July 18, 2018

Bharat Patel, Permits Chief
Northeast Regional Office
PA Department of Environmental Protection
2 Public Square
Wilkes-Barre, PA 18701-1906

Re: Slate Belt Heat Recovery Center proposal, Plainfield Twp., Northampton County, PA

Dear Mr. Patel,

Delaware Riverkeeper Network submits the enclosed letter from Michele Adams, P.E., of Meliora Design regarding the definition of the water body on the proposed development site, identified as Sediment Basin #2. We submitted this letter to Plainfield Township Planning Board during their deliberations regarding plan approvals for the proposed project. Meliora’s conclusion is that the water body which is planned to be modified must follow all regulations as a “Waters of the Commonwealth” as per Chapter 102 definition of a waterbody. Please see the letter for additional details about the waterbody and proposed project site.

Additionally, the waterbody is directly connected to groundwater within the watershed of Little Bushkill Creek and perhaps Waltz Creek, and is clearly connected to a drainage system that ultimately discharges to the Little Bushkill Creek, and may also discharge to Waltz Creek. Both of these waterways are designated as High Quality streams in Pennsylvania’s Special Protection Waters system and, as such, are protected from degradation yet adequate protection is not proposed in the applications to PA Department of Environmental Protection (PADEP) for this project.

We are aware of several applications that have been submitted to PADEP for permits for this project and have received information through the Department’s file review process. We are concerned that this project will degrade the groundwater and surface waters of these watersheds and that environmental resources are not adequately protected. Included in our concerns are: the application for an Individual NPDES Permit - Stormwater Runoff from Industrial Activities; the application for a general permit to process biosolids and produce Class A biosolids products; the application for a minor permit amendment for the proposed Slate Belt Heat Recovery Center; all stormwater planning, including compliance with the Act 167 plan for the watershed; the lack of wetlands identification and protection; the proposed handling and processing of sewage sludge and wastewater produced by the sludge drying process; and the claim by the applicant that
the waterbody (sediment basin #2) is not required to be protected by buffers and other best management practices under PADEP regulations because it has served in the past as a sediment basin for the Grand Central Sanitary Landfill.

Thank you for your consideration.

Sincerely,

[Signature]

Tracy Carluccio
Deputy Director
Delaware Riverkeeper Network

CC: Amy Bellanca, P.E., Environmental Engineer Manager, Department of Environmental Protection, Clean Water Program, Northeast Regional Office, 2 Public Square | Wilkes-Barre, PA

Enclosure: July 16 letter and attachments from Meliora to Delaware Riverkeeper Network
Ms. Tracy Carluccio  
Deputy Director  
Delaware Riverkeeper Network  
925 Canal Street 7th Floor Suite 3701  
Bristol, PA 19007  
July 16, 2018  

RE: Slate Belt Heat Recovery Center  
Land Development and Stormwater Management  

Dear Ms. Carluccio:

I have reviewed the available information regarding the Slate Belt Heat Recovery Center, and based on my review of the material, the existing waterbody which is proposed to be modified is a Waters of the Commonwealth per the definition of PA Code Title 25, Chapter 102, which is as follows:

\[\text{Waters of this Commonwealth—Rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs and other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.}\]

The Township of Plainfield Subdivision and Land Development Ordinance, Chapter 22-1023 defines a Watercourse as follows:

\[\text{A watercourse is a channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow, shown as Hydrology (blue lines) on the latest version of the Plainfield Township Zoning Map. Man-made swales, constructed specifically for stormwater management purposes, are excluded from this definition.}\]

Correspondingly, the proposed site improvements must meet the requirements of the Township of Plainfield Subdivision and Land Development Design Standards, specifically Chapter 22-1023.4.b(1) Riparian and Wetland Buffers, General Design Standards, which states:

\[\text{“The riparian buffer shall be:}\]

\[\text{(1) One hundred feet from the top of the stream bank of a watercourse.”}\]

The existing waterbody is man-made and is shown as a blue waterbody on the USGS 7.5 minute quadrangle, Wind Gap and Bangor, PA, as included in the applicant’s NPDES permit application as Figure 1.

The Drainage Plan, which is Figure 2 in the NPDES application, does not provide a setback or buffer of 100 feet from the existing waterbody. Additionally, the Drainage Plan indicates that the waterbody will be modified and filled as part of the proposed project. The existing water surface elevation and proposed water surface elevation are not provided on the plan.

**Existing Waterbody**

The current Site Plan as included in the March 2018 “Slate Belt Heat Recovery Center, LLC NPDES Permit Application to Discharge Industrial Stormwater, Figure 2, Drainage Plan” (included with this letter as Attachment A), indicates a proposed regrading of the existing water body from its current configuration, presumably by the placement of fill.
A riparian buffer setback is not provided. A review of historic documents for this site indicates that this waterbody is connected to groundwater and meets the Pa Chapter 102 definition of a waters of the Commonwealth.

The “Final Grade Plan” from the Grand Central Sanitary Landfill, Inc. plan set, dated 08/08/00 and last revised 12/18/07 (and attached to this letter as Attachment B) indicates this waterbody as “Proposed Sediment Basin No. 2, Reclaimed Doney #2 Quarry”. This plan indicates proposed grading to create a sediment trap, as well as several stormwater structures to convey runoff to the waterbody. “Proposed Basin No. 2” is located in an existing waterbody in the same location as the current waterbody on the property. The delineation of the waterbody can clearly be seen on the plan. This plan also indicates a storm sewer discharging into the waterbody at elevation 698.83 conveying runoff from the Landfill Gas to Energy Facility Lease Area, and a proposed emergency spillway channel.

The “Existing Site Features” plan sheet from the 08/08/00 plan set indicates the waterbody area as a large depression labeled “Overburden Storage / Stockpile Area” (included with the letter as Attachment C). The bottom of this large excavation is shown as approximate elevation 580 feet. This depiction is consistent with an available 1999 aerial photograph of the site (Attachment D) which shows a large waterbody, presumably as a result of quarry activities, in this location. The same waterbody is visible in the 1993 aerial of the site (Attachment E).

Based on this information, it appears that the current waterbody was created as a result of the earlier quarry excavation and is directly connected to groundwater. It appears that the area and the extent of the waterbody were modified as a result of construction as documented on the 08/08/00 plans, however, the existing waterbody is clearly a remnant of earlier quarrying activity and is supported by groundwater. As such, it meets the current Chapter 102 definition of a waterbody. Correspondingly, this waterbody should be subject to the requirements of the Township of Plainfield SALDO requiring a 100-foot buffer.

**Connectivity to Little Bushkill Creek**

The proposed Drainage Plan also includes a note that states:

“Sediment Basin 2: Sediment Basin 2 is an existing zero-discharge sedimentation basin which acts as a stormwater control facility.”

However, the Final Grade Plan from construction in 2000 (Attachment B) indicates an Emergency Spillway for overflows that connects to an existing storm sewer system. On this plan the waterbody is labeled as “Proposed Basin No. 2.” Based on this plan, the waterbody is clearly connected to a drainage system that ultimately discharges to the Little Bushkill Creek. Additionally, the waterbody is directly connected to groundwater within he watershed of Little Bushkill Creek.

If you have any questions or concerns, I can be reached at 610-933-0123, or michelea@melioradesign.com

Sincerely yours,

Michele C Adams, PE, LEED AP
President
ATTACHMENT A
3/6/18 SITE PLAN FROM NPDES APPLICATION
ATTACHMENT B
08/08/00 FINAL GRADE PLAN
ATTACHMENT C
3/6/18 EXISTING FEATURES
PLAN
ATTACHMENT D
1999 SITE AERIAL
ATTACHMENT E
1993 SITE AERIAL