



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Waterways Engineering and Wetlands

NPDES Construction Stormwater (PAG-02) Permit Highlights and Changes

Water Resources Advisory Council
Meeting

July 12, 2012

Length of the permit

- Changing from a two year permit term to a five year permit term

> Fees

- Base fee has not changed - \$500
- Includes a disturbed acreage fee - \$100 per disturbed acre
- Fees set by revised Chapter 102 regulations enacted on November 19, 2010

▶ Eligibility for permit coverage

- **Earth disturbance activities equal to or greater than 1 acre (with few exceptions)**
- **List of activities that are not eligible for coverage (15 items)**

Changes in eligibility for permit coverage

- **Impaired waters**
- **Waters with a Total Maximum Daily Load (TMDL)**
- **Discharges to MS4 and CSO systems**

▶ Insufficient Funds

- **Addresses the situation in which permits have been authorized without sufficient funds**

▶ Long-term Obligations

- **Added new obligations required by the revised Chapter 102 revisions**
 - Final certification by licensed professional
 - Deeding restrictions
 - Record drawings
- **Requirements on recording deeds before sale of lots**

▶ Non-compliance reporting

- **Changed to clarify when the Department must be notified**

▶ Restoration plans

- Can be used in lieu of post construction stormwater management (PCSM) plans
- Must contain a baseline set of items identified in 102.8(n)

Stabilization

- **Temporary stabilization required within 4 days**

▶ Voluntary forest buffers

- **Provides for the antidegradation presumption for areas that establish, protect or convert a riparian forest buffer**

▶ MS4 minimum control measures

- **MS4s can rely on the NPDES construction stormwater program for implementation of MCM 4 and part of MCM 5**

Public Notice for Offsetting

- **30-day public notice of all PAG-02 permits involving a stormwater offset**



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