



March 18, 2024

Mr. Christopher Hartman  
M&G Realty, Inc.  
2295 Susquehanna Trail, Suite C  
York, PA 17404-9601

Re: Approval of Redline Change  
Rutters Huntingdon Store #93  
NPDES Permit No. PAD310013  
Smithfield Township, Huntingdon County

Dear Mr. Hartman:

The Department of Environmental Protection (DEP) approves the redline changes that modify the "BMP Sequence of Installation and Removal" section of Sheet ES4. Sheet ES4, last revised February 14, 2024 is incorporated into the approved Erosion and Sedimentation Plans. The terms and conditions of your permit, including the expiration date, have not otherwise changed.

If you have questions, please contact Nathan Phillips by e-mail at [natphillip@pa.gov](mailto:natphillip@pa.gov) or by telephone at 717.705.4798 and refer to Permit No. PAD310013.

Sincerely,

**Nathan Phillips**

Digitally signed by Nathan  
Phillips  
Date: 2024.03.18 05:25:32  
-04'00'

Nathan Phillips  
Permits Section Chief  
Southcentral Regional Office

cc: Huntingdon County Conservation District  
Damon Hall, The Rutter's Companies  
Ben Piper, Keller Engineers

EROSION AND SEDIMENT CONTROL NOTES

GENERAL

1. STORMWATER FROM THIS PROJECT WILL FLOW TO ADJACENT WETLANDS THAT ARE TRIBUTARY TO AN UNT TO THE RAYSTOWN BRANCH OF THE JUNIATA RIVER, WWF.
2. TOTAL SITE ACREAGE = 7.41 ACRES / TOTAL ON-SITE DISTURBANCE = 7.03 ACRES
3. THE EROSION AND SEDIMENT CONTROL PLAN NARRATIVE DATED FEBRUARY 2022 IS TO BE CONSIDERED A PART OF THIS CONSTRUCTION SITE PLAN.
4. ALL EARTH DISTURBANCES, INCLUDING CLEARING AND GRUBBING AS WELL AS CUTS AND FILLS SHALL BE DONE IN ACCORDANCE WITH THE APPROVED E&S PLAN. A COPY OF THE APPROVED DRAWINGS (STAMPED, SIGNED AND DATED BY THE REVIEWING AGENCY) MUST BE AVAILABLE AT THE PROJECT SITE AT ALL TIMES. THE REVIEWING AGENCY SHALL BE NOTIFIED OF ANY CHANGES TO THE APPROVED PLAN PRIOR TO IMPLEMENTATION OF THOSE CHANGES. THE REVIEWING AGENCY MAY REQUIRE A WRITTEN SUBMITTAL OF THOSE CHANGES FOR REVIEW AND APPROVAL AT ITS DISCRETION.
5. CONSTRUCTION SHALL NOT COMMENCE UNTIL THE HUNTINGDON COUNTY CONSERVATION DISTRICT HAS APPROVED THE EROSION AND SEDIMENT CONTROL PLAN.
6. IMMEDIATELY UPON DISCOVERING UNFORESEEN CIRCUMSTANCES POSING THE POTENTIAL FOR ACCELERATED EROSION AND/OR SEDIMENT POLLUTION, THE OPERATOR SHALL IMPLEMENT APPROPRIATE BEST MANAGEMENT PRACTICES TO MINIMIZE THE POTENTIAL FOR EROSION AND SEDIMENT POLLUTION AND NOTIFY THE LOCAL CONSERVATION DISTRICT AND/OR THE REGIONAL OFFICE OF THE DEPARTMENT.
7. AT NO TIME SHALL CONSTRUCTION VEHICLES BE ALLOWED TO ENTER AREAS OUTSIDE THE LIMIT OF DISTURBANCE BOUNDARIES SHOWN ON THE PLAN MAPS. THESE AREAS MUST BE CLEARLY MARKED AND FENCED OFF BEFORE CLEARING AND GRUBBING OPERATIONS BEGIN.
8. ALL PUMPING OF WATER FROM ANY WORK AREA SHALL BE DONE ACCORDING TO THE PROCEDURE DESCRIBED IN THIS PLAN, OVER UNDISTURBED VEGETATED AREAS.
9. FAILURE TO CORRECTLY INSTALL E&S BMPs, FAILURE TO PREVENT SEDIMENT-LADEN RUNOFF FROM LEAVING THE CONSTRUCTION SITE, OR FAILURE TO TAKE IMMEDIATE CORRECTIVE ACTION TO RESOLVE FAILURE OF E&S BMPs MAY RESULT IN ADMINISTRATIVE, CIVIL, AND/OR CRIMINAL PENALTIES BEING INSTITUTED BY THE DEPARTMENT AS DEFINED IN SECTION 602 OF THE PENNSYLVANIA CLEAN STREAMS LAW.

DUE DILIGENCE

1. THE PRIMARY CONTRACTOR IS RESPONSIBLE FOR PERFORMING ENVIRONMENTAL DUE DILIGENCE CONCERNING THE USE OF OR DISPOSAL OF CLEAN FILL FROM THIS PROJECT. ENVIRONMENTAL DUE DILIGENCE IS DEFINED AS: INVESTIGATIVE TECHNIQUES, INCLUDING, BUT NOT LIMITED TO, VISUAL PROPERTY INSPECTIONS, ELECTRONIC DATA BASE SEARCHES, REVIEW OF PROPERTY OWNERSHIP, REVIEW OF PROPERTY USE HISTORY, SANBORN MAPS, ENVIRONMENTAL QUESTIONNAIRES, TRANSACTION SCREENS, ANALYTICAL TESTING, ENVIRONMENTAL ASSESSMENTS OR AUDITS. ANALYTICAL TESTING IS NOT A REQUIRED PART OF DUE DILIGENCE UNLESS VISUAL INSPECTION AND/OR REVIEW OF THE PAST LAND USE OF THE PROPERTY INDICATES THAT THE FILL MAY HAVE BEEN SUBJECTED TO A SPILL OR RELEASE OF REGULATED SUBSTANCE. IF THE FILL MAY HAVE BEEN AFFECTED BY A SPILL OR RELEASE OF A REGULATED SUBSTANCE, IT MUST BE TESTED TO DETERMINE IF IT QUALIFIES AS CLEAN FILL. TESTING SHOULD BE PERFORMED IN ACCORDANCE WITH APPENDIX A OF THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION 'S POLICY ENTITLED "MANAGEMENT OF FILL".
2. CLEAN FILL IS DEFINED AS: UNCONTAMINATED, NON-WATER SOLUBLE, NON-DECOMPOSABLE, INERT, SOLID MATERIAL. THE TERM INCLUDES SOIL, ROCK, STONE, DREDGED MATERIAL, USED ASPHALT, AND BRICK, BLOCK OR CONCRETE FROM CONSTRUCTION AND DEMOLITION ACTIVITIES THAT IS SEPARATE FROM OTHER WASTE AND IS RECOGNIZABLE AS SUCH. THE TERM DOES NOT INCLUDE MATERIALS PLACED IN OR ON THE WATERS OF THE COMMONWEALTH UNLESS OTHERWISE AUTHORIZED. (THE TERM "USED ASPHALT" DOES NOT INCLUDE MILLED ASPHALT OR ASPHALT THAT HAS BEEN PROCESSED FOR RE-USE.) CLEAN FILL AFFECTED BY A SPILL OR RELEASE OF A REGULATED SUBSTANCE. FILL MATERIALS AFFECTED BY A SPILL OR RELEASE OF A REGULATED SUBSTANCE STILL QUALIFIES AS CLEAN FILL PROVIDED THE TESTING REVEALS THAT THE FILL MATERIAL CONTAINS CONCENTRATIONS OF REGULATED SUBSTANCES THAT ARE BELOW THE RESIDENTIAL LIMITS AND FOLLOW THE GUIDANCE AS SET FORTH IN DEP POLICY "MANAGEMENT OF FILL".
3. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ANY MATERIAL BROUGHT ON SITE IS CLEAN FILL. FORM FP--001 MUST BE RETAINED BY THE PROPERTY OWNER FOR ANY FILL MATERIAL AFFECTED BY A SPILL OR RELEASE OF A REGULATED SUBSTANCE BUT QUALIFYING AS CLEAN FILL DUE TO ANALYTICAL TESTING. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES.

EARTHWORK

1. TOPSOIL REQUIRED FOR THE ESTABLISHMENT OF VEGETATION SHALL BE STOCKPILED AT THE LOCATION(S) SHOWN ON THE PLAN MAPS(S) IN THE AMOUNT NECESSARY TO COMPLETE THE FINISH GRADING OF ALL EXPOSED AREAS THAT ARE TO BE STABILIZED BY VEGETATION. EACH STOCKPILE SHALL BE PROTECTED IN THE MANNER SHOWN ON THE PLAN DRAWINGS. STOCKPILE HEIGHTS SHALL NOT EXCEED 35 FEET. STOCKPILE SLOPES SHALL BE 2H:1V OR FLATTER.
2. AREAS TO BE FILLED ARE TO BE CLEARED, GRUBBED, AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS AND OTHER OBJECTIONABLE MATERIAL.
3. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES OR IF CONDUCTED, AS RECOMMENDED IN GEOTECHNICAL INVESTIGATION OF PROJECT SITE.
4. ALL EARTHEN FILLS SHALL BE PLACED IN COMPACTED LAYERS NOT TO EXCEED 9 INCHES IN THICKNESS OR, IF CONDUCTED, IN ACCORDANCE WITH GEOTECHNICAL INVESTIGATION OF PROJECT SITE.
5. FILL MATERIALS SHALL BE FREE OF FROZEN PARTICLES, BRUSH, ROOTS, SOD, OR OTHER FOREIGN OR OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS.
6. FROZEN MATERIALS OR SOFT, MUCKY, OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED INTO FILLS.
7. FILL SHALL NOT BE PLACED ON SATURATED OR FROZEN SURFACES.
8. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH THE STANDARD AND SPECIFICATION FOR SUBSURFACE DRAIN OR OTHER APPROVED METHOD.
9. ALL OFF-SITE WASTE AND BORROW AREAS MUST HAVE AN E&S PLAN APPROVED BY THE LOCAL CONSERVATION DISTRICT OR THE DEPARTMENT FULLY IMPLEMENTED PRIOR TO BEING ACTIVATED.
10. SHOULD UNANTICIPATED GEOLOGIC OR SOIL CONDITIONS BE ENCOUNTERED DURING EARTHMOVING THAT PRESENT A CONCERN ABOUT THE POTENTIAL FOR THE PRODUCTION OF POLLUTION, ALL EARTHMOVING ACTIVITIES SHALL CEASE UNTIL A QUALIFIED GEO-TECHNICAL PROFESSIONAL EVALUATES THE SITUATION.
11. BASED ON THE RESULTS OF THE GEOTECHNICAL EXPLORATION INTACT EXPANSIVE BEDROCK WITH THE POTENTIAL FOR PYRITIC MATERIAL IS ONLY ANTICIPATED IN THE FOOTPRINT OF THE UNDERGROUND STORAGE TANKS. IN ORDER TO SEAL THE PYRITIC MATERIALS FROM EXPOSURE TO WATER AND AIR, AN ASPHALT EMULSIFIER (OR SIMILAR BITUMEN SEAL) BE APPLIED TO THE TANK SUBGRADE AND EXCAVATION SIDEWALLS, WITH A CONCRETE.

PROJECT NO.: 3748-5  
 FILE NAME: E&S.DWG  
 DATE: 10/21/21  
 DESIGNED BY: BSP  
 DRAWN BY: BSP  
 CHECKED BY: ---

**ES4**

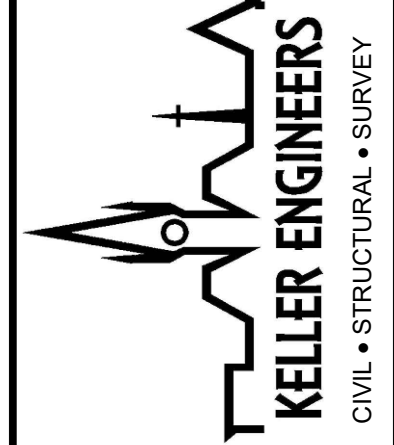
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**EROSION & SEDIMENTATION CONTROL DETAILS**

HUNTINGDON RUTTER'S STORE #83

SMITHFIELD TOWNSHIP, HUNTINGDON COUNTY PENNSYLVANIA

DATE & INITIALS	REVISION DESCRIPTION
12/30/22 BSP	NIPES PERMIT RESUBMISSION
09/08/22 BSP	NIPES PERMIT RESUBMISSION
02/24/22 BSP	NIPES PERMIT SUBMISSION



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