



LAWRENCE COUNTY
CONSERVATION DISTRICT

Conserving Natural Resources for Our Future

July 2, 2024

Ms. Tiffany Chase
Sunrise Harlansburg Road LLC
1407 Broadway, 24th Floor
New York, NY 10018

Re: PAG-02 NPDES General Permit Coverage Approval
Solar PV Development
NPDES Permit No. PAC370083
Scott Township, Lawrence County

Dear Ms. Chase:

Under the authority of the federal Clean Water Act and Pennsylvania's Clean Streams Law, the Lawrence County Conservation District has approved your request for new coverage under the PAG-02 NPDES General Permit for Discharges of Stormwater 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, including the following plan drawings:

- The E&S Plan drawings, for Solar PV Development – Sunrise Harlansburg Rd, dated January 22, 2024 and last revised May 15, 2024.
- The PCSM Plan drawings for Solar PV Development – Sunrise Harlansburg Rd, dated January 22, 2024, and last revised May 15, 2024.

Your coverage under the PAG-02 General Permit, which has been assigned NPDES Permit No. PAC370083, is effective on **June 25, 2024** and will expire on **December 7, 2024**. This is the date the statewide (master) PAG-02 General Permit expires. DEP expects to reissue the master PAG-02 General Permit in 2024 with an effective date of December 8, 2024. If you have not submitted a Notice of Termination (NOT) and have not received approval of the NOT by December 7, 2024, you must submit a renewal NOI by December 7, 2024 to remain covered under the reissued master PAG-02 General Permit. The renewal NOI form is not yet available for your use. The District will notify you when the renewal NOI is available.



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 after an operator (contractor) has been selected for the project, the operator must be made a co-permittee and enter into an agreement with the permittee. Please use the enclosed Co-Permittee Acknowledgement Form for Chapter 102 Permits form (3800-FM-BCW0271a) to add a co-permittee.
- A pre-construction meeting is required as specified in 25 Pa. Code § 102.5(e), unless otherwise notified in writing by this office. The purpose of this meeting 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 (i.e., precipitation in an amount of 0.25 inch or greater over a 24-hour period) to ensure effective and efficient operation. The Visual Site Inspection Report Form (3800-FM-BCW0271d) is enclosed along with instructions. This form (or an equivalent electronic form providing the same information) must be used to document the 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. **You must record an instrument with the Recorder of Deeds within 45 days and provide proof of the recording at the time an application to transfer permit coverage is submitted, if applicable, and at the time a Notice of Termination (NOT) is submitted to this office.**
- If there are any changes to the PCSM BMPs or long-term operation and maintenance plan after the initial instrument recording and prior to permit termination, the permittee(s) will need to amend the initial recorded instrument at the recorder of deeds office prior to permit termination. Please note, most Recorder of Deeds Offices require that the land owner (at the time of actual recording) signs the instrument to be recorded. If the land owner changes and an amended



instrument needs to be recorded, the Recorder of Deeds office will likely require the new land owner's signature on the amended instrument. It is recommended that for any sale or transfer of property to a new owner before this permit is terminated that the permittee seek legal counsel on how to structure the sale or transfer to allow the recorded instrument to be amended.

- The NOT form (3800-PM-BCW0229b) 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. **It is important that you fulfill your obligations under the General Permit and submit a complete NOT to this office upon final stabilization of the site.**

Persons aggrieved by an action of a conservation district under 25 Pa. Code Chapter 102 may request an informal hearing with DEP within 30 days of publication of this notice in the *Pennsylvania Bulletin*, pursuant to 25 Pa. Code § 102.32(c). DEP will schedule this informal hearing within 30 days of the request. After this informal hearing, any final determination by DEP may be appealed to the Environmental Hearing Board.

If you have questions, please contact Jillian Court by e-mail at jcourt@lawrencecd.org or by telephone at 724-656-2474 and refer to Permit No. PAC370083.

Sincerely,



Mary Burris
District Manager
Lawrence County Conservation District

cc: Pennoni Associates Inc (approval letter and page 1 of General Permit only)
DEP NWRO (approved NOI, approval letter, and page 1 of General Permit only)
Scott Township (approval letter and page 1 of General Permit only)

Enclosures: PAG-02 General Permit
Stamped Approved E&S Plan Drawings and E&S Module 1
Approved PCSM Plan Drawings and PCSM Module 2
Visual Site Inspection Report Form and Instructions
Co-Permittee Acknowledgement Form for Chapter 102 Permits
Notice of Termination Form

bcc: File
DEP Bureau of Clean Water (approved NOI, approval letter and page 1 of General Permit)





**PAG-02
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR DISCHARGES OF
STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES**

NPDES PERMIT NO: PAC370083

In compliance with the provisions of the Clean Water Act, 33 U.S.C.A. §§ 1251—1387 and Pennsylvania's Clean Streams Law, as amended, 35 P.S. §§ 691.1—691.1001, the Department of Environmental Protection (DEP) authorizes the permittee named below to discharge stormwater associated with construction activities from an earth disturbance activity that involves earth disturbance greater than or equal to one acre, or an earth disturbance on any portion, part, or during any stage of a larger common plan of development or sale that involves earth disturbance greater than or equal to one acre:

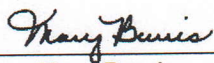
Permittee
**Sunrise Harlansburg Road LLC
1407 Broadway, 24th Floor
New York, NY 10018**

Project Site
**Solar PV Development – Sunrise Harlansburg Road
4175 Harlansburg Road, Slippery Rock PA 16057
Scott Township, Lawrence County**

This authorization is subject to DEP's enclosed PAG-02 General Permit (General Permit) which incorporates all effluent limitations, monitoring and reporting requirements, and other terms, conditions, criteria, and special requirements for the discharge of stormwater associated with construction activities to surface waters, including through storm sewers. Authorization to discharge is subject to the implementation of the plans and additional associated information submitted as part of the Notice of Intent (NOI) for general permit coverage.

APPROVAL TO DISCHARGE IN ACCORDANCE WITH THE TERMS AND CONDITIONS HEREIN IS AUTHORIZED BEGINNING ON June 25, 2024 AND WILL EXPIRE ON DECEMBER 7, 2024 WHEN CONDUCTED PURSUANT TO THE TERMS AND CONDITIONS OF THIS GENERAL PERMIT. GENERAL PERMIT COVERAGE MAY BE TERMINATED PRIOR TO THE EXPIRATION DATE UPON RECEIPT AND ACKNOWLEDGEMENT OF A NOTICE OF TERMINATION FORM AND APPROVAL BY DEP OR THE AUTHORIZED CONSERVATION DISTRICT. NO CONDITION OF THIS GENERAL PERMIT SHALL RELEASE THE PERMITTEE OR CO-PERMITTEE(S) FROM ANY RESPONSIBILITY OR REQUIREMENT UNDER STATE OR FEDERAL ENVIRONMENTAL STATUTES, REGULATIONS, OR LOCAL ORDINANCES.

Coverage under the PAG-02 General Permit is authorized by:



Mary Burris
District Manager
Lawrence County Conservation District