

# Chapter 92a *NPDES Permitting, Monitoring, and Compliance*

*Environmental Quality Board  
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# Reorganize Chapter 92a

- A fundamental goal is to reorganize the Chapter consistent with 40 CFR 122
- For example, 92a.41 would have the same title and address the same issues as 40 CFR 122.41
- Make it easier for DEP staff and the regulated community to identify and compare the requirements of both regulations

# Normalize Definitions and Requirements

- Revise definitions to be more consistent with federal definitions where possible
- Eliminate provisions in 92a that were just 40 CFR provisions restated, or did not add any value
- Update the list of 40 CFR sections incorporated by reference

# Proposed Permit Fees

- The current \$500 application fee is proposed to be replaced by a sliding scale of application fees and annual fees
- Larger dischargers = higher fees
- The fees should support the Commonwealth's cost of running the program (approx. \$5 million)
- Fees are comparable to what other states charge

# Proposed New Provisions

- Permit-by-Rule for SRSTPs and pesticide application
- “No Exposure” to industrial activity...rule for stormwater discharges
- MS4s, CAAPs and 316 (b) (new federal requirements)
- Tertiary treatment standard... applicable in impaired waters
- Permit review criteria
- Administrative extensions

# Proposed Treatment Limits

## **Standardize Treatment Requirements**

- Secondary treatment standard applies essentially to all discharges of treated sewage >2000 GPD.
- Industrial discharges limited to 50 mg/L CBOD<sub>5</sub> and 60 mg/L TSS

# Implementation and Review

- Established program: no new, broad-based requirements
- Phase-in of new requirements for individual facilities is integral to the permit
- Chapter 92a has been reviewed by the Water Resources Advisory Committee and the Agriculture Advisory Board.

# Recommended Action

- 30-day comment period
- No public meetings/hearings