

1 North High Street, Selinsgrove, PA 17870

RESOLUTION NO. 2023 - 17

**SELINGROVE BOROUGH
SNYDER COUNTY, PENNSYLVANIA**

Icon Legacy Homes Parking Expansion Stormwater Management Plan

Stormwater Management Plan Approval

WHEREAS, Icon Legacy Homes, (hereinafter referred to as “Applicant”) has submitted a request for approval of a Stormwater Management Plan to Selinsgrove Borough and is seeking to add additional parking to the property located above their facility at 246 Sand Hill Road. The lot for the proposed expansion (15-11-030) is located in the RSP, Residential Semi-Public, District of Selinsgrove Borough. Upon approval, the stormwater management plan would be accepted as part of the parking expansion; and

WHEREAS, Applicant’s plan entitled “Icon Legacy Homes Parking Expansion Stormwater Management Plan”, which has been prepared by Larson Design Group, 1780 Route 522, Selinsgrove, PA 17870 consisting of nine (9) plan sheet pages dated 8/23/2023 (hereinafter referred to as “Plan”) has been reviewed, commented on (Exhibit “A”), and found to be acceptable by the Borough Engineer, Stahl Sheaffer Engineering, 106 N. High Street, Selinsgrove, PA 17870; and

WHEREAS, the Plan has been reviewed and found to be acceptable by the Snyder County Conservation District, and an NPDES Permit, No. PAC550072 (Exhibit “B”) has been issued; and

WHEREAS, the Selinsgrove Borough Planning Commission reviewed the request for amendment of the Plan on October 18, 2023 and has recommended to the Borough Council, approval of the plan, subject to the Applicant meeting certain conditions.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING,

IT IS HEREBY RESOLVED by the Borough Council of Selinsgrove Borough, as follows:

1. **Approval of Plan.** The Selinsgrove Borough Council hereby grants approval of the amendment to the Plan, as described above, subject to the conditions set forth below.
2. **Waivers.** The Applicant has not requested any waivers from certain provision of the Borough Subdivision and Land Development Ordinance.
3. **Acceptance.** The resolution shall be accepted by the Applicant, in writing, within ten (10) days from the effective date of this Resolution.
4. **Effective Date.** This Resolution shall become effective on the date upon which it is accepted by the Applicant in writing. If, for any reason, the Applicant fails to acknowledge the acceptance within ten (10) days from the date of this Resolution, then the approval granted herein shall become null and void, the waivers requested shall be deemed denied, and the amendment shall be denied for failure to comply with Sections of the Selinsgrove Borough Zoning Ordinance and/or Subdivision and Land Development Ordinance for the reasons cited herein or as set forth in the letters referenced herein.

Exhibit "A"

Engineering review by Chad Shaffer at Stahl Sheaffer Engineering

September 9, 2023

September 9, 2023

Selinsgrove Borough
Lauren Martz, Borough Manager
1 North High Street
Selinsgrove, PA 17870

Re: Plan Name: Post Construction Stormwater Management Narrative and Plan
Date: August 11, 2023
Owner/Applicant: Icon Reality, LLC
Location: 246 Sand Hill Road, Selinsgrove, PA 17870

Dear Lauren:

We have completed a review of the above-mentioned plan based upon the Borough of Selinsgrove Ordinance No. 825, Chapter 22 Subdivision and Land Development specifically Section 22-507 We offer the following comments:

Subdivision

1. 22-303.6.G & 22-408 – Evidence of Erosion and Sedimentation Control Plan approval shall be submitted to the Borough
2. Evidence of NPDES Permit approval shall be submitted to the Borough.

Zoning

1. 27-707 – Screening should be provided around the parking surfaces.

If you have any questions or require additional information, please contact me at 724-531-5149 or jbaughman@stahlsheaffer.com.

Respectfully submitted,



Jeffery R. Baughman, P.E.
Senior Project Manager, Stahl Sheaffer Engineering

Exhibit "B"

NPDES Permit No. PAC550072

September 13, 2023



September 13, 2023

Kevin Hicks
Icon Reality, LLC
246 Sand Hill Road
Selinsgrove, PA 17870

Re: PAG-02 NPDES General Permit Coverage Approval
Icon Legacy Homes – Parking Expansion
NPDES Permit No. PAC550072
Selinsgrove Borough, Snyder County

Dear Mr. Hicks:

Under the authority of the federal Clean Water Act and Pennsylvania's Clean Streams Law, the Snyder County Conservation District (SCCD) 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 **Icon Legacy Homes – Parking Expansion**, dated 8/23/2023 and last revised 9/13/2023.
- The PCSM Plan drawings for **Icon Legacy Homes – Parking Expansion**, dated 8/23/2023 and last revised 9/13/2023.

Your coverage under the PAG-02 General Permit, which has been assigned NPDES Permit No. PAC550072, is effective on **September 13, 2023** and will expire on **December 7, 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, unless otherwise approved by the Department of Environmental Protection (DEP) or the District.

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

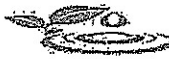




advised that after an operator (contractor) has been selected for the project, the operator must be made a co-permittee and enter into an agreement with the permittee. Please use the enclosed Co-Permittee Acknowledgement Form for Chapter 102 Permits form (3800-FM-BCW0271a) to add a co-permittee.

- 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 landowner (at the time of actual recording) signs the instrument to be recorded. If the landowner changes and an amended instrument needs to be recorded, the Recorder of Deeds office will likely require the new landowner'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-FM-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 as provided below.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.





IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have questions, please contact Tim Hornberger by e-mail at erosion@snydercd.org or by telephone at 570.837.3000 ext. 4 and refer to Permit No. PAC550072.

Sincerely,

Jason Winey
District Manager
Snyder County Conservation District

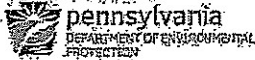
cc: Larson Design - Chris Sheaffer (approval letter and page 1 of General Permit only)
DEP Permit Section Chief - Curtis Barriek (approved NOI, approval letter, and page 1 of General Permit only)
Selliasgrove Borough (approval letter and page 1 of General Permit only)

Enclosures: PAG-02 General Permit

bcc: File

lah





COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

**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: PAC550072

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

Icon Reality, LLC
Kevin Hicks
246 Sand Hill Road
Selinsgrove, PA 17870

Project Site

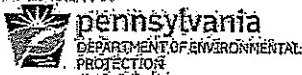
Icon Legacy Homes – Parking Expansion
246 Sand Hill Road
Selinsgrove, PA 17870

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 September 13, 2023, 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:

Jason Winey
District Winey
Snyder County Conservation District



PAG-02
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR DISCHARGES OF
STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES
NOTICE OF INTENT (NOI)

Before completing this form, read the step-by-step instructions provided in the PAG-02 NOI package.

DEP / CCD USE ONLY			
Date Received: <u>8/28/2023</u>		Permit ID: <u>PA0550072</u>	
<input checked="" type="checkbox"/> Project Eligible <input checked="" type="checkbox"/> NOI Complete		Date of: <input type="checkbox"/> Return <input type="checkbox"/> Withdrawal <input type="checkbox"/> Denial	
Date Resubmission Received: <u>9/8/2023</u>		<u>3613558684</u>	
Date Determined Complete: <u>9/11/2023</u>		Issuance Date: <u>9/13/2023</u>	
Coverage Effective Date: <u>9/17/2023</u>		Coverage Expiration Date: <u>12/7/2029</u>	
GENERAL INFORMATION			
1. NOI Type: <input checked="" type="checkbox"/> New <input type="checkbox"/> Renewal <input type="checkbox"/> Major Amendment <input type="checkbox"/> Minor Amendment Permit No. PA _____			
2. Primary NAICS Code: <u>321991</u>		3. Additional NAICS Codes: _____	
4. Project Description: <u>Earthwork and parking lots associated with the operation of Icon Legacy Homes in Selinsgrove Borough.</u>			
5. <input type="checkbox"/> Site Restoration Project			
6. <input type="checkbox"/> Common Plan of Development or Sale No. phases: _____ No. phases complete: _____			
APPLICANT INFORMATION			
1. Organization Name or Registered Fictitious Name <u>Icon Realty, LLC</u>		2. Employer ID# (EIN) <u>320223154</u>	
3. Individual Last Name: _____ First Name: _____ MI: _____ Suffix: _____			
4. Mailing Address Line 1 <u>246 Sand Hill Road</u>		Mailing Address Line 2 _____	
5. Address Last Line - City <u>Selinsgrove</u>		State: <u>PA</u>	ZIP+4 <u>17870</u>
		Country <u>Snyder</u>	
6. Applicant Contact Last Name <u>Hicks</u>		First Name <u>Kevin</u>	MI <u>M</u>
		Suffix <u></u>	
7. Applicant Contact Title <u>President</u>		8. Phone <u>570-374-3280</u>	
		Ext: <u></u>	
9. Email Address <u>kevinh@iconlegacy.com</u>		10. FAX <u></u>	
11. Ownership: Government: <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> County <input type="checkbox"/> Municipal <input type="checkbox"/> School District			
<input checked="" type="checkbox"/> Non-Government <input type="checkbox"/> Mixed (Public/Private)			

ELIGIBILITY INFORMATION		
1. Stormwater discharges from the project site will not drain to surface waters, including wetlands, that are classified for special protection.	<input checked="" type="checkbox"/> True	<input type="checkbox"/> False
2. The applicant is not in violation of any DEP or EPA enforceable document, including any permit, schedule of compliance, consent assessment of civil penalty, or order at the project site or other sites or facilities owned or operated by the applicant in Pennsylvania, and has not shown a lack of ability or intention to comply with laws administered by DEP or EPA as indicated by past or continuing violations.	<input checked="" type="checkbox"/> True	<input type="checkbox"/> False
3. The PNDI receipt indicates either 1) "No Impact", or 2) "Conservation Measures", or 3) "Avoidance Measures" that have been agreed to by the applicant, or 4) "Potential Impact" or "Avoidance Measures" not agreed to by the applicant but clearance letters from jurisdictional agencies are attached to the NOI or otherwise will be submitted prior to General Permit coverage.	<input checked="" type="checkbox"/> True	<input type="checkbox"/> False
4. Soils in the area of the earth disturbance are not contaminated at levels exceeding residential or non-residential medium-specific concentrations (MSCs) in 25 Pa. Code Chapter 250 at residential or non-residential construction sites, respectively, unless a site-specific standard has been met or evidence is provided that the contamination is naturally occurring or the result of widespread atmospheric deposition.	<input checked="" type="checkbox"/> True	<input type="checkbox"/> False
5. Stormwater will not be discharged to MS4 or CSO systems or will be discharged to MS4 or CSO systems with no net change in volume, rate or water quality or will be discharged to MS4 or CSO systems with a net change (increase) and written consent of the MS4 or CSO permittee.	<input checked="" type="checkbox"/> True	<input type="checkbox"/> False
6. All fill material imported to the project site will be clean fill or will be regulated fill that has been authorized for use on the project site by DEP's Waste Management Program or will be used on an Act 2 site in accordance with standards established by DEP's Land Recycling and Environmental Remediation Standards Program.	<input checked="" type="checkbox"/> True	<input type="checkbox"/> False
7. Stormwater discharges will not occur that would contain toxic or hazardous pollutants as defined in sections 307 and 311 of the Clean Water Act (33 U.S.C. §§ 1317 and 1321) or any other substance that - because of its quantity, concentration, or physical, chemical or infectious characteristics - may cause or contribute to an increase in mortality or morbidity in either an individual or the total population, or pose a substantial present or future hazard to human health or the environment when discharged into surface waters.	<input checked="" type="checkbox"/> True	<input type="checkbox"/> False
8. Stormwater will not be discharged to impaired waters caused by siltation, suspended solids, turbidity, water/flow variability, flow modifications/alterations, or nutrients, or stormwater will be discharged to impaired waters but the applicant will implement non-discharge alternative(s) or ABACT BMPs.	<input checked="" type="checkbox"/> True	<input type="checkbox"/> False
9. Stormwater will not be discharged to waters with an EPA approved or established TMDL for siltation, suspended solids, or nutrients, or will be discharged to TMDL waters (including the Chesapeake Bay) but the applicant will implement non-discharge alternative(s) or ABACT BMPs and any applicable wasteload allocation (WLA) will be achieved.	<input checked="" type="checkbox"/> True	<input type="checkbox"/> False

EXISTING PERMITS

Identify all environmental permits issued by DEP/COD or EPA or are pending for this facility/project site within the past 5 years.

Type of Permit	Permit No.	Date Issued	Issued By
NPDES	PAC550045	07/28/2020	Snyder County Conservation District

PROJECT SITE INFORMATION					
1. Project Site Name	Icon Legacy Homes Parking Expansion		2. Total Project Site Area	34.7	acres
3. Project Site Impervious Area – Pre-Construction	0.38	acres	Percent of Total	1.1	%
4. Project Site Impervious Area – Post-Construction	10.69	acres	Percent of Total	30.8	%
5. Hydric soils or other wetland features are present within the Project Site. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, the wetland determination is attached to the NOI.					
6. County Name	Municipality Name	City	Boro	Twp	State
Snyder	Selinsgrove	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PA
7. County Name	Municipality Name	City	Boro	Twp	State
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PA
8. Site Location Address 246 Sand Hill Road					
9. Site Location City	State	ZIP+4			
Selinsgrove	PA	17870			
OPERATOR INFORMATION					
1. Operator Name: _____			2. Contact Name: _____		
3. Operator Address: _____			4. Operator Phone: _____		
5. Operator City, State, Zip: _____					
6. Operator's Role in Project: <input type="checkbox"/> General Contractor <input type="checkbox"/> Consultant <input type="checkbox"/> Excavation Contractor <input type="checkbox"/> Other					
7. Operator's Responsibilities: _____					
1. Operator Name: _____			2. Contact Name: _____		
3. Operator Address: _____			4. Operator Phone: _____		
5. Operator City, State, Zip: _____					
6. Operator's Role in Project: <input type="checkbox"/> General Contractor <input type="checkbox"/> Consultant <input type="checkbox"/> Excavation Contractor <input type="checkbox"/> Other					
7. Operator's Responsibilities: _____					
EARTH DISTURBANCE INFORMATION					
1. Total Earth Disturbance Area	24.1	acres	1,049,345	sf	
2. Pre-Construction Impervious Area:	_____ sf				
3. Post-Construction Impervious Area:	_____ sf				
4. Pre-Construction/Present Land Use(s):			5. Post-Construction Land Use(s):		
Open Space (Meadow)	91	%	Open Space (Lawn)	57	%
Pavement/Gravel	1	%	Pavement/Gravel	37	%
Wooded	8	%	Wooded	6	%
		%			%
6. <input checked="" type="checkbox"/> Plan Drawings within E&S Plans and PCSM Plans showing topography, project site and LOD boundaries, surface waters, discharge points, E&S and PCSM BMPs, and drainage patterns are attached.					
7. Report latitude and longitude at the center of the proposed disturbed area (decimal degrees). Latitude: <u>40.790767</u> Longitude: <u>-76.874528</u>					
8. Horizontal Reference Datum: <input type="checkbox"/> NAD of 1927 <input checked="" type="checkbox"/> NAD of 1983 <input type="checkbox"/> WGS of 1984 <input type="checkbox"/> Unknown					

EARTH DISTURBANCE INFORMATION (CONTINUED)

9. There will be off-site construction support activities. Yes No

10. If Yes, identify the nature of known off-site support activities whose disturbance is included in #1, above:

Description of Off-Site Support Activity	Distance from Site	Disturbance Area
	mi	acres
	mi	acres

11. Identify any other off-site support activities whose disturbance is not included in #1, above (see instructions).

Description of Off-Site Support Activity	Distance from Site	Disturbance Area
	mi	acres
	mi	acres

12. Check the appropriate box concerning fill material (see instructions):

- No fill material is expected to be imported to the project site.
- It is expected that fill will be needed for this project. The source of fill has not yet been determined but will undergo environmental due diligence when identified.
- It is expected that fill will be needed for this project. The applicant has identified the source of the fill and has determined the material to be clean fill. DEP's online Certification of Clean Fill form has been submitted.
- It is expected that fill will be needed for this project, which is located on a site that is being remediated to Act 2 standards and will be utilized in accordance with DEP standards under that program.
- It is expected that fill will be needed for this project. The applicant has identified the source of the fill and has determined it to be regulated fill. The regulated fill is authorized on the project site under a Waste Management General Permit No. WMGR096 authorization dated: _____
- It is expected that fill will be needed for this project, which is not on an Act 2 site. The applicant has identified the fill and has determined that it does not meet criteria for clean fill. The applicant is seeking authorization to use the regulated fill from DEP's Waste Management Program.

13. The site is enrolled in DEP's Act 2 Program. Yes No

14. The site was previously enrolled in DEP's Act 2 Program and cleanup standards have been met. Yes No

15. Is Act 537 sewage planning approval needed for this project? Yes No

The Act 537 approval letter is attached to the NOI. Yes No (will be obtained before construction) N/A

16. A Chapter 105 permit or authorization is required. Yes No

17. If Yes, identify the necessary authorization. Joint Permit General Permit Waiver

18. Other DEP/COD permits or authorizations are required. Yes No

19. If Yes, identify the necessary authorizations.

COMPLIANCE HISTORY

Was/Is the applicant, facility owner or operator in violation of any DEP regulation, permit, order, or schedule of compliance at this or any other facility or project site within the past 5 years? Yes No

If "Yes," list each permit, order or schedule of compliance and provide current compliance status. Use additional sheets to provide information on all permits.

Permit Program: _____ Permit No.: _____

Brief Description of Non-Compliance: _____

Steps Taken to Achieve Compliance _____ Date(s) Compliance Achieved _____

Current Compliance Status: In Compliance In Non-Compliance

STORMWATER DISCHARGE INFORMATION

1. List all stormwater discharge points during construction, and provide the information requested below (see instructions). Not-Applicable

Discharge Point No	LATITUDE		LONGITUDE		RECEIVING WATERS					
	Degrees	Degrees	Degrees	Degrees	Name of Receiving Waters	Ches. Bay?	Non-Surface Waters	Ch. 93 Class	Impaired?	TMDL?
001 (A)	40.792568	-76.873447			Penns. Creek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CWF	<input type="checkbox"/>	<input type="checkbox"/>
002 (B)	40.791062	-76.871189			Penns. Creek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CWF	<input type="checkbox"/>	<input type="checkbox"/>
003 (C)	40.789324	-76.872249			Penns. Creek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CWF	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

2. List all stormwater discharge points after construction and stabilization are complete and provide the information requested below. Not-Applicable

Discharge Point No	LATITUDE		LONGITUDE		RECEIVING WATERS					
	Degrees	Degrees	Degrees	Degrees	Name of Receiving Waters	Ches. Bay?	Non-Surface Waters	Ch. 93 Class	Impaired?	TMDL?
001 (A)	40.792568	-76.873447			Penns. Creek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CWF	<input type="checkbox"/>	<input type="checkbox"/>
002 (B)	40.791062	-76.871189			Penns. Creek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CWF	<input type="checkbox"/>	<input type="checkbox"/>
003 (C)	40.789324	-76.872249			Penns. Creek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CWF	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

3. Will any of the points identified above discharge to a storm sewer system? Yes No
 Name of storm sewer owner/operator: Selingsgrove Borough

4. Identify and describe all non-stormwater discharges that are expected to occur during permit coverage. Describe the frequency and volume of all such discharges.

No non-stormwater discharges are anticipated.

5. Will there be any new or increased discharge to non-surface waters prior to reaching surface waters? Yes No
 If Yes, the applicant is expected to 1) secure legal authority for the non-surface water discharge if the discharge will be to property not owned by the applicant, and 2) provide for adequate E&S controls to prevent accelerated erosion.

STORMWATER DISCHARGE INFORMATION (CONTINUED)

6. For each discharge to an impaired water (with or without a TMDL, including Ches. Bay) complete the information below.

Discharge Point No.: 001 (A)

Stormwater will be managed using: Non-discharge alternative ABACT BMP(s)

Description of E&S BMP(s):

Description of PCSM BMP(s): Compost Filter Sock

WLA(s) in a TMDL apply to this discharge: Yes No

If Yes, describe how the discharge will comply with the WLA(s):

Discharge Point No.: 002 (B)

Stormwater will be managed using: Non-discharge alternative ABACT BMP(s)

Description of E&S BMP(s): Compost Filter Sock

Description of PCSM BMP(s):

WLA(s) in a TMDL apply to this discharge: Yes No

If Yes, describe how the discharge will comply with the WLA(s):

Discharge Point No.: 003 (C)

Stormwater will be managed using: Non-discharge alternative ABACT BMP(s)

Description of E&S BMP(s): Compost Filter Sock, Erosion Control Matting, Rock Construction Entrance

Description of PCSM BMP(s): Infiltration Basin with Pipe Conveyance

WLA(s) in a TMDL apply to this discharge: Yes No

If Yes, describe how the discharge will comply with the WLA(s):

Discharge Point No.:

Stormwater will be managed using: Non-discharge alternative ABACT BMP(s)

Description of E&S BMP(s):

Description of PCSM BMP(s):

WLA(s) in a TMDL apply to this discharge: Yes No

If Yes, describe how the discharge will comply with the WLA(s):

Discharge Point No.:

Stormwater will be managed using: Non-discharge alternative ABACT BMP(s)

Description of E&S BMP(s):

Description of PCSM BMP(s):

WLA(s) in a TMDL apply to this discharge: Yes No

If Yes, describe how the discharge will comply with the WLA(s):

CERTIFICATION FOR PAG-02 APPLICANTS

I certify under penalty of law that this application and all related attachments were prepared by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my own knowledge and an inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. The responsible official's signature also verifies that the activity is eligible to participate in the NPDES permit, and that BMP's, E&S Plan, PPC Plan, PCSM Plan, and other controls are being or will be implemented to ensure that water quality standards and effluent limits are attained. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment or both for knowing violations pursuant to Section 309(c)(4) of the Clean Water Act and 18 Pa. C.S.A. § 4904.

I grant permission to the agencies responsible for the permitting of this work, or their duly authorized representative to enter the project site for inspection purposes. I will abide by the conditions of the permit if issued and will not begin work prior to permit issuance.

(For individuals no indication of title is necessary, choose the box below. All others proceed to the next paragraph)

Individual; proceed to signature portion.

I hereby certify that I am the signatory pursuant to 25 Pa. Code § 92a.22 and 40 CFR §122.22 and that I am the person who is responsible for decision-making regarding environmental compliance functions for Icon Reality, LLC, the manager of one or more manufacturing, production, or operating facilities of the applicant and am authorized to make management decisions which govern the operation of regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure the applicant's long term environmental compliance with environmental laws and regulations; and I am responsible for ensuring that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements.

(choose one of the following; not applicable for individuals):

The responsible corporate officer president vice president secretary treasurer of Icon Reality, LLC
Corporation/Company
Entity name

The person either holding a position designated or individually listed on a "Certificate of Limited Liability Company Authority" filed with the Pennsylvania Department of State as a position/person with the authority to bind the company OR the person listed in the LLC's most current and active operating agreement as having the authority to bind the company. Please attach the applicable "Certificate of Limited Liability Company Authority" or operating agreement. If the operating agreement is attached, please identify the page and paragraph containing the applicable information.

The general partner of _____ partnership/LP/LLP
Entity name

The principal executive officer or ranking elected official of _____ Municipality/State/Federal/other public agency
Entity name

Power of Attorney/delegation of contractual authority (documentation supporting delegation of contracting authority must be provided) for _____
Entity name

Kevin M Hicks
Applicant Name (type or print legibly)

President
Official Title

Kevin M Hicks
Applicant Signature

9/7/2023
Date Signed

CERTIFICATION FOR OPERATORS

I understand that I am assuming joint and severable responsibility, coverage, and liability under the permit for all duties, responsibilities, and non-compliance with the Chapter 102 permit, as a co-permittee of this permit coverage. I certify that I will implement the requirements of the permit and the approved design plans and will notify the permittee and the agency that issued permit coverage prior to implementing changes to the plans.

Operator Name (type or print legibly)

Official Title

Operator Signature

Date Signed

Operator Name (type or print legibly)

Official Title

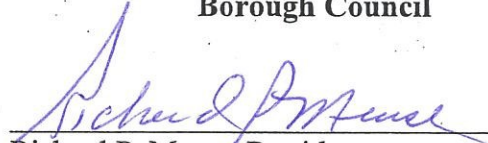
Operator Signature

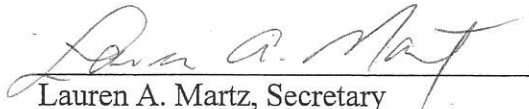
Date Signed

RESOLVED and ENACTED this 6th day of November, 2023 by the Selinsgrove Borough Council

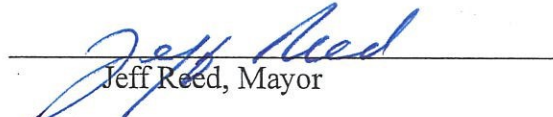
{SEAL}

**Borough of Selinsgrove
Borough Council**


Richard P. Mease, President


Lauren A. Martz, Secretary

Resolved and enacted this 6th day of December 2023.


Jeff Reed, Mayor

ACCEPTANCE

The undersigned states that they are authorized to execute this Acceptance on behalf of the Applicant and/or the owner(s) or is the applicant and/or owner(s) of the Subject Property, which is the subject matter of this Resolution, that they have reviewed the Resolution and that they accept the conditions on behalf of the Applicant and/or owner(s) and agree to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

Date: 11/8/2023

Print Name: Kevin m Hertz

Signature: Kevin m Hertz