

Draft PAG-01 General Permit for Stormwater Discharges Associated with Small Construction Activities

Bureau of Clean Water
September 9, 2026





Background

- Federal regulations recognize stormwater discharges associated with “small construction activities” as a subset of construction activities (40 CFR 122.26(b)(15))
- DEP issued the PAG-01 General Permit for the first time in 2021 (effective March 1, 2022).

(15) *Storm water discharge associated with small construction activity* means the discharge of storm water from:

- (i) Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres. Small



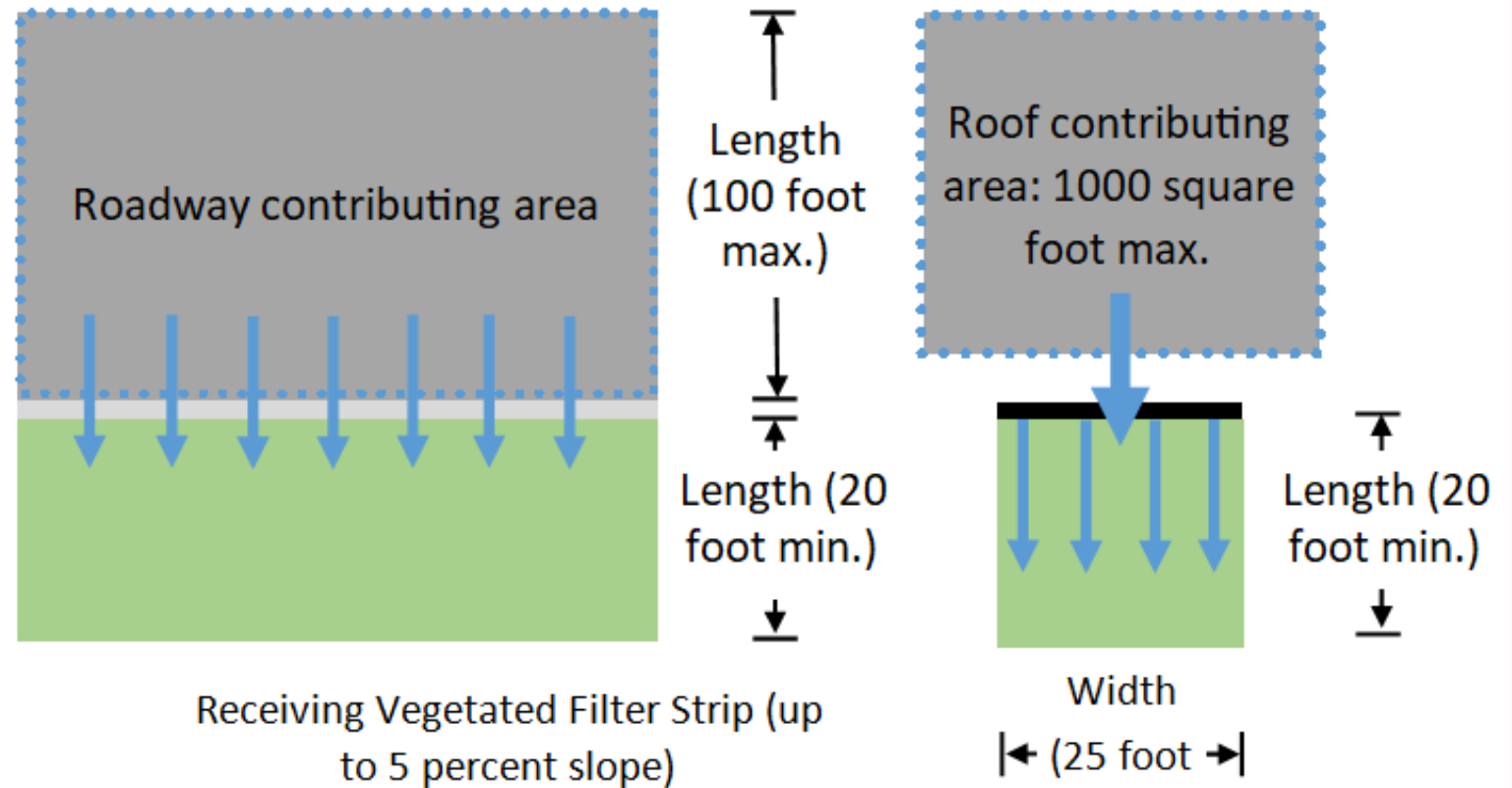
Background

- PAG-01 includes a generalized stormwater analysis
- PCSM requirements may be met either through 1) site restoration or 2) implementation of simple stormwater control measures (SCMs) demonstrated to treat impervious within the limits established by PAG-01
- Impervious area limitations: 30,000 square feet of new impervious (maximum) and no more than 12% of the project site can be impervious



Background

-  Direction of runoff concentrated flow
-  Direction of runoff in sheet flow
-  Level spreader
-  Vegetated filter strip
-  Disconnected area
-  Gravel verge





Background

- Based on DEP's analyses, 40-50% of all construction projects needing a Chapter 102 permit involve less than 5 acres of disturbance
- PAG-02 (reissued on December 8, 2024) remains the most popular construction stormwater general permit:
 - ~ 9,000 PAG-02 NOIs received during 2023-2025
 - ~ 30 PAG-01 NOIs received during 2023-2025

Background

- Reasons:
 - Impervious and other eligibility limitations have significantly reduced availability
 - Hesitation to understand and apply new permitting process



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Proposed Changes

- Make eligibility criteria for PAG-01 similar to PAG-02
- Make permitting process and permit conditions for PAG-01 similar to PAG-02
- Add a third PCSM Alternative

Proposed Changes

- PCSM Alternative 3
 - Municipal Approval of PCSM Plan (no impervious limitations)
 - Licensed Professional employed or contracted by municipality would sign form attesting that: 1) the municipality has a stormwater ordinance that is as stringent as DEP's PCSM requirements (§102.8) and 2) the applicant's PCSM Plan meets the requirements of the local ordinance
 - This process is completed prior to submission of the PAG-01 NOI
 - Available only to MS4 municipalities and those that have adopted an ordinance under a current, approved Act 167 Plan



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Timeline

- Draft PAG-01 published in Pennsylvania Bulletin: August 22, 2026
- End of public comment period: September 21, 2026
- Estimated PAG-01 issuance date: January 2027
- Estimated PAG-01 effective date: March 1, 2027



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Get In Touch

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