



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

January 17, 2020

File No. 2012-07083

Christopher Smith, P.E., Civil Engineer Manager
Department of Environmental Protection
2 East Main Street
Norristown, PA 19402

Reference: Technical Deficiency Response Letter
Project Name: Elcon Recycling
NPDES Construction Permit Application No. PAD090044
Falls Township, Bucks County, PA
Plan Revision Date: October 7, 2019

Dear Mr. Smith:

Gilmore & Associates, Inc. is in receipt of your technical deficiency review letter for the above referenced project dated December 18, 2019. The plans and documents have been revised accordingly and responses have been provided below following the order of the review letter:

Technical Deficiencies

1. Regarding Act 2:

- a. Please provide any applicable Act 2 approvals obtained from DEP for the project site.

Response: We have obtained a copy of the Land Recycling and Environmental Remediation Standards Act (Act 2) approval letter associated with this site from DEP and included it with this resubmission (eFACTS PF No. 804117). By way of further clarification, the Elcon project site is a 32-acre parcel (the “Elcon Parcel”) that is located within a larger 2,500-acre parcel that constitutes the former US Steel Fairless Works facility (now referred to as the “Keystone Industrial Port Complex” or “KIPC Property”). The 2,500-acre KIPC Property is the subject of a Consent Order between US Steel and US EPA under which US Steel is responsible for the remediation and monitoring obligations imposed under the Consent Order. As part of US Steel’s remediation of the 2,500-acre KIPC Property, the groundwater beneath the entirety of the KIPC Property (which includes the Elcon Parcel) has been determined by PA DEP to be a non-use aquifer under PA Act 2. Additionally, in a letter dated September 29, 2015, the Department approved an Act 2 Final Report submitted by US Steel and extended an Act 2 Release of Liability for the soils on the Elcon Parcel (see attached). At this time, based on the environmental due diligence performed on behalf of Elcon and the work previously done by US Steel under the US EPA Consent Order and Act

2, there is no evidence of spills or releases on the 32-acre Elcon Parcel that would require further remediation by Elcon. However, Elcon reserves the right to enter the Elcon Parcel in the Act 2 program voluntarily, if any conditions requiring additional characterization or remediation are discovered during the development of the Elcon Parcel.

- b. The narratives and plan drawings indicate the use of “Non-Residential” and “Non-Use” standards for contaminant parameters. Please provide any relevant information/correspondence from DEP Act 2 staff which indicates that this classification is appropriate. [Section 102.11(a)(1)]

Response: As mentioned above, as part of US Steel’s remediation of the 2,500-acre KIPC Property, the groundwater beneath the entirety of the KIPC Property (which includes the Elcon Parcel) has been determined by PA DEP to be a non-use aquifer under PA Act 2. We have obtained a copy of the Non-Use Aquifer Determination compliance letter associated with this site from DEP and included it with this resubmission (see attached, LRP No. 1-9-2-27618).

2. If applicable, please consider adding the following notes (or similar) to the E&S Plan drawings:

- a. The work being performed at this site was authorized under the PA DEP Act 2 Land Recycling program and any future work or disturbance to this area should be authorized by the same program prior to commencing.

Response: This note has been added to Overall Erosion & Sediment Control Plan (Sheet 5).

- b. For contaminated sites proposing to attain remediation standard(s) outlined in the Land Recycling and Environmental Remediation Standards Act (Act 2), the permittee is responsible for assuring that the remediation follows all reports/plans/procedures approved by DEP’s Environmental Cleanup and Brownfields (ECB) program. Groundwater exposure pathways and contaminated soils should be properly managed to prevent groundwater pollution. The regional ECB program should be contacted at the telephone number located in the first page footer for any remediation questions. [Section 102.11(a)(1)]

Response: This note has been added to Overall Erosion & Sediment Control Plan (Sheet 5).

3. For the MRC BMP, please indicate within the Post Construction Stormwater Management (PCSM) narrative how each of the 13 MRC Design Standards are being addressed. Where appropriate, please reference the page numbers where any application calculations/demonstrations can be found. [Section 102.8(g)(2)]

Response: A description of how each of the 13 MRC Design Standards are being addressed has been added to Section 8.2 of the revised Post-Construction Stormwater Management (PCSM) Narrative.

4. It appears that volume management for disturbed area runoff that bypasses the MRC BMP is not being appropriately calculated. Per page 59 of the PCSM narrative, it appears that the “permanently removed” MRC volume of 23,742 cf is derived from a drainage area of 10.38 ac, while the entire “delta 2” volume is derived from a post-development drainage area of 12.18 ac (per PCSM Worksheet 4). Per the MRC guidance document, please ensure that the MRC volume management credit is only being taken for up to the delta 2 volume for the drainage area that the MRC BMP manages. An alternative approach should be used to manage the remaining bypass delta 2 volume. Please make any appropriate revisions. [Section 102.11(1)(2)]

Response: The volume management calculations have been revised to be compliant with Managed Release Concept Version 1.1 as updated on May 15, 2019. The permanently removed MRC volume of 23,742 cf remains unchanged since the post-development drainage area of 10.38 acres has not changed. The “delta 2” volume has been revised, and a separate Worksheet 4 has been included to calculate the entire “delta 2” volume for only the drainage area that the MRC BMP manages. The revised “delta 2” volume for the 10.38 acres treated by the MRC BMP is 75,112 cf. BMP 6.7.3 Soil Amendment will now be utilized over all pervious areas to be disturbed that are not within the MRC BMP drainage area in order to manage the bypass delta 2 volume. Please refer to the revised calculations in Sections 8.1 through 8.8 of the revised Post-Construction Stormwater Management (PCSM) Narrative.

5. Please verify that the level spreader has been designed per the recommendations of DEP’s PCSM Manual (e.g., sized per the guidelines presented on page 248 of Chapter 6) and that nonerosive sheet flow will be achieved. [Section 102.11(a)(2)]

Response: Documentation showing that the level spreader has been designed per the recommendations of DEP’s PCSM Manual and that nonerosive sheet flow will be achieved has been added to Section 8.2 of the revised Post Construction Stormwater Management (PCSM) Narrative and a detail has been added to PCSM Details 2 (Sheet 4).

6. Please provide plan drawings which indicate the pre-development and post-development drainage areas to each POI. [Section 102.11(a)(2)]

Response: Pre-Development and Post-Development Drainage Area Plans have been included in a sleeve at the end of the revised Post Construction Stormwater Management (PCSM) Narrative.

7. Within the PCSM Plan drawings, please provide specifications for the impermeable liner to be used for the MRC BMP. [Section 102.8(f)(9)]

Response: Specifications for the Impermeable 30mil PVC Liner to be used for the MRC BMP have been added to PCSM Details 1 (Sheet 3).

8. Please verify that the amended soils within the MRC basin are not being double-counted for volume management crediting. [Section 102.8(f)(8)]

Response: The amended soils within the MRC basin are not being double-counted for volume management crediting, and notes indicating the square footage of each amended soils area have been added to Overall PCSM Plan (Sheet 1) and PCSM Plan (Sheet 2).

If you have any questions regarding the information above or the application submitted, please contact this office.

Sincerely,



Erik Garton, P.E.
Vice President
Gilmore & Associates, Inc.

JEG/bms/sl

Enclosures: Referenced Documents

cc: Zvi Elgat, Elcon Recycling Services, LLC
Rich Krasselt, Bucks County Conservation District
Joseph Jones, Falls Township Engineer