



MONTGOMERY COUNTY CONSERVATION DISTRICT

143 Level Road • Collegeville, PA 19426-3313 • 610-489-4506 • Fax: 610-489-9795
www.montgomeryconservation.org

January 15, 2019

Mikelen, LLC
Michael Clement
P O Box 243
2695 W Germantown Pike
Fairview Village, PA 19403-1035

Re: Chapter 102 PAG-02 NPDES General Permit Coverage Approval
Markley Farm Property (Phase 2)
NPDES Permit No. #: PAC460274
West Norriton Township, Montgomery County, PA

Dear Mr. Clement:

Under the authority of the federal Clean Water Act and Pennsylvania's Clean Streams Law, the Montgomery County Conservation District has approved your request for coverage under the PAG-02 NPDES General Permit for Stormwater Discharges Associated with Construction Activities ("PAG-02 General Permit"). The latest versions of the Notice of Intent (NOI) and all supporting documents, including the Erosion and Sediment Control (E&S) Plan and Post-Construction Stormwater Management (PCSM) Plan, are incorporated into this approval.

Your coverage under the PAG-02 General Permit, which has been assigned NPDES Permit No. PAC460274, is effective on January 15, 2019 and will expire on January 14, 2024. If stormwater discharges associated with construction activities are expected to continue beyond the expiration date of PAG-02 General Permit coverage, you must apply to renew your coverage at least 180 days prior to the expiration date.

Please review the PAG-02 General Permit and the enclosed attachments carefully and contact this office if you have any questions. Please pay particular attention to the following requirements of the General Permit:

- In accordance with 25 Pa. Code § 102.5(h), operators who are not the permittee shall be co-permittees. An operator is a person who either has oversight responsibility of an earth disturbance activity on a project site who has the ability to make modifications to the E&S Plan, PCSM Plan or site specifications, or has day to day operational control over an earth disturbance activity on a project site. Please be advised that once an operator (contractor) has been selected for the project, the NPDES permit must either be transferred to the operator or the operator must be made a co-permittee and enter into an agreement with the permittee. Please use the enclosed Transferee/Co-Permittee Application form to transfer the permit or to add a co-permittee. This form must be received by this office at least 30 days prior to the co-permittee/transferee action taking place.
- A pre-construction conference is required as specified in 25 Pa. Code § 102.5(e), unless otherwise notified in writing by this office. The purpose of this conference is to review all

aspects of the permit with the permittee, co-permittees, operators, consultants, inspectors and licensed professionals or their designees who will be responsible for the implementation of the critical stages of the approved PCSM Plan. You must provide at least seven days notice of the pre-construction meeting to all invited attendees.

- You must conduct inspections of all best management practices (BMPs) on a weekly basis and after each measurable stormwater event (including the repair or replacement of BMPs) to ensure effective and efficient operation. The Visual Site Inspection Report Form is enclosed and must be used to document these required site inspections.
- For any property containing a PCSM BMP, the permittee or co-permittee must record an instrument with the recorder of deeds which will assure disclosure of the PCSM BMP and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP, provide for necessary access related to long-term operation and maintenance (O&M) for PCSM BMPs, and provide notice that the responsibility for long-term O&M of the PCSM BMP is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees. Unless a later date is approved by DEP in writing, the permittee shall record an instrument within 45 days from the date of this coverage approval letter. The permittee shall provide the county conservation district and DEP with the date and place of recording along with a reference to the docket, deed book or other record, within 90 days from the date of this coverage approval letter, unless a later date is approved by DEP in writing.
- The Notice of Termination (NOT) form is also enclosed and must be completed and filed when construction activities have ceased and final stabilization has been achieved. The NOT must identify the responsible person(s) for the long-term O&M of the PCSM BMPs. Please be advised that the permittee and any co-permittees remain responsible for all operational maintenance for this project site until the NOT has been filed and acknowledged.

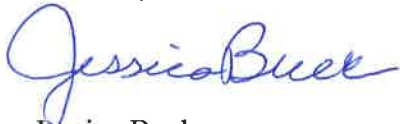
Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501-508 and 701-704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the Pennsylvania Bulletin unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

If you have additional questions, please contact Cody Schmoyer at 610-489-4506 ext. 19.

Sincerely,



Jessica Buck
District Manager
Montgomery County Conservation District

West Norriton Township Engineer
Montgomery County Planning Commission

cc: Woodrow & Associates Inc (approval letter only)
West Norriton Township (approval letter only)
Montgomery County Planning Commission
File

Attachments: PAG-02 General Permit
Approved E&S Plan
Approved PCSM Plan
Visual Site Inspection Report Form
Transferee/Co-permittee Application Form
Notice of Termination Form

