

Final Rulemaking: 25 Pa. Code, Chapter 92a
NPDES Permitting, Monitoring and
Compliance

***Environmental Quality Board
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Reorganize Chapter 92a

- A fundamental was to reorganize the Chapter consistent with the companion federal regulation 40 CFR 122.
- Make it easier to identify and compare requirements.

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.

NPDES 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 needed to support the Commonwealth's cost of running the program (approx. \$5 million).
- Fees will be deposited into the Clean Water Fund

Other State NPDES Fees

- PA Fees needed to be comparable to what other states charge.
- Annual fee for a 1 MGD Facility in PA will be \$1,250
 - VA- \$3,850 - \$4,350
 - OH - \$5,250
 - MI - \$3000 - \$5,500
 - NY - \$7,500
 - IL - \$15,000

Treatment Requirements

Standardize Treatment Requirements

- Secondary treatment standard (BOD and TSS) applies essentially to all discharges of treated sewage >2000 GPD.
- Based on public comment, certain exemptions and adjustments were reinstated for the final rulemaking.
- Maximum limits for fecal coliforms established to protect public health.

Status of Other Provisions

- MS4s, CAAPs and 316 (b) (new Federal requirements, required to keep our program current)
- Permit-by-Rule for SRSTPs and pesticide applications deleted
- SSOs continue to be prohibited.

Final Notes

- Established program: no new, broad-based requirements or treatment costs.
- Chapter 92a has been reviewed by the Water Resources Advisory Committee and the Agriculture Advisory Board.

Recommendation

- Board approval of the final-form rulemaking