

FILE

APR 07 2014



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTHWEST REGIONAL OFFICE

3/20/14

Paul Hart
Fluid Recovery Services, LLC
5035 US Route 10
Creekside, PA 15732

RE: Environmental Assessment
FRS Josephine Remediation Project
DEP File No. EA32-011 and GP083213201
Burrell Township
Indiana County

Dear Mr. Hart :

We have reviewed the Environmental Assessment form you submitted to our office on December 10, 2013 and additional information received on January 8, 2014. The submittal relates to the Josephine Facility Remediation Project and the proposal to remove radiation impacted sediment from a 1' deep by 20' wide by 600' long portion of Blacklick Creek (TSF) immediately downstream from an existing facility outfall. Excavated substrate will be treated, in part, by removing radiation impacted fine sediment and Blacklick Creek will be restored by replacing the larger, treated substrate material into the excavated area. The site is located at the Fluid Recovery Services, LLC – Josephine facility, at 931 Bells Mills Road, Josephine, PA 15750 (Bolivar, PA USGS Quadrangle; N: 19.22 inches; W: 5.88 inches; Latitude: 40° 28' 51.08"; Longitude: -79° 10' 02.23") in Burrell Township, Indiana County.

The proposed structures and/or activity is regulated in accordance with the provisions of Section 4 of the Dam Safety & Encroachments Act, the Act of November 26, 1978, P.L. 1375, No 325 (*as amended* by Act 70). In this case, the requirements for a Water Obstruction and Encroachment permit are waived for this type of structure and/or activity, in accordance with Section 7(a) of the Dam Safety & Encroachments Act and the provisions of Section 105.12(a)(16) of Chapter 105 rules and regulations, Dam Safety & Waterways Management, *as amended* on October 12, 1991. However, Section 105.15(d) requires approval of an Environmental Assessment for activities applying for waiver 105.12(a)(16).

Submission of this Environmental Assessment form for approval also constitutes a request for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)]. Water Quality Certification is required should this project also require a U.S. Army Corps of Engineers (ACOE) permit or pursuant to Section 404 of the Clean Water Act.

The Environmental Assessment required by Section 105.15 for this project has been approved and deemed by the Department to be satisfied. Additionally, the Department has granted 401 Water Quality Certification for this project, provided the following conditions are met:

Fluid Recovery Services, LLC

1. Prior to the start of earthmoving activities, all wetlands that are not authorized for impact by this approval shall be clearly marked in the field with orange construction fencing or other similar highly visible material.
2. Since this stream is a stocked trout stream, no work shall be done in the stream channel between March 1 and June 15 without the prior written approval of the Pennsylvania Fish and Boat Commission.

This approval also acknowledges receipt of your notification and registers your intent to construct and maintain a temporary road crossing in accordance with the Department's General Permit BDWM-GP-8 (GP083213201), a copy of which is attached. The permittee is responsible for assuring that the work is done in accordance with the conditions of the General Permit. No additional notification to the Regional Office's Permitting and Technical Services Section, Waterways and Wetlands Program is necessary.

It is recommended that you contact the Pennsylvania Fish and Boat Commission prior to starting work, and that the work be performed in such a manner so as to protect fish and other aquatic life.

Also enclosed is your Section 404 Clean Water Act State Programmatic General Permit (PASPGP- 4), providing federal authorization for the project.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. 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 Environmental Hearing Board within 30 days of receipt of written notice of this action 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 any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO 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 (717-787-3483) FOR MORE INFORMATION.

If you have any questions, please call me or Mike Engelhardt at 412-442-4304.

Sincerely,



Rita A. Coleman
Program Manager
Waterways and Wetlands Program

Enclosure

~~rcoleman@state.pa.us~~
~~rigraham@pa.gov~~
412-442-4149?

Reg prog man
412-442-4315

Fluid Recovery Services, LLC

cc: U.S. Army Corps of Engineers – Pittsburgh District
Pa. Fish and Boat Commission – Dan Ryan
✓ Indiana County Conservation District
Thomas M. Reilly, P.E. – The EADS Group

PASPGP-4 PERMIT COMPLIANCE, SELF-CERTIFICATION FORM

Project Name: FRS Josephine Remediation Project

Applicant Name: Fluid Recovery Services, LLC

PADEP Permit No.: EA32-011 & GP083213201

Date of Issuance: 3-20-14

Corps Permit No. (if available): _____

Date of Issuance: _____

Waterway: Blacklick Creek

County: Indiana

Dear Permittee:

In accordance with the compliance certification condition of your PASPGP-4 authorization, you are required to complete and sign this certification form and return it to the appropriate Corps of Engineers District in which the work is located:

- | | | | | | |
|--------------------------|--|--------------------------|--|-------------------------------------|---|
| <input type="checkbox"/> | U.S. Army Corps of Engineers,
Philadelphia District
Regulatory Branch
Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390 | <input type="checkbox"/> | U.S. Army Corps of Engineers,
Baltimore District
1631 South Atherton Street
Suite 101
State College, PA 16801-6260 | <input checked="" type="checkbox"/> | U.S. Army Corps of Engineers,
Pittsburgh District
Regulatory Branch
Federal Building, 20 th floor
1000 Liberty Avenue
Pittsburgh, PA 15222-4186 |
|--------------------------|--|--------------------------|--|-------------------------------------|---|

Please note that the permitted activity is subject to compliance inspections by U.S. Army Corps of Engineers representatives. As a condition of this permit, failure to return this notification form, provide the required information below, or to perform the authorized work in compliance with the permit, can result in suspension, modification or revocation of your authorization in accordance with 33 CFR Part 325.7 and/or administrative, civil, and/or criminal penalties, in accordance with 33 CFR part 326.

Please provide the following information:

- Date authorized work commenced: _____
- Date authorized work completed: _____
- Was all work, including any required mitigation, completed in accordance with your PASPGP-4 authorization?
 YES NO
- Explain any deviations (use additional sheets if necessary) _____
- Was mitigation accomplished through an approved in-lieu fee program?
 YES NO (if **YES** please provide documentation, if **NO** complete Nos. 6 and 7 below).
- Wetland Mitigation: Required? YES NO Required Completion Date _____
Completed? YES NO Mitigation Monitoring Reports Required? Yes No
- Attach labeled photographs showing completed work including mitigation area(s) (not required for PADEP GP's/Waivers)

I hereby certify that, except as noted above, that all work, including mitigation, has been completed in accordance with the terms and conditions, including special conditions of the above referenced permit.

<i>Applicants Signature:</i> _____	<i>Consultant/Agents Signature:</i> _____
<i>Address:</i> _____	<i>Address:</i> _____
<i>Telephone:</i> _____	<i>Telephone:</i> _____
<i>Email:</i> _____	<i>Email:</i> _____

PENNSYLVANIA STATE PROGRAMMATIC GENERAL PERMIT -4

(PASPGP-4)

July 1, 2011

Please note: the full text of the PASPGP-4 may be viewed on the Baltimore District web site at <http://www.nab.usace.army.mil/Wetlands%20Permits/> or by calling the Corps at 814-235-0570

Applicant: Fluid Recovery Services, LLC

State Authorization(s): EA32-011 & GP083213201

Corps District:

Philadelphia

U.S. Army Corps of Engineers,
Philadelphia District
Regulatory Branch
Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390

Baltimore

U.S. Army Corps of Engineers,
Baltimore District
Regulatory Branch
1631 South Atherton Street
Suite 101
State College, PA 16801-6260

Pittsburgh

U.S. Army Corps of Engineers,
Pittsburgh District
Regulatory Branch
Federal Building, 20th floor
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

It has been determined that your proposed project, which includes the discharge of dredged and/or fill material and/or the placement of structures into waters of the United States, including wetlands, qualifies for Federal authorization under the provisions of Section 404 of the Clean Water Act and /or Section 10 of the River and Harbor Act of 1899, under the terms and conditions of the PASPGP-4.

All activities authorized under PASPGP-4 must comply with all conditions of the authorization, including General, Procedural, and Special Conditions. Failure to comply with all the conditions of the authorization, including project special conditions, will constitute a permit violation and may be subject to criminal, civil, or administrative penalties, and /or restoration.

The authorized activity must be performed in compliance with the following General Conditions to be authorized under PASPGP-4:

General Conditions:

- 1. Permit Conditions:** The permittee shall comply with all terms and conditions set forth in the PADEP authorization for use of this permit, including all conditions of Section 401 Water Quality Certification, and any subsequent amendment or modification to such authorization. The permittee shall conduct all work and activities in strict compliance with all approved maps, plans, profiles, and specifications used by PADEP and/or the Corps as the basis for its authorization or subsequent modification of authorization.
- 2. Aquatic Life Movements:** No activity may substantially disrupt the movement of those species of aquatic life indigenous to the waterbody, including those species which normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be appropriately depressed to maintain aquatic life movement and low flow conditions.
- 3. Threatened and Endangered Species:** If an activity is authorized under the PASPGP-4, and a Federally listed threatened or endangered species, or proposed species or critical habitat, is subsequently found to be present, all work must cease, and the Corps and USFWS (or NMFS) must be notified. The PASPGP-4 verification is suspended and will not be re-issued until consultation pursuant to Section 7 of the ESA is concluded and adverse effects to Federally listed threatened, endangered, and proposed species and critical habitat are avoided.

Furthermore, persons have an independent responsibility under Section 9 of ESA to not engage in any activity that could result in the "take" of a Federally listed species.

4. Spawning Areas: The permittee shall comply with all time-of-year restrictions as set forth by the PFBC or other designated agency. Discharges or structures in spawning or nursery areas shall not occur during spawning seasons, unless written approval is obtained by the PFBC or other designated agency. In addition, work in areas used for other time sensitive life span activities of fish and wildlife (such as hibernation or migration) may necessitate the use of seasonal restrictions for avoidance of adverse impacts to vulnerable species. Impacts to these areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.

5. Waterfowl Breeding and Wintering Areas: Activities including discharges of dredged or fill material or the placement of structures in breeding and wintering areas of migratory waterfowl must be avoided to the maximum extent practicable.

6. Shellfish Production: No discharge of dredged or fill material and/or the placement of structures may occur in areas of concentrated shellfish production, unless the discharge is directly related to an authorized shellfish harvesting activity.

7. Adverse Effects From Impoundments: If the activity, including the discharge of dredged or fill material or the placement of a structure, creates an impoundment of water, the adverse effects on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow, including impacts to wetlands, shall be minimized to the maximum extent practicable.

8. Obstruction of High Flows: To the maximum extent practicable, the activity must be designed to maintain pre-construction downstream flow conditions (i.e., location, capacity, and flow rates). Furthermore, the activity must not permanently restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters), and the structure or discharge of dredged and/or fill material shall be designed to withstand expected high flows.

9. Erosion and Sediment Controls: During construction, appropriate erosion and siltation controls must be used and maintained in effective operating condition in accordance with State regulations. All exposed soil and other fill material must be permanently stabilized.

10. Suitable Material: No activity, including discharges of dredged and/or fill material or the placement of structures, may consist of unsuitable material (i.e., asphalt, trash, debris, car bodies, etc.). No material discharged shall contain toxic pollutants in amounts that would violate the effluent limitation standards of § 307 of the CWA.

11. Temporary Fill: Temporary fill in waters and wetlands authorized by the PASPGP-4 (i.e., access roads and cofferdams) shall be properly constructed and stabilized during use to prevent erosion and accretion. Temporary fill in wetlands shall be placed on geotextile fabric laid on existing wetland grade. Whenever possible, rubber or wooden mats should be used for equipment access through wetlands to the project area. Temporary fills shall be removed, in their entirety, to an upland site, and suitably contained to prevent erosion and transport to a waterway or wetland. Temporary fill areas shall be restored to their preconstruction contours, elevations, and hydrology and revegetated with non-invasive, native species.

12. Equipment Working in Wetlands: Measures must be taken to minimize soil disturbance when heavy equipment is used in wetland areas. These measures include, but are not limited to, avoiding the use of such equipment, use of timber mats or geotextile fabric, and the use of low pressure tire vehicles.

13. Installation and Maintenance: Any structure or fill authorized shall be properly installed and maintained to ensure public safety.

14. PASPGP-4 Verification:

- a. The PASPGP-4 expires June 30, 2016, unless suspended or revoked.

b. Activities authorized under a project specific PASPGP-4 expire June 30, 2016, unless suspended, revoked, or the PADEP authorization expires, whichever date occurs sooner. Activities authorized under the project specific PASPGP-4 that have commenced construction or are under contract to commence construction will remain authorized provided the activity is completed within 12 months of the date of the PASPGP-4's expiration, modification, or revocation; or until the expiration date of the project specific verification, whichever is sooner.

15. **One-Time Use:** A PASPGP-4 authorization is valid to construct the project, or perform the activity, one time only, except for PASPGP-4 authorizations specifically issued for reoccurring maintenance activities.

16. **Water Supply Intakes:** No activity, including discharges of dredged and/or fill material and/or the placement of structures, may occur in the proximity of a public water supply intake and adversely impact the public water supply.

17. **Cultural Resources:** For all activities verified under a PASPGP-4, upon the discovery of the presence of previously unknown Historic Properties (historic or archaeological), all work must cease and the permittee must notify the SHPO and the Corps of Engineers. The PASPGP-4 authorization is not valid until it is determined, through the Section 106 consultation process, whether the activity will have an effect on the Historic Property. The PASPGP-4 may be reverified and special conditions added if necessary, after an effects determination on the Historic Property is made. The PASPGP-4 authorization may be suspended and/or revoked in accordance with 33 CFR 325.7 for the specific activity if an adverse affect on the Historic Property cannot be avoided or mitigated.

18. **Tribal Rights:** No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

19. **Corps Civil Works Projects:** The PASPGP-4 does not authorize any work which will interfere with an existing or proposed Corps Civil Works project (i.e., flood control projects, dams, reservoirs, and navigation projects). The permittee understands and agrees that, if future operations by the United States require removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation, or alteration.

20. **Navigation:** No activity authorized under PASPGP-4 may cause more than a minimal adverse affect on navigation. No attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein. In addition, activities that require temporary causeways that prohibit continued navigational use of a waterway (i.e., temporary causeways extending greater than $\frac{3}{4}$ the width across the waterway) shall be removed in their entirety upon completion of their use. Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

21. **Inspections:** The permittee shall allow a District Engineer or his authorized representative(s) to make periodic inspections at any time deemed necessary in order to ensure that the work is being performed in accordance with all the terms and conditions of the PASPGP-4. The District Engineer may also require post-construction engineering drawings (as-built plans) for completed work.

22. **PASPGP-4 Permit Compliance Self Certification Form:** A Self Certification Form, regarding the PASPGP-4 authorized work and required mitigation, will be forwarded to each permittee with the PASPGP-4 verification. Every permittee, who receives a written PASPGP-4 verification, shall submit the signed Self Certification Form upon completion of the authorized work and required mitigation. The completed form shall be returned to the appropriate Corps District.

23. **Permit Modifications:** Any proposed modification of the authorized overall project that results in a change in the authorized impact to, or use of waters of the United States, including jurisdictional wetlands, must be approved by PADEP. Corps approval is also required if the overall project had been previously reviewed by the Corps as a Category III activity, or the proposed modification causes the overall project impacts to exceed 1.0 acre of waters of the United States, including jurisdictional wetlands, or 250 linear feet of streams, rivers, other watercourses and open water areas. Project modifications that cause the overall project impacts to exceed 1.0 acre of waters of the United States, including wetlands, may not be eligible for PASPGP-4 and will be forwarded to the Corps for review.

24. **Recorded Conservation Instruments:** As per Part IV.A.26 and Part IV.B.4 and Part IV.C.8 of this permit, proposed Draft Conservation Instruments may be submitted by the applicant as part of the permit application package for review and approval. **When such proposed Conservation Instruments are submitted by the applicant, verification of the recorded deed restriction, conservation easement, or deed restricted open space area shall be forwarded to the appropriate Corps District and appropriate PADEP offices, prior to the initiation of any permitted work.**

25. **Property Rights:** This PASPGP-4 does not convey any property rights, either in real estate or material, or any exclusive privileges; nor does it authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations.

26. **Navigable Waters of the United States (Section 10 Waters):** In addition to the conditions referenced above, the following conditions are applicable for navigable waters of the United States eligible for the PASPGP-4. The PASPGP-4 may be used to authorize work in the following navigable waters of the United States:

- a. Codorus Creek – from the confluence with the Susquehanna River 11.4 miles upstream to the Indian Rock Dam in York, Pennsylvania;
- b. Main Stem Susquehanna River – from the confluence with the Chesapeake Bay upstream to Athens, Pennsylvania (approximately 4 miles south from the New York State line);
- c. West Branch of the Susquehanna River – from the confluence with the main stem Susquehanna River upstream to the dam at Lock Haven, Pennsylvania;
- d. Chester Creek – from the confluence with the Delaware River 2 miles upstream;
- e. Crum Creek – from the confluence with the Delaware River 1 mile upstream to the upstream side of the dam at Eddystone;
- f. Darby Creek – from the confluence with the Delaware River 5 miles upstream to the upstream side of 84th Street Bridge in Philadelphia;
- g. Delaware River – from the Morrisville-Trenton Railroad Bridge in Morrisville, Pennsylvania, including the West Branch of the Delaware River, upstream to the Pennsylvania/New York border at the 42nd parallel;
- h. Lehigh River – from the confluence with the Delaware River 72 miles upstream to the downstream side of PA Route 940 Bridge;

i. Neshaminy Creek – from the confluence with the Delaware River, including the Neshaminy State Park Harbor Project at the mouth of Neshaminy creek, 4 miles upstream to the downstream side of the Newportville Bridge;

j. Pennypack Creek – from the confluence with the Delaware River 2 miles upstream to the downstream side of Frankford Avenue Bridge in Philadelphia;

k. Ridley Creek – from the confluence with the Delaware River 1 mile upstream to the upstream side of the Baltimore and Ohio Railroad Bridge in Chester, Pennsylvania;

l. Schuylkill River – from the Fairmont Dam, 104 miles upstream to Port Carbon, Pennsylvania; and

m. Schuylkill Navigation Channel (Manayunk Canal) – along the Schuylkill River for two miles from the Flat Rock Dam to Lock Street in the Manayunk Section of Philadelphia, Pennsylvania.

27. For Aerial Transmission Lines Across Navigable Waters:

a. The following minimum clearances are required for aerial electric power transmission lines crossing navigable waters of the United States. These clearances are related to the clearances over the navigable channel provided by existing fixed bridges, or the clearances which would be required by the United States Coast Guard for new fixed bridges, in the vicinity of the proposed aerial transmission line. These clearances are based on the low point of the line under conditions producing the greatest sag, taking into consideration temperature, load, wind, length of span, and type of supports as outlined in the National Electrical Safety Code:

NOMINAL SYSTEM VOLTAGE (kV)	Minimum additional clearance (ft.) above clearance required for bridges.
115 and below	20
138	22
161	24
230	26
350	30
500	35
700	42
750-765	45

i. Clearances for communication lines, stream gauging cables, ferry cables, and other aerial crossings must be a minimum of ten feet above clearances required for bridges, unless specifically authorized otherwise by the District Engineer.

ii. Corps of Engineer regulation ER 1110-2-4401 prescribes minimum vertical clearances for power communication lines over Corps lake projects. In instances where both this regulation and ER 1110-2-4401 apply, the greater minimum clearance is required.

b. Encasement: The top of the cable, encasement, or pipeline shall be located a minimum of three feet below the existing bottom elevation of the streambed and shall be backfilled with suitable heavy material to the preconstruction bottom elevation. Where the cable, encasement, or pipeline is placed in rock, a minimum depth of one foot from the lowest point in the natural contour of the streambed shall be maintained. When crossing a maintained navigation channel, the requirements are a minimum of eight feet

between the top of the cable, encasement, or pipeline and the authorized depth of the navigation channel. For maintained navigational channels, where the utility line is placed in rock, a minimum depth of two feet from the authorized depth of the navigation channel shall be maintained.

c. **As-built drawings:** Within 60 days of completing an activity that involves an aerial transmission line, submerged cable, or submerged pipeline across a navigable water of the United States (i.e., Section 10 waters), the permittee shall furnish the Corps and the National Oceanic and Atmospheric Administration, Nautical Data Branch, N/CS26, Station 7317, 1315 East-West Highway, Silver Spring, Maryland, 20910 with professional, certified as-built drawings, to scale, with control (i.e., latitude/longitude, state plane coordinates), depicting the alignment and minimum clearance of the aerial wires above the mean high water line at the time of survey or depicting the elevations and alignment of the buried cable or pipeline across the navigable waterway.

d. **Aids to Navigation:** The permittee must prepare and provide for United States Coast Guard (USCG) approval, a Private Aids To Navigation Application (CG-2554). The form can be found at: http://www.uscg.mil/forms/cg/CG_2554.pdf. Within 30 days of the date of receipt of the USCG approval, the permittee must provide a copy to the applicable Corps District.

By Authority of the Secretary of the Army:

David E. Anderson
Colonel, Corps of Engineers
District Engineer, Baltimore

Philip M. Secrist, III
Lieutenant Colonel, Corps of Engineers
District Engineer, Philadelphia

William H. Graham
Colonel, Corps of Engineers
District Engineer, Pittsburgh



CHAPTER 105 GENERAL PERMIT REGISTRATION

TYPE OF GENERAL PERMIT: **New Permit**
PLEASE MARK ("X") ONE: **Transfer of Existing Permit** (Complete Section A, C & F below and all of form 3150-PM-BWEV/001)

PLEASE MARK ("X") ALL THAT APPLY:

- GP-1 Fish Habitat Enhancement Structures
- GP-2 Small Docks & Boat Launching Ramps

Please mark ("X") the specific type:

- private recreational dock
- public access facility
- public service facility
- other private or commercial facility
- GP-3 Bank Rehabilitation, Bank Protection, Gravel Bar Removal
- GP-4 Intake and Outfall Structures

- GP-5 Utility Line Stream Crossing
- GP-6 Agricultural Crossings & Ramps
- GP-7 Minor Road Crossings
- GP-8 Temporary Road Crossings
- GP-9 Agricultural Activities
- GP-10 Abandoned Mine Reclamation
- GP-11 Maintenance, Testing, Repair, Rehabilitation, or Replacement of Water Obstructions and Encroachments (reviewed by DEP Regional Office only)
- GP-15 Private Residential Construction in Wetlands

Activity Related

Gas Exploration, Production or Transmission

SECTION A. APPLICANT INFORMATION

Applicant's Name / Client
Fluid Recovery Services, LLC

DEP Client ID# (if known)
300424

Employer ID# (EIN)
45-4793000

Client Information - Please select Client Type / Code from drop down box under the correct entity shown to the right (or may be written in) →

Government	Non-Government	Individual
	LLC Ltd Liability Co	

Mailing Address
5035 US Route 110

City
Creekside

State
PA

ZIP + 4
15732

Contact Person - Last Name First MI Suffix
Hart Paul

Telephone
(724) 349-8600

Email Address
hartp@fluidrecovery.com

SECTION B. CONSULTANT INFORMATION (Complete if different than above) **N/A**

Contact Person - Last Name First MI Suffix
Reilly Thomas M

Consultant's Title
Vice President

Consulting Firm
The EADS Group, Inc.

Mailing Address
450 Aberdeen Drive

City
Somerset

State
PA

ZIP + 4
15501

Telephone
(814) 445-6551

Fax
(814) 443-2748

Email
treilly@eadsgroup.com

Employer ID# (EIN)
25-1756468

SECTION C. PROJECT INFORMATION

Project /Site Name:
Josephine Remediation Project

DEP Site ID# (if known or leave blank)

Client Relationship - Please select Site-to-Client Relationship / Code from drop down box to the right (or may be written in) →

Double-click on shaded area below to select correct Site-to-Client Relationship / Code ↓

County
Indiana

Municipality City Borough Township
Burrell

OWN Owner

Site Location / Address
931 Bells Mills Road

City
Josephine

State
PA

ZIP + 4
15750

Collection Method: EMAP HGIS GISDR* ITPMP GPS WAAS LORAN

Check the horizontal reference datum (or projection datum) employed in the collection method.

EMAP and HGIS (PNDI) have known datum and do not require checking here. NAD27 NAD83 WGS84 (GEO84)

Enter the date of collection if coordinates were derived from GPS, WAAS or LORAN. ____ mm ____ dd ____ yyyy

Applicant's Name Fluid Recovery Services, LLC	GENERAL PERMIT REGISTRATION	
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SECTION D. RESOURCE IDENTIFICATION

Please place an "X" in the appropriate box next to each item to indicate the applicant has identified any of the resources which may be present at the project site.

Each General Permit (GP) has a specific set of restrictions and some resources may require certain actions or prohibit project from being eligible to register use of the GP. *This list is not all-inclusive, please see GPs for details.*

YES	NO		YES	NO	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	National Register of Historic Places	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Threatened and Endangered Species
<input type="checkbox"/>	<input checked="" type="checkbox"/>	National Registry of Natural Landmarks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wild or Stocked Trout Streams
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Local historical site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wild and Scenic Rivers
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Exceptional Value (EV) Waters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wetlands
<input type="checkbox"/>	<input checked="" type="checkbox"/>	High Quality (HQ) Waters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other _____

SECTION E. REGISTRATION CHECK LIST AND REQUIREMENTS

Please place an "X" next to each item (1 - 16) to ensure it is completed and/or provided. Unless otherwise specified, all items are **required** to ensure a complete Registration package. ****Provide ONE (1) ORIGINAL and FOUR (4) COPIES of the Registration package****

	Applicant Entry	DEP U: Only
1. General Permit Registration form properly completed and signed <input checked="" type="checkbox"/> I have read the terms and conditions of the GP(s) indicated above.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. General Permit Registration Fee and Chapter 105 Fee Calculation Worksheet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Notification sent to the Municipality & County (copy of General Permit Registration form)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. PASPGP-4 Cumulative Impact Project Screening Form properly completed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Location Map (USGS quad map) with project site marked	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Color Photographs with dates and descriptions (<i>see instructions</i>) <input type="checkbox"/> N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Stream Name and Chapter 93 Classification (example: UNT to #40637 HOUSE RUN, HQ-WWF/EV) Blacklick Creek, TSF	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Project Description including proposed impacts and PNDI Avoidance Measures (if applicable) Refer to "Section 7 - Project Description" _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Site Specific and/or Standard Drawings depicting the project's GP activities	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Site Plan depicting the site of the project's GP activities (<i>see Section F.</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Erosion & Sediment Control Plan (E&S Plan) (<i>required for GP-11 only - see instructions</i>)	<input type="checkbox"/>	<input type="checkbox"/>
12. Written Directions to Project Site: From US Route 22 near Blairsville, turn north on US 119 and go approx. 2 miles. Turn right on Main street at the stop light, procede approx. 1 mile and turn right on Bells Mills Road. Proceed approx 1 mile to Josephine Treatment Facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Pennsylvania Natural Diversity Inventory (PNDI): Please place an "X" next to the appropriate box indicating the information provided: <input type="checkbox"/> Completed PNDI Project Planning & Environmental Review Form <input checked="" type="checkbox"/> Initialed PNDI Project Environmental Review Search Receipt showing "No Known Impacts" <input type="checkbox"/> Initialed PNDI Project Environmental Review Search Receipt showing "Avoidance Measures" which have ALSO been incorporated into the project description <input type="checkbox"/> Initialed PNDI Project Environmental Review Search Receipt showing "Potential Impacts" AND documentation of appropriate agency coordination required on PNDI Receipt	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
14. Bog Turtle Habitat Screening: Please place an "X" next to the appropriate box indicating the information provided: <input type="checkbox"/> Completed Request for a Bog Turtle Habitat Screening Form <input type="checkbox"/> "No Effect" determination from the Army Corp of Engineers <input type="checkbox"/> Documented clearance from the US Fish and Wildlife Services <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Applicant's Name Fluid Recovery Services, LLC	GENERAL PERMIT REGISTRATION	
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15. Activities which impact wetlands:
Please place an "X" next to the appropriate box indicating the information provided:

<input type="checkbox"/> N/A because no wetland impacts are proposed or no compensatory mitigation is necessary.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> A wetland delineation with complete data sheets in accordance with the 1987 Corps of Engineers Wetland Delineation Manual AND the appropriate Regional Supplements to the Corps of Engineers Wetland Delineation Manual for use in Pennsylvania.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> If direct or indirect wetland impacts are greater than 0.05 acres, a compensatory mitigation plan in accordance with the Department's Replacement criteria which provides compensation at a minimum one to one acre ratio.	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> If compensatory mitigation onsite is determined not feasible: A check, number _____, in the amount of \$_____ payable to the National Fish and Wildlife Foundation, N.A. 1237, as compensatory mitigation for _____ acres of impact in wetlands, in accordance with the Pennsylvania Wetland Replacement Project.	<input type="checkbox"/>	<input type="checkbox"/>

16. Registration of a GP-11:
Please place an "X" next to the appropriate box indicating the worksheet(s) provided:

<input checked="" type="checkbox"/> N/A because not registering use of GP-11	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> E&S Plan	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Project Inventory	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Bridge and/or Culvert Replacement Projects or Projects That Change the Waterway Opening	<input type="checkbox"/>	<input type="checkbox"/>

SECTION F. SITE PLAN

Please place an "X" next to each item to ensure it is shown on the site plan. Unless otherwise specified in the permit, all items are **required** to ensure a complete Registration package.

YES	NO		YES	NO	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stream Name: <u>Blacklick Creek, TSF</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	100 year Flood Elevation OR FEMA map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stream Limits and Flow Direction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Limits of Earth Disturbance Associated with Activity
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stream Impacts on site (including dimensions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Location of Property Lines Relative to the Project
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wetlands on site (including acres)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Existing Utilities, ROWs, Easements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wetland Impacts on site (including acres)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Existing Buildings, Roadway, etc.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other Waters (i.e. pond, lakes, wetlands)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Proposed Buildings, Roadways, ROW etc.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Specific / Standard Drawings location(s)	<input type="checkbox"/>	<input type="checkbox"/>	Other _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photograph location(s)	<input type="checkbox"/>	<input type="checkbox"/>	Other _____

SECTION G. IMPACTS ASSOCIATED WITH PROJECT WORK SITE

Provide the unique identifier (from Section E.9.), latitude and longitude, total area and dimensions of impact to waters (including streams, lakes, ponds, etc.) and/or wetlands associated with the project for each category below. If the project has multiple locations, please complete and provide a separate chart detailing the same information for each impact to waters and wetlands. The additional impacts should be totaled and provided in "(b)" below. The Additional Impacts Associated with Project Work Site (3150-PM-BWEW0554) may be used but is not required.

Identifier	<u>Wetland 1 Temporary Crossing</u>	* 43,560 square feet per acre
Impact Latitude (DMS)	<u>40-28'-51.08"</u>	
Impact Longitude (DMS)	<u>79-10'-09.23"</u>	
	Temporary Impacts	Permanent Impacts
	Area* (in acres)	Area* (in acres)
	Dimensions* (in feet)	Dimensions* (in feet)
Impacts to Waters	Stream <input checked="" type="checkbox"/> N/A _____ ac _____' x _____'	_____ ac _____' x _____'
	Floodway <input checked="" type="checkbox"/> N/A _____ ac _____' x _____'	_____ ac _____' x _____'
Impacts to Wetlands	<input type="checkbox"/> N/A 0.005 ac 14.93' x 14.93'	_____ ac _____' x _____'
Total Impacts for this location (a)		0.005
+ Total Impacts from additional locations (b)		_____
Total Impacts for Project (a+b=c)		0.005

Applicant's Name: Fluid Recovery Services, LLC
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SECTION H. CERTIFICATION

I certify under penalty of law that the information provided in this permit registration is true and correct to the best of my knowledge and information and that I possess the authority to undertake the proposed action. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. (If any of the information and/or plans is found to be in error, falsified, and/or incomplete, this authorization/verification may be subject to modification, suspension, or revocation in accordance with applicable regulations.)

Signature of Applicant: Rebecca Snyder Date: 12/9/2013
 Typed / Printed Name: Rebecca Snyder, General Manager

PA Fish and Boat Commission Approval (for GP-1 only)

Signature of Reviewer: _____ Date: _____
 Reviewer's Typed / Printed Name: _____ Phone Number: _____
 Reviewer's Typed / Printed Title: _____ Email Address: _____

This General Permit shall not be effective until the owner has had their E&S Plan reviewed by the appropriate Regional Office or District, obtained Federal Authorization and, where required, obtained an SLLA from DEP.

AN ACKNOWLEDGED COPY OF THIS GENERAL PERMIT REGISTRATION PACKAGE AND THE E&S PLAN MUST BE AVAILABLE AT THE PROJECT SITE DURING CONSTRUCTION.

SECTION I. ACKNOWLEDGEMENT - DEP USE ONLY

Signatures authorizing acknowledgment to use and register:

A. Completeness Review:
 DEP / District Reviewer Signature: Michael D. Engelhardt
 Reviewer's Typed / Printed Name: MICHAEL D. ENGELHARDT
 Begin Date: 1/6/14 Incomplete Date: 1/6/14 Response Date: 1/10/14 End Date: 1/14/14
 Completeness Status: YES NO

B. Eligibility Review:
 DEP / District Reviewer Signature: Michael D. Engelhardt
 Reviewer's Typed / Printed Name: MICHAEL D. ENGELHARDT
 Begin Date: 1/14/14 Incomplete Date: _____ Response Date: _____ End Date: 1/14/14
 Deficient - DENIED:

C. Decision Review:
 DEP / District Manager Signature: Chris Keiley
 Reviewer's Typed / Printed Name: Chris Keiley
 Disposition Status: WITHDRAWN APPROVED RETURNED DENIED
 Begin Date: 1/14/14 End Date: 1/14/14

D. Contact Information:
 Typed / Printed Name: MICHAEL D. ENGELHARDT Phone Number: (412) 442-4304 Email Address: MENGELHARDT@PA.GOV

E. Permit Tracking:
 Received 12/10/13 Acknowledged 1/14/14 SLLA required: NO YES PASPGP-4: NO YES CAT 1 CAT 3
 GP - 083213201 GP - _____ GP - _____ GP - _____

Notes: _____