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Sent: Thursday, April 26, 2012 3:41 PM
To: mtammaro@rtenv.com
Subject: PADEP Issues Important Guidance on Site Redevelopment & Stormwater

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PA DEP ISSUES IMPORTANT GUIDANCE ON SITE REDEVELOPMENT AND STORMWATER

Press Release

The Pennsylvania Department of Environmental Protection recently issued Guidance in the form of an update to its statewide Erosion and Sediment Control manual. Included in the Guidance is important information on the redevelopment of sites where there remains impacted soil and/or groundwater, following the completion of the Act 2 Land Recycling process.

As pointed out in the Guidance, an important point is that there are many "mistakes", where site owners or developers do not inform those engineers preparing site plans of residual contamination, or the engineers do not become familiar with their requirements for redeveloping contaminated sites, to avoid spreading residual contamination.

The new Guidance document is very well thought out, and takes into account key aspects of redeveloping contaminated sites, from both an erosion control and stormwater standpoint.

Key issues include:

Infiltration of stormwater is not permitted, and infiltration trenches and basins should not be designed, where infiltrating groundwater will go through soils which exceed soil to groundwater statewide health standards.

Where there is impacted groundwater over applicable standards, infiltration can also not occur, because it will exacerbate contamination where contaminants and groundwater are naturally attenuating under the PADEP-Approved Clean-up Plan.

Either mistake, if measures were built, would void the all-important Statutory Cleanup Liability Protection conferred upon site cleanup. We are pleased to provide a link with an excerpt of the key parts of the new guidance. For the full PADEP Erosion and Sediment Control Guidance, [click here](#) (note that this is a large document, and consequently, a long download)

With RTs substantial number of completed Act 2 land sites throughout Pennsylvania, we are very glad to see that this important aspect of site redevelopment has

received careful and in-depth attention in the new Guidance. Too often, those who redevelop sites call us seeking advice for un-approvable site plans, because they did not take the time to read and understand the conditions placed on the property based on the use of Act 2 site specific standards, and the requirements in deed notices and covenants. If there is remaining impacted soil and/or groundwater at a redevelopment site you may be eyeing, we urge you to read the Guidance, talk to your cleanup consultant and understand what your options are, before beginning site plan preparation.

A key participant in preparation of the recent Guidance, Dominic Rocco, P.E., a lead DEP Stormwater Official in the Southeast region Norristown office, has long advised those seeking to redevelop contaminated sites to meet with the appropriate DEP officials, and (not the county conservation district), before site plans are prepared. Frequently, there are reasonable and cost effective water quality management Best Management Practices and sometimes water quantity management Best Management Practices that can be implemented at contaminated sites, but what can and cannot be implemented frequently requires input from those who completed the cleanup activities, followed by senior level decisionmaking at PADEP.

The issuance of this Guidance shows that Pennsylvania is once again a leader in site redevelopment, with senior PADEP staff taking the time to share important information broadly, even though it involves several environmental regulatory programs. The Guidance addresses very important issues that involve stormwater and erosion sedimentation control management at contaminated sites being redeveloped. Congratulations to those involved in the preparation of this document for a job well done.

- Gary R. Brown, P.E.



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