) how the flow lengths for the sediment basins were determined.
  - Y) Since the project may have soils with poor fertility rates, please consider utilizing permanent seedling rates adjusted for adverse site conditions. See page 268 of the E&S Manual.
  - Z) Ensure the staple patterns for the erosion control blanket and channel lining are provided on the plans.
  - AA) Provide the design information in figure 7.2 of the E&S Manual for the skimmer orifice design.
  - BB) There are two clean out elevations shown on detail #7.7. Please address.
8. ***§102.4(b)(5)(xiv) The E&S plan shall be planned, designed, and implemented to the consistent with the PCSM Plan under 25 Pa. Code § 102.8 (relating to PCSM requirements). Unless otherwise approved by the Department, the E&S Plan must be separate from the PCSM plan and labeled “E&S” or “Erosion and Sediment Control Plan” and be the final plan for construction.***
- A) Ensure the E&S Plans and PCSM plans are consistent with one another. If any changes are made as a result of the E&S deficiencies and impact the PCSM plan, please make the necessary revision and clearly list them in the response letter.
9. ***§102.6 Permit Applications and Fees.***
- A) Ensure a clearance letter for the contaminated soils is provided by PA DEP.
  - B) Provide Act 537 approval letter form DEP. Permit cannot be authorized until this is

received.

- C) Provide the PNDI clearance letter from the U.S. Fish & Wildlife Service. Permit cannot be issued until clearance letter is received.
- D) Provide the Act 2 letter form PA DEP. Permit cannot be issued until clearance letter is received.
- E) Have the required authorizations been obtained regarding the impacts to wetlands on site? Provide documentation.

***10. §102.6(a)(1) Submit to the Department or a conservation district a complete application or NOI, an E&S Plan meeting the requirements of § 102.4 (relating to erosion and sediment control requirements), a PCSM Plan meeting the requirements of § 102.8 (relating to PCSM requirements), and other information the Department may require. Unless otherwise specified in this chapter, for NPDES permits, the application or NOI must also meet the requirements in Chapter 92 (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance).***

- A) Please include the correct lat/long information for the project. The Longitude value in the Modules and NPDES application form should include a negative (-).
- B) Please ensure the LOD is listed correctly through the application. The application form LOD acreage does not match the callouts on PCSM plans.
- C) The NPDES application form indicates a Joint Permit is required for Chapter 105 resource impacts; however, it is unclear if a Joint Permit was ever submitted to the Department. The Chapter 102 NPDES application will need coordinated reviews with the Chapter 105 permit.
- D) The NPDES application form states that the applicant is "In Non-Compliance". Please detail the non-compliance status as an attachment to the NPDES application form or in the compliance section.
- E) Please provide updates on local approvals through the county/municipality. Land development notification forms were provided but final approval is unclear at a local level.
- F) Please provide an update on whether MS-4 discharge approval is required. The MS-4 notification of discharge form was provided but the "acceptance of discharge" section was not signed.
- G) Provide the PNDI clearance letter from the U.S. Fish & Wildlife Service. The IPaC submittal and coordination do not appear to have been completed to address any potential impacts to species listed as endangered or threatened. Please address.

***11. §102.8(c) Consistency with E&S Plan. The PCSM Plan shall be planned, designed and implemented to be consistent with the E&S Plan under § 102.4(b) (relating to erosion and sediment control requirements).***

- A) The PCSM plan should be planned, designed and implemented to be consistent with the E&S Plan. If any design changes made as a result of the PCSM and E&S deficiencies should impact either plan, please make the necessary revisions and list them clearly in the response letter. §102.8(c)

**12. §102.8(b)(3) Minimize any increase in stormwater runoff volume.**

- A) As a result of the proposed development, an increase in volume of +210,439 ft<sup>3</sup> will occur during the 2-year frequency storm event. This increase is intended to be managed via Managed Release Concept basins (228,141 ft<sup>3</sup> of credit), that will include liners to prevent infiltration and/or groundwater seepage into the soil. Please note DEP's "Managed Release Concept" Guidance Document, which states: *"the applicant's licensed professional engineer has determined that it is not feasible to manage the required volume through infiltration and ET alone due to soil and/or geologic conditions or other environmental constraints on the project site. DEP intends for the use of MRC to be limited to sites where infiltration is extremely limited (i.e., very slow infiltration rate), not feasible (i.e., groundwater and/or regularly occurring seasonally high-water tables within one foot of the bottom of the BMP's soil media), or undesirable (e.g., sinkhole-prone areas or contaminated soils)."* The Department recommends the applicant explore other options to reduce stormwater volume in order to reduce reliance upon the lined MRC basins to reduce volume, or to be used in conjunction with the lined MRC basins. This may include the following concepts:
- i. Spray/Drip Irrigation in the surrounding site areas where disturbance is and is not proposed and the areas are to remain wooded/meadow. These areas may have native soil and can possibly achieve infiltration credit with the attenuation of water in multiple proposed basins, to then spray or drip irrigate. If infiltration is not possible, the application of spray/drip irrigation may be able to occur through the same design concept but with a reduced application rate of 0.5"/day.
  - ii. Expanding the footprint of proposed basins along the project boundary, proposing planting soil media, and proposing a plug planting plan to achieve ET credit. Plug plantings would be required every 2 to 3 feet on center. ET credit was not maximized or proposed anywhere on the project site to achieve additional credits before MRC was applied.
  - iii. Utilizing check dams and ET credit in the vegetated swales to achieve extra volume credit.
  - iv. The detention basins that are already proposed can be expanded and modified to achieve ET credit.
  - v. Revegetate/Reforest Part II in any location that is conducive for tree plantings.
  - vi. Rain Gardens (for ET Credits) within areas such as the depressional areas adjoining inlets. There are low lying inlet areas that are graded to convey flow, which can be converted into rain gardens with plug plantings.
  - vii. Infiltration Berms placed on contour (at existing grade) in any areas that are intended to be lawn/meadow/forested in PCSM conditions and are capable of capturing upslope areas. These areas could be on the project site but may fall outside the current LOD. §102.8(b)(3).

**13. §102.8(f)(4) An identification of the net change in volume and rate of stormwater from preconstruction hydrology to post construction hydrology for the entire project site and each drainage area.**

- A) Please clearly show the pre-construction and post-construction time-of-concentration paths utilized in the peak rate analysis. These can be broken up into flow conditions (sheet flow, shallow concentrated, etc.) and should not be increased or decreased in order to alter the pre- or post-construction flow pathways.

**14. §102.8(f)(5) *An identification of the location of surface waters of this Commonwealth, which may receive runoff within or from the project site and their classification under Chapter 93 (relating to water quality standards).***

- A) Please correctly identify receiving surface waters in the NPDES application form, modules, etc. It appears there are multiple surface waters that would receive site runoff during pre-construction conditions which include wetlands. These areas are considered separate surface waters, and should be analyzed for volume, rate and water quality. Separate spreadsheets would be required. Please address.

**15. §102.8(f)(8) *Supporting calculations.***

- A) The current design of the PCSM plan and BMPs does not maximize water quality, ET and infiltration BMPs on site in order to treat stormwater in other methods before MRC credit is applied.
- B) The PCSM spreadsheets should be completed on a surface water basis. It appears that the whole site was collectively analyzed in one spreadsheet, however, multiple wetlands, ponds or offsite streams may be receiving runoff from disturbed areas in pre- or post-construction conditions. Each individual surface water must meet volume, rate and water quality. Please revise.
- C) Please justify the land covers and acreage proposed in the PCSM spreadsheets. The spreadsheets indicate that the proposed impervious totals to about 30.28 acres and then there would be 22.90 acres of grass cover in good condition. The basins/ponds should be proposed as impervious since they are lined and will pond water during storm events. It is unclear how the site is 43% pervious when reviewing the LOD boundary and PCSM plan.
- D) The LOD on the PCSM plans calls out a total of 49 acres for the limit of disturbance. This acreage does not appear to be consistent throughout the PCSM spreadsheets, plans, and NPDES application. Please revise for consistency.
- E) Does the existing 18" pipe have adequate capacity to safely accept flows from the site in permanent conditions? Provide analysis.
  - i. Please provide a full Erosion Potential Analysis that details all discharge locations and existing facilities that would have to convey flow from the site. Simply reducing post-construction rates is not an adequate reason for not providing the erosion potential analysis. It must be clear that this is true, and the discharge flow characteristics are not changing.
- F) MRC Basin 1 appears to have a 5-foot weir modeled in HydroCAD at an elevation of 1147.69-feet; however, this weir is unclear in the model when comparing to the PCSM detail sheet. The weir elevation appears to be incorrect. Please address or revise for consistency.

- G) The outlets/weirs modeled in Hydrology Studio do not appear to be correct. For example: MRC Basin 2 has a  $\frac{3}{4}$ " orifice modeled for the upturned elbow, as well as a 6" orifice modeled above this. These are both outlets that discharge from the basin into the tiered outlet structure. Flow will then overflow a weir lip into another outlet pipe within the outlet structure itself. This weir should not be modeled in Hydrology Studio as part of the basin outlet as it does not restrict or add flow to the discharge rate. Modeling this weir structure is calculating the discharge rate as if it is an outlet leaving the basin itself, like the 6" and  $\frac{3}{4}$ " orifices. The 100-year discharge flow from this basin is 4.26 cfs. This peak rate is simply too high for a 6" and  $\frac{3}{4}$ " orifice to discharge under gravity flow conditions. Please address and revise for all stormwater BMPs that have this multi-tier outlet structure.
- H) All PCSM spreadsheet BMP storage volumes should be based on the storage below the lowest outlet orifice in each basin. Please address if these volumes are correct.
- I) Please add all other rainfall data for the 10- through 100-year storms in the peak rate section of the PCSM spreadsheets. Rates were provided but the rainfall data was not provided.
- J) MRC Basin SCM 9, SCM 16, SCM 17 and SCM 18 have exceeded the maximum equivalent impervious area draining to the BMP. Please address.
- K) The total PCSM spreadsheet MRC credit of 228,141 CF appears to be slightly incorrect when adding up the total MRC credits for each BMP. Please ensure consistency throughout the MRC design summary sheets and PCSM spreadsheet credits.
- L) Some of the emergency spillways proposed (example: SCM 010) are modeled and proposed at an elevation lower than the top of the principal spillway. Even in this case for SCM 010, all storm events overtop the BMP emergency spillway that are larger than the 2-year storm event. This appears to be true for SCMs 010 through 014. Please revise.
- M) Please provide emergency spillway lining calculations based on velocities/flow rates that discharge through the emergency spillways.
- N) Please provide IWS calculations in the PCSM report for each MRC basin showing the volumes based on void space.

**16. §102.8(f)(9) Plan drawings.**

- A) All of the PCSM plans should be signed and sealed by a professional engineer. Please revise.
- B) Please show all existing and proposed utilities on the PCSM plans for clarity.
- C) Please provide outlet structure, outlet riprap apron and swale callouts and labeling on the PCSM plan sheets.
- D) Provide the locations of all existing/proposed water supply wells and septic system drain fields along with separation distances on the PCSM plan if applicable.
- E) Please provide individual construction sequences and additional maintenance/inspection requirements associated with all proposed stormwater BMPs. Please refer to the Stormwater BMP Manual for additional sequences, construction notations, inspection requirements, etc.
- F) Some BMPs appear to have been proposed without emergency spillways. Please address or revise as necessary.



- G) Outlet Structure Details from MRC Basins 1, 2 and 3 appear to show an 18-inch pipe coming in from roof drain however this does not appear correct on the PCSM plans. Please address and revise for consistency.
- H) The proposed land covers are unclear on the PCSM plans. There are sections of the plans where it appears that grading will occur to flatten and prepare a level pad, where it appears nothing is proposed (Example: To the right of SCM-008). Please clarify all proposed land covers on the PCSM plans. Other plans in municipal notification documents show this area as a gravel pad for an electric substation and that there is multiple “gravel yards” proposed around the office building. A separate plan sheet showing hatching for grass, meadow, forest, gravel, pavement, etc. may be required. The correct land covers should also be reported and entered into the PCSM spreadsheets and rate analysis.

***17. §102.8(f)(12) An identification of naturally occurring geologic formations or soil conditions that may have the potential to cause pollution after earth disturbance activities are completed and PCSM BMPs are operational and development of a management plan to avoid or minimize potential pollution and its impacts.***

- A) Please provide a section on the PCSM plans clearly detailing geologic formations or soil conditions that may cause pollution after earth disturbance.

***18. §102.8(f)(13) An identification of potential thermal impacts from post construction stormwater to surface waters of this Commonwealth including BMPs to avoid, minimize or mitigate potential pollution from thermal impacts.***

- A) Please address how thermal impacts will be mitigated on the PCSM plans.

***19. §102.8(g)(1) Predevelopment site characterization and assessment of soil and geology including appropriate infiltration and geotechnical studies that identify location and depths of test sites and methods used.***

- A) The PDSC spreadsheet was not filled out correctly, according to the spreadsheet instructions. The PDSC spreadsheet states that roughly 55 acres of the project area may be suitable for infiltration testing. Testing only occurred at a rate of 0.68 tests/acre with the spreadsheet indicating that additional tests are recommended. Please address.
- B) The PDSC spreadsheet states that 15.33 acres of the NPDES project boundary is considered upland area, however, it appears that there are areas along the southern and eastern borders of the property that are “wooded” that may be able to be utilized for spray/drip irrigation, infiltration BMPs, etc. Please address.
- C) Infiltration BMPs were not properly ruled out for the site in the PDSC spreadsheet and according to the plans. There are additional areas in the project site that are required to be tested to ensure that infiltration is not recommended, or if an additional infiltration BMP (above ground or subsurface) can be proposed for credit. All BMPs should be ruled out before MRC is even proposed and it appears that there are plenty of undisturbed areas that are to remain wooded. All areas on the project site should be considered for BMPs such as spray/drip irrigation, infiltration basins, ET credit, etc, before MRC is proposed as the lone BMP. Please address.

**20. §102.8(g)(1) & §102.8(f)(12) Predevelopment site characterization and assessment of soil and geology including appropriate infiltration and geotechnical studies that identify location and depths of test sites and methods used.**

***An identification of naturally occurring geologic formations or soil conditions that may have the potential to cause pollution after earth disturbance activities are completed and PCSM BMPs are operational and development of a management plan to avoid or minimize potential pollution and its impacts.***

A) Below are deficiencies/comments made by DEP after review of the potential pollutants on site. Please address:

- i. A soil sample collected as part of the January 2025 Phase II ESA near the former 275-gallon capacity heating oil aboveground storage tank noted benzene, 1,2,4-trimethylbenzene (TMB), 1,3,5-TMB, and naphthalene at concentrations exceeding their respective residential medium specific concentrations. The remediation performed as part of the Act 2 Final Report submitted on July 31, 2026, did not include this area of concern. Additional soil sample collection and other minor technical deficiencies will be required to be addressed prior to approval of the Final Report. Neither the Phase II ESA nor the Act 2 Final Report included a groundwater investigation, as such, it is unknown if groundwater contamination is present at the site.
- ii. Due to the scale and historical usage of the site, remaining soil contamination may be present in areas not characterized or remediated in previous environmental investigations; therefore, the use of personal protective equipment and standard industrial safety practices should be followed to minimize worker exposure during additional remediation and construction activities at the site.
- iii. As fill is expected to be imported on-site, it must comply with clean fill standards established by the Act 2 program.
- iv. Soil and groundwater encountered during construction activities should be properly disposed of in accordance with all applicable regulations.

**21. §102.8(k) Licensed professional oversight of critical stages. A licensed professional or a designee shall be present onsite and be responsible during critical stages of implementation of the approved PCSM Plan. The critical stages may include the installation of underground treatment or storage BMPs, structurally engineered BMPs, or other BMPs as deemed appropriate by the Department or the conservation district.**

A) Please clearly show critical stages on the PCSM plans in bold or underlined to emphasize the need for licensed professional oversight during those stages. The stages were found on the PCSM plans but these should be more clear in the construction sequence. Please also ensure critical stages are provided for all PCSM BMPs.

**22. §102.8(h)(3), §102.11(a)(2) Detention Basins/MRC Basin Design Requirements.**

A) Provide anti-seep collar(s) for the basins along with all applicable calculations in the PCSM report and details on the PCSM plans.

- i. The need for an anti-seep collar is dictated by proposing an outlet pipe through an

- embankment which water has the potential to travel along and cause damage. Please provide anti-seep collar(s) for all basins along with all applicable calculations in the PCSM report and details on the PCSM plans.
- B) Provide the minimum 6-inch distance from the emergency spillway crest elevation to the top of the principal spillway for the proposed stormwater management basin. This separation distance has not been proposed for some BMPs (example: Detention Basin SCM 20).
  - C) There is no maintenance access road with a maximum slope of 15% and minimum width 9 feet providing full access to the outlet and embankment areas for each of the basins. Please provide.
  - D) Provide a non-woven geotextile material to be used in between the soil and stone interfaces.
  - E) Provide a forebay for the proposed BMP along with calculations in the PCSM report showing the forebay volume would contain at least 10% of the total permanent pool volume.
  - F) Provide a forebay with a minimum 4 foot to 6 foot depth.
  - G) Provide a basin with bottom that has a maximum 1% slope.

**23. §102.8(f)(15) Additional information requested by the Department.**

- A) Please provide a technical deficiency response letter to the district and DEP, with responses to each individual technical deficiency.

You must submit a response fully addressing each of the technical deficiencies set forth above. Please note that this information must be received within 30 calendar days from the date of this letter, on or before **September 25, 2026**, or DEP may deny or withdraw the application. Alternatively, you may consider a voluntary withdrawal.

Your response must be submitted to application using the same method of submission as was used for the original application.

**Please be advised that if your response does not satisfy the technical deficiencies, in general your application will proceed to an Elevated Review. If you do not believe the technical deficiencies can be fully addressed within the required timeframe, you should consider a voluntary withdrawal.** If a permit application is denied, there is no recovery of fees available; however, if you voluntarily withdraw the application and then submit a new application for the same project, previously paid disturbed acreage fees will be reapplied to the new application.

If you believe that any of the stated deficiencies are not significant, instead of submitting a response to that deficiency, you have the option of requesting that DEP make a permit decision based on the information you have already provided regarding the subject matter of that deficiency. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency.

If you have questions about the information contained in this letter, please contact Gregg Ciravolo by e-mail at [gciravolo@pa.gov](mailto:gciravolo@pa.gov) or by telephone at 570.826.2518 and refer to Application No. PAD350071, to discuss your questions or to schedule a meeting. Any such meeting must be held within the deficiency correction period.

Sincerely,



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

cc: Dustin Althoff, KCI Technologies, Inc. ([dustin.althoff@kci.com](mailto:dustin.althoff@kci.com))  
Kim Nagle, Lackawanna County Conservation District, ([nagle@lccd.net](mailto:nagle@lccd.net))  
Archbald Borough ([dmarkey@archbaldpa.gov](mailto:dmarkey@archbaldpa.gov))