



Pennsylvania
Department of
Environmental Protection

June 23, 2026

VIA EMAIL: tim.bieber@rutters.com

Mr. Tim Bieber
M&G Realty Inc.
2295 N Susquehanna Trail, Suite C
York, PA 17404-8495

Re: Notice of Draft Individual NPDES Permit – Intent to Issue
Notice of Technical Deficiencies
Rutters Huntingdon Store #93
NPDES Permit No. PAD310013 A-2
Authorization ID No. 1567404
Smithfield Township, Huntingdon County

Dear Mr. Bieber:

The Department of Environmental Protection (DEP) has prepared the enclosed **draft** Individual NPDES Permit for Discharges of Stormwater Associated with Construction Activities (“Draft Individual NPDES Permit”) for your review and comment.

Also enclosed is a copy of a public notice that, in accordance with DEP regulations at 25 Pa. Code § 92a.82(b), you are required to post near the entrance to your premises and, if the facility or discharge location is remote from these premises, at the entrance to the facility (project site) or at the discharge location. These postings shall remain for 30 days.

DEP will publish notice of the draft permit in the *Pennsylvania Bulletin* in the near future. You may provide written comments on the draft permit up to 30 days following publication of this notice. Following the 30-day public comment period (which may be extended by 15 days at DEP’s discretion), DEP will consider any comments received and make a decision on whether to issue a final permit.

Please be advised that your application contains technical deficiencies that must be corrected prior to DEP taking final action on your application. The technical deficiencies void the permit decision guarantee and any agreements that have been made regarding the timeline for the permit application review. DEP will continue to follow the permit review process in the review and processing of this permit application.

Technical Deficiencies

E&S Plan

1. The typical details are provided for each type of barrier proposed on the E&S Plans. The detail for the triple stack socks in use on site are not shown. Provide detail. *25 Pa. Code § 102.4(b)(5)(viii)(ix)*

2. 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 is provided. Provide in the sequence instructions to avoid compaction in areas of proposed infiltration SCMs. *[25 Pa. Code §102.4(b)(5)(vii)]*

PCSM Plan

3. Sheet PCSM2 of the PCSM Plans under the Stormwater Facilities Maintenance Agreement for the Underground Detention Basin Notes indicates that a sinkhole or other Karst Features could be present. Also, since the site has pyritic shale. Provide a Sinkhole Repair Detail with notes on the PCSM plan. *[25 Pa Code §102.8(f)(9)]*
4. Provide in the construction notes the field-marking the of resources including any streams or wetlands with orange construction fence; along with field-markings with orange construction fence of the location of PCSM SCM's to avoid over compaction (prior to any earthmoving). Also, locate and label the location of the orange construction fence to the E&S Plans and PCSM Plans. *[25 Pa. Code § 102.4(b)(5)(vii)]*
5. The SCM Certification Form should be completed for each SCM within 30 days of completion of the SCM. Provide these notes under the Stormwater Facilities Maintenance Agreement Notes should reference the SCM Certification Form being required for the SCMs. Revise the notes. *[25 Pa. Code §102.8(f)(7) and §102.8(f)(9)]*
6. Plantings are shown in the MRC Rain Garden, however, the rain garden notes need to provide an O&M schedule, the SCM implementation schedule, and the maintenance or installation of the plantings. Clarify what is 'Landscape Plantings'. Also, provide a table with the type of plants and the quantity. Revise the notes to include the required maintenance and installation of the plantings. *[25 Pa. Code §102.8(f)(9) and §102.8(f)(10)]*
7. Sheet PCSM4, Anti-Seep Collar Detail – Anti-seep collars are to be a material that is not deformable during installation. Remove reference to plastic collars being an acceptable alternative. *[25 Pa. Code §102.8(f)(6) and §102.11(a)(1)]*
8. Outlet barrels for permanent basins are to be a material not susceptible to crushing and do not require a stone enclosure for structural stability. Provide the manufacturer's backfill specifications demonstrating the material shown meets the guidance or revise the plans to specify a material that meets the guidance. *[25 Pa. Code §102.8(f)(6) and §102.11(a)(2)]*

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 July 24, 2026, or DEP may consider the application to be withdrawn.**

Unless the District prefers an alternate method, please submit 2 copies of the revised information to the District at 10605 Raystown Road, Huntingdon, PA 16652, and an electronic copy to the DEP's Public Upload (PU) (<https://greenport.pa.gov/ePermitPublicAccess/PublicSubmission/Home>). For ease of review, the DEP requests a single upload with multiple files versus a single upload with one large document. **Please do not upload ZIP files or delete previous versions of the documents.** Use the following Submission Information:

Resubmittal – Yes; Reference No. 407805, PIN 978912

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 fess 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.

Conservation districts may charge additional fees in accordance with section 9(13) of the Conservation District Law (3 P.S. § 857(13)). You may be billed directly by the conservation district for additional plan reviews. (See 25 Pa. Code § 102.6(b)(3)).

If you have any questions, please contact Matthew Zeigler at 717.705.4738 and refer to Application No. PAD310013 A-2, to discuss your questions or to schedule a meeting. You must attempt to schedule any meeting within the 30 calendar days allotted for your reply.

Sincerely,

Nathan Phillips, P.E.
Permits Section Chief
Waterways and Wetlands Program

cc: Ben Piper, Keller Engineers, Inc.
Huntingdon County Conservation District