

PAB Hearing notice

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

On May 3, 2023, beginning at 6:30 PM at the Smithfield Volunteer Fire Company (10 Firehouse Lane, Huntingdon, PA 16652), 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., 2295 Susquehanna Trail, Suite C, York, PA 17404, proposes construction of a Rutter's convenience store/gas station along with parking lot, utilities and site improvements including turning lanes, stormwater management facilities, and utility services which include off-site sewer and water extensions., also known as Rutter's Huntingdon Store 93. The NPDES Construction Stormwater permit application no. is PAD310013 and the application proposes 7.03 acres of earth disturbance activity. Notice of receipt of M&G Realty, Inc.'s complete application and Notice of DEP's tentative determination to issue NPDES permit PAD310013 and draft permit has been published in this edition of the *Pennsylvania Bulletin*, dated April 1, 2023.

The purpose of the hearing is to collect public comments on the Individual NPDES Construction Stormwater permit application 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 the adjacent wetlands and wildlife habitat, also known as the Old Crow wetlands, due to stormwater runoff, and potentially contaminated stormwater runoff from the proposed project, including gas station spills. Concerns about increased traffic, noise and light pollution and their effect on various fauna that may use the wetlands, and crime were also expressed.

The proposed Rutter's Huntingdon Store 93 site is located in Smithfield Township, Huntingdon County at the Southeast corner of the U.S. Rt. 22 and State Rt. 26 interchange in Huntingdon, Pennsylvania, 16652. Stormwater discharges from the proposed project would be to an unnamed tributary to the Juniata River via wetlands. As identified in 25 Pa. Code § 93.9n- Drainage List N, the UNT to the Juniata River has a designated use of Warm Water Fishes, and Migratory Fishes. The wetlands are protected as "other" wetlands as identified in 25 Pa. Code § 105.17(2). The proposed stormwater discharges will be conveyed from the site's best management practices to the surface waters of the Commonwealth, generally along the western side of the project site. The best management practices and proposed discharge locations can be viewed at the project's DEP webpage below. 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/Smithfield-Township-Rutter%E2%80%99s-93.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 May 2, 2023. 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.

Written comments on this application or the draft NPDES permit will be accepted until 4:00 PM on May 18, 2023, 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, DEP requests that mailed comments contain the following on the envelope: "Comments on Rutter Store #93, PAD310013."

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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.