

January 6, 2023

VIA EMAIL AND CERTIFIED MAIL 7017 2400 0000 0919 9315

Mr. Kalman Sostarecz, Jr., Secretary
Upper Macungie Township
8330 Breinigsville Road
Breinigsville, PA 18031-1510

VIA EMAIL AND CERTIFIED MAIL 7017 2400 0000 0919 9322

Ms. Renea Flexer, Secretary
Lower Macungie Township
3400 Brookside Road
Macungie, PA 18062

Re: Approval Letter – Special Study
Act 537 Planning
Trexlerstown Act 537 Special Study
APS ID # 1069882, AUTH ID # 1407407
Upper Macungie Township, Lower Macungie Township, Lehigh County

Dear Mr. Sostarecz and Ms. Flexer:

The Department of Environmental Protection (DEP) has reviewed the proposed Official Plan Revision - Special Study dated June 2022 (received by the Department on June 24, 2022), with additional information dated January 6, 2023 (received by the Department on January 6, 2023) as prepared by Arro Consulting Inc. and Lehigh County Authority (Authority) on behalf of Upper and Lower Macungie Townships, Lehigh County and entitled Trexlerstown Act 537 Special Study.

The proposal is located in Upper and Lower Macungie Townships, Lehigh County and consists of the construction of a new, interim, 2.5 MGD capacity pump station and 1.5 miles of eighteen-inch HDPE force main. The pump station will be constructed adjacent to the Authority's Industrial Pre-Treatment Facility located at 7676 Industrial Boulevard in Upper Macungie Township. The pump station's proposed discharge force main will be installed in the alignment shown on the drawing found in Appendix 6 of the Special Study and entitled "Trexlerstown Act 537 Special Study". The force main will discharge into the Upper Macungie Trunk Line (UMTL) at Manhole PH3034A. This pump station and force main project is being implemented to divert wastewater flow away from the Authority's Western Lehigh Interceptor (WLI) and into the UMTL to eliminate dry-weather surcharging and wet-weather, sanitary sewer overflows in the Authority's WLI. This is an INTERIM solution pending the development of a long-term solution in the regional Official Sewage Facilities Plan Update Revision now under development for the entirety of the Kline's Island Wastewater Treatment Facility's service area. Wastewater treatment will still be provided at the Kline's Island Wastewater Treatment Facility, located in the City of Allentown, with ultimate discharge to the Lehigh River.

The proposed project will be funded by the Authority using Authority funds.

The plan revision is approved with the following comments.

PROJECT SPECIFIC COMMENTS

1. The approved project will require a Water Quality Management (Part II) permit for the construction and operation of the proposed sewage facilities. The permit application must be submitted in the name of the Authority. Issuance of a Part II permit will be based upon a technical evaluation of the permit application and supporting documentation. Starting construction prior to obtaining a permit is a violation of the Clean Streams Law.
2. Other DEP permits may be required for construction if encroachment to streams or wetlands will result. Information regarding the requirements for such permits or approvals can be obtained from DEP's Waterways and Wetlands Program at the letterhead address or by telephone at 570.826.2511.

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 any questions or concerns, please contact Mr. Scott Novatnak, Planning Section Chief at 570.826.2337 and refer to Application No. 1069882 and Authorization No. 1407407.

Sincerely,

Amy M. Bellanca

Amy M. Bellanca, P.E.
Acting Environmental Program Manager
Clean Water Program

cc: Ms. Liesel Gross, CEO\Lehigh County Authority
Mr. Philip Depoe, Senior Planning Engineer\Lehigh County Authority
Mr. Michael Schober, P.E., Vice President\Arro Consulting, Inc.
Ms. Kim Snelling, Secretary\Upper Macungie Township Planning Commission
Ms. Amy Miller, Secretary\Lower Macungie Township Planning Commission
Ms. Becky Bradley, Executive Director\Lehigh Valley Planning Commission