



## NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) INDIVIDUAL PERMIT FOR DISCHARGES OF STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES APPLICATION INSTRUCTIONS

### GENERAL INSTRUCTIONS

**These Instructions explain how to properly complete and submit an application package for an Individual NPDES Permit for Discharges of Stormwater Associated with Construction Activities.**

The Department of Environmental Protection (DEP) requests that applicants use the most recent versions of permit application forms as posted on DEP's website. The most recent version of the Individual NPDES Permit Application for Discharges of Stormwater Associated with Construction Activities (3800-PM-BCW0408b) can be obtained through DEP's website as noted below. A complete application package includes the application form and all other attachments identified on the application checklist (3800-PM-BCW0408c). Applicants can download the appropriate form to a computer, complete the form electronically and print and sign the document for submission to DEP. The application and checklist can be obtained by visiting [www.dep.pa.gov/constructionstormwater](http://www.dep.pa.gov/constructionstormwater).

**General Instructions.** These instructions are intended to assist the applicant in completing the application identified above. Type or print clearly when completing the form. If additional space is needed to accurately complete the application, attach additional sheets as necessary. If a question is not applicable, write "N/A" in the appropriate box.

For all counties in Pennsylvania except for Forest, Beaver and Philadelphia counties, the county conservation district (CCD) is the initial recipient of Individual NPDES Permit Application packages. The term "DEP/CCD" used in these instructions means either DEP or a delegated CCD or both. Where the term DEP/CCD is used to describe an action that will or may be taken, the term generally applies to both. Where the term DEP/CCD is used to describe the agency that must receive applications, reports, notifications or other information required by the permit, the term generally applies to the agency that is the recipient of the application.

**Scope.** An Individual NPDES Permit for Discharges of Stormwater Associated with Construction Activities provides NPDES permit coverage for stormwater discharges associated with construction activities in satisfaction of state (25 Pa. Code §§ 92a.1(b) and 102.5(a)) and federal (40 CFR §§ 122.26(b)(14)(x) and 122.26(b)(15)) regulations, subject to the eligibility requirements specified herein.

Under federal regulations, construction activities are one category of industrial activities whose stormwater discharges must be covered by an NPDES permit, and generally consist of clearing and grubbing, grading and excavation resulting in earth disturbances greater than or equal to five (5) acres, as well as disturbances of less than five acres that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb five acres or more. Under state regulations, construction activities consist of clearing and grubbing, grading and excavation activities involving one (1) acre or more of earth disturbance activity, or an earth disturbance activity on any portion, part or during any stage of, a larger common plan of development or sale that involves one acre or more of earth disturbance activity over the life of the project.

In general, the submission of an Individual NPDES Permit Application package is necessary when an applicant's project will not qualify for coverage under a General NPDES Permit. DEP offers two options for persons seeking to apply for an individual permit:

- **Individual NPDES Permit Application for Discharges of Stormwater Associated with Small Construction Activities (3800-PM-BCW0407b)** – may be used by applicants of projects involving less than 5 acres of earth disturbance, if criteria specific to the use of this application are met as explained in the instructions to this application (3800-PM-BCW0407a).
- **Individual NPDES Permit Application for Discharges of Stormwater Associated with Construction Activities (3800-PM-BCW0408b)** – may be used by applicants of projects involving any amount of earth disturbance, as described in these instructions.

**Authorized Stormwater Discharges.** The following stormwater discharges associated with construction activity are authorized under Individual NPDES Permits provided that the appropriate stormwater controls are designed, installed, and maintained by the permittee in accordance with applicable laws, regulations and guidance administered by DEP or EPA:

1. Stormwater discharges, including stormwater runoff, snowmelt runoff, and surface runoff and drainage, associated with construction activity as defined at 25 Pa. Code § 92a.2.
2. Stormwater discharges designated by DEP as needing permit coverage under 40 CFR § 122.26(a)(1)(v), 40 CFR § 122.26(b)(15)(ii) or Pennsylvania's Clean Streams Law that are associated with construction activity.
3. Stormwater discharges from off-site construction support activities (off-site support activities) including but not limited to concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal (spoil) areas, borrow areas, stockpiling of topsoil, transfer of topsoil to other locations, and turnaround areas, provided that:
  - a. The off-site support activity is part of the same common plan of development or sale required to have permit coverage for stormwater discharges.

**NOTE 1** – If the location of an off-site support activity is not known at the time of application submission, but is located following commencement of coverage, the permittee must provide notification to DEP/CCD prior to commencing earth disturbance activities at the support activity. The permittee must develop a new or updated E&S Plan reflecting the E&S controls for the off-site support activity and submit the E&S Plan to DEP/CCD upon request. If the earth disturbance of an off-site support activity would result in an increase in the total area of earth disturbance by 10% or more compared to the original planned limit of disturbance, a Major Amendment to the permit would be required.

- b. The off-site support activity is not a commercial operation and it does not serve multiple unrelated construction sites.
- c. The off-site support activity does not continue to operate beyond the completion of the construction activity at the project site it supports and will be restored to approximate original condition.

**NOTE 2** – Temporary concrete or asphalt batch plants typically generate wastewater that may not be discharged under an Individual NPDES Permit for Discharges of Stormwater Associated with Construction Activities, unless authorized by DEP.

If an off-site support activity does not meet these three guidelines, the off-site support activity will require independent NPDES permit coverage unless the earth disturbance will be less than one acre, in which case an E&S Plan must be developed, implemented and maintained in accordance with 25 Pa. Code § 102.4(b).

**Authorized Non-Stormwater Discharges.** The following non-stormwater discharges associated with construction activity are authorized under Individual NPDES Permits provided that, with the exception of water used to control dust and to irrigate vegetation in stabilized areas, these discharges are not routed to areas of exposed soil on the project site and the operator complies with any applicable requirements for these discharges under the permit:

1. Discharges from emergency fire-fighting activities.
2. Fire hydrant and waterline flushings that do not contain measurable concentrations of Total Residual Chlorine (TRC).
3. Landscape irrigation water.
4. Water used to wash vehicles and equipment where cleaning agents are not used.
5. Water used to control dust.
6. External building washdown where cleaning agents are not used and external surfaces do not contain hazardous substances.

Application Instructions

7. Pavement wash waters, provided spills or leaks of toxic or hazardous substances have not occurred and where cleaning agents are not used if such wash waters are directed to a sediment basin or similar BMP.
8. Uncontaminated air conditioning or compressor condensate.
9. Uncontaminated, non-turbid discharges of groundwater or spring water.

**NOTE 2** – If groundwater is encountered during construction and must be diverted, groundwater that is uncontaminated may be diverted to a surface water. Groundwater is considered contaminated if it contains pollutant concentrations above water quality criteria specified in 25 Pa. Code Chapter 93.

10. Foundation or footing drainage where flows are not contaminated with process materials such as solvents or contain pollutants from groundwater.
11. Construction dewatering water that complies with the construction dewatering discharge requirements of the permit.

**Administrative Process.** A complete application package must be submitted to DEP/CCD, who will publish notice of the receipt of and the tentative decision on the application and the final action taken in the *Pennsylvania Bulletin*.

If DEP/CCD determines, upon receipt of an application package, that the application package is incomplete, DEP/CCD will notify the applicant in writing (i.e., by letter or email) prior to the end of the completeness review period. NOIs with fee payments that include insufficient funds will be considered incomplete. The applicant will have one (1) 60 calendar-day period (“deficiency correction period”) to submit the necessary information or fees to make the NOI package complete. This deficiency correction period is independent of the completeness review period. Applicants may request up to a maximum 30-day extension, which may or may not be approved by DEP/CCD. Extensions must be approved in writing (i.e., by letter or email). If DEP/CCD determines that despite the receipt of additional information the application remains incomplete, DEP/CCD will notify the applicant that the application has been denied. If the applicant does not respond within the 60 calendar days, DEP/CCD will consider the application to be withdrawn by the applicant in accordance with 25 Pa. Code § 102.6(c)(2). Fees submitted as part of the application package will not be returned. The applicant may submit a new application for the same project.

**NOTE 3** – DEP/CCD will only send one incompleteness review letter.

**NOTE 4** – If DEP/CCD notifies an applicant that the application is incomplete, the applicant need only submit the information required to complete the application; resubmission of the entire application package is not required.

**NOTE 5** – If DEP/CCD determines that an application package is complete, DEP/CCD may or may not provide notification of its determination, depending on resource availability. An applicant may, however, contact DEP/CCD during the review period to verify the status of an application.

Following receipt of written notification from DEP/CCD that an application is incomplete, the applicant must provide the necessary information within the deficiency correction period. Once the necessary information is received by DEP/CCD, or otherwise following DEP/CCD’s determination that an NOI is complete, the technical review phase of the review period begins:

- If there are no technical deficiencies with the application, DEP/CCD will proceed to make a tentative decision on the application, and publish notice of receipt of the application and of the tentative decision in the *Pennsylvania Bulletin*. Following a 30-day public comment period, DEP/CCD may take a final action on the application.
- If DEP/CCD determines that there are technical deficiencies that are not significant, DEP/CCD will call or email the applicant and/or consultant to resolve minor deficiencies.
- If DEP/CCD determines that there are significant technical deficiencies, DEP/CCD will provide written notification (i.e., by letter or email) to the applicant and consultant, as applicable. In general, one technical deficiency notice will be issued during the technical review period. DEP/CCD will provide, in the technical deficiency notice, a deadline by which the deficiency or deficiencies must be corrected. An applicant who desires additional time to correct deficiencies must contact DEP/CCD to request an extension and must provide an alternate date by which

deficiencies will be corrected (generally up to a maximum of 30 additional days). Extensions must be approved in writing (i.e., by letter or email) by DEP/CCD.

- If the applicant responds with information to correct the significant technical deficiencies by the deadline established by DEP/CCD or by the approved extension, and if DEP/CCD determines that the submission has corrected the significant technical deficiencies, DEP/CCD will proceed to make a tentative decision on the application.
- If the applicant fails to respond by the deadline established by DEP/CCD or by the approved extension, the application will enter the elevated review process.
- If the applicant responds with information to correct the significant technical deficiencies by the deadline established by DEP/CCD or by the approved extension, and if DEP/CCD determines that the submission has not corrected the significant technical deficiencies or the submission results in additional significant technical deficiencies, the application will enter the elevated review process.

**NOTE 6** – It is the applicant's responsibility to ensure that proper quality assurance is performed when responding to technical deficiencies. For example, a change in a calculated value may result in the need to update a series of documents to reflect the change. Resubmission of all documents in the NOI package affected by the change is necessary.

Construction resulting in stormwater discharges from earth disturbances greater than or equal to one acre may commence when the following criteria have been met:

1. The applicant has submitted a complete application package (3800-PM-BCW0408b and required attachments) in accordance with the requirements of these application instructions.
2. The applicant has received the Individual NPDES Permit, signed by the appropriate DEP manager.
3. All other permits and approvals relating to the earth disturbance activities reported in the application, including but not limited to sewage planning approval required by the Pennsylvania Sewage Facilities Act (Act 537), if applicable, have been obtained.
4. A pre-construction meeting has been held unless waived by DEP/CCD, in writing.

**Pre-Application Meeting.** A pre-application meeting or call with the appropriate DEP/CCD office is encouraged, but not required, prior to submission of the application package. Applicants are encouraged to mail, fax or email DEP's Chapter 102 Pre-Application Meeting Request form ([3800-FM-BCW0271e](#)) to the appropriate DEP/CCD office to arrange for the meeting or call.

**Deadline for Application Submission.** Persons seeking a new Individual NPDES Permit must submit a complete application package at least 120 calendar days prior to the planned date for commencing construction. **Submission of an application 120 calendar days prior to the planned date for commencing construction does not imply or guarantee that DEP/CCD will be able to issue an Individual NPDES Permit on or before the end of that 120-day period.** Applicants are encouraged to apply as early as possible prior to the planned date for commencing construction and ensure the application is complete and technically adequate. In addition, persons seeking renewal of an Individual NPDES Permit must submit a complete application package at least 180 calendar days prior to the expiration date of the permit unless DEP/CCD has granted permission to submit at a later date.

**Where to Submit Application Packages.** Applicants should submit complete application packages as specified on the Individual NPDES Permit checklist (3800-PM-BCW0408c) including applicable fees to DEP/CCD as follows:

- For a project located in a single county, submit the application package to the appropriate CCD for the county, unless the project is located in Forest, Beaver or Philadelphia counties, in which the application package should be submitted to DEP's Northwest, Southwest, and Southeast Regional Offices, respectively.
- For projects located in two counties, submit the application package to the appropriate CCD for the county with the greatest amount of earth disturbance, unless that county is Forest, Beaver or Philadelphia County, in which

Application Instructions

case the application package should be submitted to DEP's Northwest, Southwest, and Southeast Regional Offices, respectively.

- For projects located in more than two counties but within the jurisdiction of the same DEP regional office, submit the application package to the appropriate DEP regional office.
- For projects located in more than two counties that are also in the jurisdictions of two or more DEP regional offices, submit the application package to DEP's Regional Permit Coordination Office in Harrisburg.

For CCD mailing addresses, please visit the Pennsylvania Association of Conservation Districts, Inc. (PACD) website at [www.pacd.org](http://www.pacd.org), select "Your District" and "Find Your Conservation District." DEP regional office mailing addresses can be found at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Regional Resources").

**Application Fees.** The following fees are applicable to the submission of an Individual NPDES Permit application:

**Disturbed Acreage Fee:** The applicant must submit a disturbed acreage fee in the form of a check or money order with the application package. The amount of the disturbed acreage fee is determined by multiplying the number of disturbed acres (where acres is rounded to the closest whole number) by \$100. For example, if 1.5 acres will be disturbed, round to 2 acres and submit a check or money order in the amount of \$200. This fee is made payable to the Commonwealth of Pennsylvania Clean Water Fund.

**Administrative Filing Fee:** The applicant must submit an administrative filing fee in the form of a check or money order with the application package in the amount of \$1,500. This fee is made payable to the county Clean Water Fund for the CCD in the county where the application was submitted. If the application is submitted to DEP, then this fee is made payable to the Commonwealth of Pennsylvania Clean Water Fund.

**NOTE 7 – The check or money order for the administrative filing fee must be separate from the check or money order for the disturbed acreage fee.**

**NOTE 8 –** If a CCD will be conducting the application review, additional fees may apply and a separate CCD application form may be needed. Please check the appropriate CCD website or otherwise contact the CCD for the latest fee schedule.

**Fee Exemptions:** In accordance with 25 Pa. Code § 102.6(b)(4), any federal or state agency or independent state commission that provides funding for program administration by DEP through the terms and conditions of a mutual agreement may be exempt from the application fees identified above. At this time, EPA, the Pennsylvania Turnpike Commission, and the Pennsylvania Department of Transportation (PennDOT) are agencies that meet this requirement.

**County and Municipal Notification.** All applicants must submit County ([3800-FM-BCW0271b](#)) and Municipal ([3800-FM-BCW0271c](#)) Notification forms as attachments to the application. These forms serve two purposes: 1) to provide notice under Act 14 of planned land development activities requiring a DEP permit; and 2) to provide information to DEP/CCD concerning consistency with county and municipal plans and ordinances pursuant to Acts 67, 68 and 127 of 2000 (P.L. 483, P.L. 495, and P.L. 940)

In the event that an applicant has submitted the Notification forms to the appropriate county and municipality, but the county and/or municipality have not completed, signed and returned the forms to the applicant within 30 days, the applicant may submit the application to DEP/CCD with the following documentation: 1) copies of the County and Municipal Notification forms that were submitted to the county and municipality, in which the applicant's section is complete and signature provided; and 2) proof of receipt by the county and/or municipality (i.e., copies of returned registered mail receipts or other suitable documentation). DEP/CCD will consider county and municipal notification to be complete upon receipt of these items. If the county and/or municipality does complete and sign the Notification Form(s) and return them to the applicant prior to DEP/CCD taking a final action on the application, the applicant must submit these forms to DEP/CCD to supplement the application.

**PNDI Receipt.** Applicants for Individual NPDES Permits must submit a Pennsylvania Natural Diversity Index (PNDI) receipt with the application package along with copies of correspondence from jurisdictional agencies, if applicable. Applicants must visit [www.naturalheritage.state.pa.us](http://www.naturalheritage.state.pa.us), select Conservation Explorer, and utilize the PNDI Environmental Review tool to generate a PNDI receipt (draft receipts are not acceptable). The PNDI receipt must be

up to date and not scheduled to expire prior to the anticipated commencement of construction. The PNDI receipt will indicate one of the following outcomes:

- **No Known Impact** – Nothing further required.
- **Conservation Measures** – Nothing further required.
- **Avoidance Measures** – The applicant must sign the PNDI receipt, indicating that the applicant can and will fulfill the Avoidance Measures for the project, and the Avoidance Measures must be identified in the E&S and/or PCSM Plan as applicable. If the applicant cannot or chooses not to meet the Avoidance Measures, the applicant must follow the same process for Potential Impact described below.
- **Potential Impact** – In addition to the PNDI receipt, the applicant must provide the clearance letter(s) from the jurisdictional agencies identified in the PNDI receipt.

It is recommended that the PNDI process be completed prior to submission of an application to avoid the potential for delays and overall project risks. However, DEP will allow for a concurrent review for applications. Under the concurrent review process, the applicant may submit the PNDI receipt with the application and then, if necessary, work on obtaining clearance letters from jurisdictional agencies identified in the PNDI receipt during the review period. DEP/CCD will not, however, issue an Individual NPDES Permit until the clearance letter(s), if applicable, are submitted to supplement the application. It is noted that clearance applies to threatened and endangered species only (i.e., not species of special concern).

**PHMC Coordination.** Applicants with projects involving earth disturbances of ten (10) acres or more must request that the Pennsylvania Historical and Museum Commission (PHMC) complete a review of cultural resources, and a copy of PHMC's clearance letter(s) must be submitted as an attachment to the application. PHMC requires the completion and submission of the Project Review Form to initiate a review by the State Historic and Preservation Office (SHPO), Environmental Review Division. For more information regarding the use and completion of the Project Review Form, please visit PHMC's website at [www.phmc.pa.gov](http://www.phmc.pa.gov) or contact SHPO at 717-783-8946.

**Site Restoration.** Site restoration projects can be characterized by one or more of the following criteria:

- Projects that will restore the area of earth disturbance to approximate original condition or will not have impervious surfaces.

**NOTE 9** – Restoration from forest (pre-construction) to meadow (post-construction) is considered acceptable.

**NOTE 10** – Runoff flows may not be concentrated following earth disturbance where such concentrated flows did not exist prior to earth disturbance.

- Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects.
- Slope stabilization projects not associated with a road maintenance activity.
- Slope flattening, not associated with a road maintenance activity, that changes the grade of the site, but does not significantly change the runoff characteristics.
- Spoil or borrow areas that will be covered with vegetation equivalent to a meadow in good condition or will be forested/wooded.
- Land clearing and grading for the sole purpose of creating vegetated open space such as parks and fields, excluding projects that alter hydrology from pre- to post-construction conditions.
- Athletic fields (i.e., natural grass) that do not alter hydrology from pre- to post-construction conditions.
- Demolition projects where vegetation will be established and no redevelopment is planned.



When these criteria are met the project qualifies for a site restoration plan under 25 Pa. Code § 102.8(n) to satisfy PCSM Plan requirements.

**Preparedness, Prevention and Contingency Plan.** In accordance with 25 Pa. Code § 102.5(l), a person shall prepare and implement a Preparedness, Prevention and Contingency (PPC) Plan when storing, using or transporting materials including: fuels, chemicals, solvents, pesticides, fertilizers, lime, petrochemicals, wastewater, wash water, core drilling wastewater, cement, sanitary wastes, solid wastes or hazardous materials onto, on or from the project site during earth disturbance activities. Submission of a PPC Plan is not required with the application, but must be made available to DEP/CCD upon request (e.g., as part of a site inspection) if the materials listed above are stored, used or transported.

**Operators / Co-Permittees.** In accordance with 25 Pa. Code § 102.5(h), operators who are not the permittee shall be co-permittees. An operator is a person who has oversight responsibility of earth disturbance activities on a project site or a portion thereof who has the ability to make modifications to the E&S Plan, the PCSM Plan or site specifications and/or has day-to-day operational control over earth disturbance activities to ensure compliance with the E&S or PCSM Plans.

For example, if a gas station/convenience store company submits an application package and the package is approved by DEP/CCD, the gas station/convenience store company becomes the permittee. If the gas station/convenience store company hires a general contractor to oversee site construction, the general contractor becomes an operator. The general contractor may then hire an excavating company to handle the bulk earth disturbance, who also becomes an operator. However, if the general contractor hires an electrical contractor to install an underground electric line, the electrical contractor would not become an operator.

If operator(s) are known by the applicant at the time of application submission, the operator(s) should be identified on and sign the application. Upon permit issuance, the operator(s) identified in the application will become co-permittee(s). Following approval of coverage, every time an operator is selected for a project with an Individual NPDES Permit, the permittee(s) and the operator(s) must complete and sign the Co-Permittee Acknowledgement form ([3800-FM-BCW0271a](#)) prior to commencing earth disturbance work. These forms must be retained by the permittee(s) and must be sent to the appropriate DEP/CCD office prior to the co-permittee commencing earth disturbance work. If an operator completes their job responsibilities, the operator may elect to terminate its responsibilities under the Individual NPDES Permit prior to submission of a Notice of Termination (NOT) by the permittee by completing and signing a Co-Permittee Liability Release form ([3800-FM-BCW0271](#)). These forms must also be signed and retained by the permittee and must be sent to the appropriate DEP/CCD office when the forms are fully signed.

**Amendments to Approved Coverage.** Following commencement of coverage under an Individual NPDES Permit, construction plans may change, and an amendment to the permit may be necessary. For the types of changes that qualify for Major and Minor Amendments and the application requirements for the amendments, refer to DEP's [Frequently Asked Questions \(FAQ\) for Chapter 102 Permit Amendments](#). Permittees who are unsure whether proposed changes constitute a Major or Minor Amendment should contact the appropriate DEP/CCD office.

**Off-Site Support Activities.** Off-site support activities are not required to be contiguous to the project site to be covered by an Individual NPDES Permit. If the permittee plans to utilize multiple off-site support activity locations, earth disturbances resulting from these off-site support activities are cumulative if they are located no more than one-quarter (0.25) mile apart. If located more than one-quarter mile apart, activities at off-site support locations are considered discrete construction activities, unless contiguous to the project site. For example, the construction of a new road will involve three off-site staging and material handling areas. Two areas are located within 1,000 feet of each other, and the third will be located one-half mile away and not contiguous to the road project site. Earth disturbance associated with the two areas within 1,000 feet of each other will be considered part of the original project site disturbance, while the third area will be considered a standalone construction site, subject to E&S controls and a permit if necessary.

For off-site support activities that discharge wastewater, the permittee must apply for and obtain an Individual NPDES Permit under Chapter 92a, unless otherwise authorized by DEP.

**Earth Disturbance Threshold.** Other than agricultural plowing and tilling, animal heavy use areas, timber harvesting, oil and gas, and road maintenance activities, DEP considers earth disturbances exceeding 0.99 acre as needing NPDES permit coverage due to the likelihood that actual earth disturbance during construction will meet or exceed the one-acre threshold for a permit under 25 Pa. Code § 102.5. For example, proposed earth disturbances of

0.999, 0.995 and 0.991 acre will be rounded up to one acre and a permit would be required. Disturbances of 0.99 acre and smaller would not require a permit, unless part of a portion, part, or stage of a larger common plan of development or sale or otherwise required by DEP in accordance with federal regulations.

**Area of Earth Disturbance.** Applicants must calculate the area of earth disturbance based on the area associated with earth disturbance activity as defined in 25 Pa. Code § 102.5. The area of earth disturbance does not include areas used for temporary storage of materials, products or equipment associated with a project involving earth disturbance if the storage activity in itself does not disturb the land. For example, the temporary use of a field to store pipe and related materials for utility construction does not constitute an earth disturbance if the field is not disturbed prior to, during or following the storage activity.

**E&S Requirements for Runoff from Off-Site Areas.** For E&S purposes, a person proposing an earth disturbance activity must minimize the potential for accelerated erosion and sedimentation due to stormwater runoff from 1) the project site, and 2) all areas outside of the project site (i.e., off-site areas) in which stormwater flows onto the project site.

- If stormwater from off-site areas is diverted around a project site, the person proposing an earth disturbance activity is responsible for ensuring adequate BMPs are installed and maintained to prevent accelerated erosion concerns at the location where such stormwater is diverted and discharged to, unless the responsibility is agreed to by a different party. Such agreement must be retained by the permittee and made available to DEP/CCD upon request.
- If off-site stormwater is diverted to a storm sewer, the person proposing an earth disturbance is responsible for acquiring permission to discharge to the storm sewer. Such permission must be retained by the permittee and made available to DEP/CCD upon request.
- If off-site stormwater is diverted to a surface water, the person proposing an earth disturbance activity, or a different party if agreed to, must ensure measures are taken to prevent accelerated stream bank erosion, downstream flooding, deposition of pollutants, or other impacts that may cause or contribute to an impairment of the surface water. Such measures and demonstration should be included in the E&S Plan attached to the application.

**PCSM Requirements for Runoff from Off-Site Areas.** For PCSM purposes, a person proposing an earth disturbance activity that requires permit coverage must manage stormwater for volume, rate, and water quality across the project site and all off-site areas in which stormwater flows onto the project site.

- For runoff from off-site areas that is diverted around a project site or diverted to a storm sewer or a surface water, follow E&S requirements identified above.
- Runoff from off-site areas that is not diverted around a project site must be managed by the person proposing an earth disturbance activity. Calculations relating to volume, water quality, and peak rate do not need to include off-site stormwater in order to demonstrate compliance with Chapter 102; however, the design of BMPs must include consideration of the receipt of any off-site stormwater. For example, a BMP may include a bypass to release a volume of water equivalent to the volume received from off-site sources, as long as measures are taken to prevent accelerated stream bank erosion, downstream flooding, deposition of pollutants, or other impacts that may cause or contribute to an impairment.

**Common Plan of Development or Sale.** A common plan of development or sale may be considered any announcement or piece of documentation (e.g., sign, public notice or hearing, advertisement, drawing, permit application, zoning request, computer design) or physical demarcation (e.g., boundary signs, lot stakes, surveyor markings) indicating construction activities may occur on the same or contiguous tax parcels. For DEP's approach to Chapter 102 permitting of common plans of development or sale, refer to DEP's [Frequently Asked Questions \(FAQ\) for Chapter 102 Common Plan of Development or Sale](#).

**NOTE 11** – Where DEP/CCD determines that an entity has sold property to others in the interests of eliminating the need for a permit for an earth disturbance activity involving a larger common plan of development or sale, DEP/CCD may require the person proposing to conduct the earth disturbance activity to apply for and obtain a permit prior to commencing the earth disturbance activity.



**General Information Form.** DEP's General Information Form (GIF) ([0210-PM-PIO0001](#)) must be completed and attached to the application and must indicate other permits that are necessary for the project, as applicable.

**Other Requirements.** The applicant should contact DEP/CCD if clarification of application requirements is needed. A permittee is expected to download and utilize DEP's Chapter 102 Site Inspection Report ([3800-FM-BCW0271d](#)) throughout construction; alternative formats containing identical information are acceptable. The permittee will be required to submit an NOT ([3800-PM-BCW0229b](#)) following completion of the earth disturbance activity and permanent stabilization.

In addition, the permittee may require the use of other DEP forms throughout construction, including but not limited to:

- [3800-FM-BCW0271](#) – Co-Permittee Liability Release form. May be used by an operator that is a co-permittee, or any other co-permittee, to report termination of responsibility under a permit. May not be used by the applicant identified on the Individual NPDES Permit Application.
- [3800-FM-BCW0271a](#) – Co-Permittee Acknowledgement form. Must be used when an operator will commence earth disturbance activities and must be a co-permittee.
- [3800-PM-BCW0041](#) – Application for NPDES or WQM Permit Transfer. Must be used when the applicant identified on the Individual NPDES Permit Application, who becomes the permittee, elects to transfer permit coverage to another person.
- [3000-FM-OWP0100](#) – PA Stream Buffer Tracking form. Must be used when the applicant will utilize a riparian forest buffer.

If any of these situations apply, these forms would be submitted to the DEP/CCD office in which the application was submitted.

In addition, prior to construction the permittee must ensure that all other necessary permits and approvals associated with the construction and earth disturbance activities have been obtained, including Act 537 sewage planning approvals where applicable. A pre-construction meeting must be held prior to construction, unless waived by DEP/CCD.

## APPLICATION – GENERAL INFORMATION

The application form, including required attachments, must be completed in its entirety in accordance with these instructions for all new projects (i.e., when the Application Type is "New").

For an Application Type of Major Amendment, the entire application must be completed in accordance with these instructions and any new or updated information must be in bold text.

For an Application Type of Minor Amendment, the General Information, Compliance History, and the Certification for Permit Applicants sections must be completed, at a minimum. Additionally, any other section of the application must be completed if the information contained within that section has been updated as part of the amendment, and the updated information must be in bold text.

For an Application Type of Renewal, the General Information, Compliance History and the Certification for Permit Applicants sections must be completed. Additionally, the permittee must attach a letter specifying that the previously approved E&S and PCSM Plans have not been revised and an indication of what work has been completed and what work remains on the project site.

1. **Applicant Name(s).** Enter the Applicant Name(s) as it appears on the GIF in the Client section (Organization Name or Registered Fictitious Name).
2. **Application (Appl.) Type.** Check the appropriate box to indicate whether the application is for a new project (new earth disturbance not covered by an existing DEP/CCD-issued Chapter 102 permit), renewal of an existing Chapter 102 permit, a Major Amendment or a Minor Amendment. If the box for Renewal, Major Amendment or Minor Amendment is checked, enter the Permit ID Number of the permit coverage the applicant seeks to renew or amend.
3. **Primary NAICS Code.** Provide the appropriate six-digit North American Industry Classification System (NAICS) code that represents the primary economic activity of the project site. The NAICS codes can be found on the

NAICS section of the U.S. Census Bureau's website at [www.census.gov/eos/www/naics](http://www.census.gov/eos/www/naics) (the "Downloads" list on the left side of the screen contains the most recent list).

4. **Additional NAICS Code(s).** Provide any other applicable six-digit NAICS code(s) that represents the economic activity of the project site. More than one six-digit code may be entered into the box provided.
5. **Project Description.** Enter a brief narrative of the project in the space provided or otherwise submit an attachment with a description of the project. Explain the purpose of the earth disturbance activities and construction objectives for the project.

**NOTE 12** – For applications associated with amendments, provide a detailed description of the changes to the project being sought under the amendment.

6. **Site Restoration.** Check the box if the project meets the criteria of a site restoration project as identified in these instructions across the entire project site.
7. **Antidegradation Analysis Module 3.** Check the box if there will be any discharges during or following construction to surface waters with a designated or existing use of High Quality (HQ) or Exceptional Value (EV) under 25 Pa. Code Chapter 93, including EV wetlands, and the Antidegradation Module 3 has been completed and is attached to the application (required for discharges to special protection waters).
8. **Riparian Buffer Module 4.** Check the box if earth disturbance or the project site boundary will extend to within 150 feet of a perennial or intermittent river, stream, creek, lake, pond or reservoir with a designated use of HQ or EV under 25 Pa. Code Chapter 93, and the Riparian Buffer Module 4 has been completed and is attached to the application (required for earth disturbance or project sites within 150 feet of special protection waters identified at 25 Pa. Code § 102.14(a)).
9. **Common Plan of Development or Sale.** Check the box if the project is part of a larger common plan of development or sale. If checked, specify the anticipated number of phases in the project and the number of phases that have already been completed, currently under construction, or currently under an existing permit (amendments only). For the purpose of this question, the term "phase" is used to describe a portion of a common plan of development or sale that is incorporated into Individual NPDES Permit coverage following initial approval through a major amendment to that coverage.

#### APPLICATION – PROJECT SITE INFORMATION

1. **Project Site Name.** Report the name of the site at the specific physical location or the name that the project will be known by. For example, "Smith Farm Site" or "ABC Commercial Development Site". If this is a phased project, the Project Site Name should not include the phase number (e.g., "Rustic Farms" as opposed to "Rustic Farms – Phase 1").
2. **Total Project Site Area.** Report the total area of the project site, in acres. A project site is the entire area of activity, development, lease, or sale including: 1) the area of an earth disturbance activity, 2) the area planned for an earth disturbance activity, and 3) other areas which are not subject to an earth disturbance activity.
3. **Project Site Impervious Area – Pre-Construction.** Report the area of impervious surface within the Total Project Site Area prior to construction, in acres, and list the percentage of impervious area relative to the Total Project Site Area. Note that the actual impervious area is requested rather than the impervious remaining after application of 25 Pa. Code § 102.8(g)(2)(ii).
4. **Project Site Impervious Area – Post-Construction.** Enter the area of impervious surface within the Total Project Site Area following construction, in acres, and list the percentage of impervious area relative to the Total Project Site Area.
5. **Hydric Soils or other wetland features are present within the Project Site.** Select the box for Yes if there are hydric soils or other wetland features located within the Total Project Site Area, otherwise select the box for No.

If Yes to question #5, identify that a wetland determination, conducted in accordance with DEP procedures, has been attached to the application.

**NOTE 13** – The application may be deemed incomplete without the inclusion of a wetland determination if the answer to question #5 is Yes.

6. **County and Municipality.** Indicate the county and municipality in which the site is located. Check the appropriate box to identify the type of municipality entered (i.e., city, borough, township).
7. **Additional County and Municipality.** If the project site is located in more than one municipality and/or county, enter the additional county and municipality. If the project site is located in more than two municipalities and/or counties, attach a sheet to the application specifying all municipalities and counties in which the project site is located.
8. **Site Location Address.** Provide the physical address of the location where the permitted activities will occur, if available. PO Box Numbers are not acceptable for site location information.

**NOTE 14** – If there is no physical address of the location (e.g., “1549 East End Road”), then the distance (in miles) and direction (e.g., north, south, east, west) should be identified from the nearest intersection (e.g., “Steeple Chase Drive, 0.5 mi. south of intersection with Roberts Road”). For linear projects that do not have a physical address, use the project center point and provide the name of the nearest road.

9. **Site Location City, State, ZIP.** Report the city (or municipality), state and ZIP code (including 4-digit extension) of the project site location, if available.

#### APPLICATION – OPERATOR INFORMATION

If known at the time the application is submitted, the applicant should identify all persons who: 1) have oversight responsibility of earth disturbance activities on the project site or a portion thereof; 2) have the ability to make modifications to the E&S Plan, the PCSM Plan or site specifications; and/or 3) have day-to-day operational control over earth disturbance activities to ensure compliance with the E&S or PCSM Plans. All such persons are considered operators and will be considered co-permittees if DEP/CCD issues the individual permit. There is space provided for up to two operators; if a project will have more than two operators, the applicant should attach additional sheets to the application.

1. **Operator Name.** Identify the name of the organization or individual who is considered an operator.
2. **Contact Name.** If the operator is an organization, list an individual whom may be contacted by DEP/CCD.
3. **Operator Address.** Provide the mailing address of the operator.
4. **Operator Phone.** Enter the phone number for the operator identified as the contact.
5. **Operator City, State, ZIP.** Enter the city, state and zip (including 4-digit extension) of the operator’s address.
6. **Operator’s Role in Project.** Check the appropriate box to indicate whether the operator is a General Contractor, Consultant or Excavation Contractor. Select the box for Other if none of these apply.
7. **Operator’s Responsibilities.** Briefly describe the responsibilities of the identified operator during the earth disturbance activities (e.g., bulk earthmoving, PCSM BMP installation).

If an operator is unknown at the time the application is submitted, the permittee will be responsible for ensuring that new operators selected following permit coverage complete and sign the Co-Permittee Acknowledgement Form for Chapter 102 Stormwater Permits ([3800-FM-BCW0271a](#)).

## APPLICATION – EARTH DISTURBANCE INFORMATION

1. **Total Earth Disturbance Area.** Report the total area of earth disturbance in acres and square feet (sf). Include the area associated with all off-site support activities that are part of the project and are not independent construction sites if these areas have been identified at the time of application submission. When reporting Total Earth Disturbance Area in acres, report to the nearest one-hundredth of an acre. Per the Earth Disturbance Threshold section of these instructions, acreage between 0.991 and 0.999 should be rounded to 1.00 acre.

**NOTE 15** – The Total Earth Disturbance Area must be fully within the Total Project Site Area.

2. **Pre-Construction Impervious Area.** Identify the area of pre-construction impervious surface within the earth disturbance area in sf.
3. **Post-Construction Impervious Area.** Identify the area of planned post-construction impervious surface within the earth disturbance area in sf.
4. **Pre-Construction/Present Land Use(s).** Identify the actual dominant land uses of the project site for the five years preceding the application submission and specify the percentage of the Total Earth Disturbance Area that is comprised of each land use. Use of agricultural, residential and urban for land use descriptions is recommended, although the applicant may opt to use more detailed land use descriptions or may use land cover descriptions (e.g., descriptions used by the National Land Cover Database are acceptable). Land cover descriptions of pervious and impervious are also acceptable. Attach a separate sheet if necessary.
5. **Post-Construction Land Use(s).** Identify all post-construction land uses within the earth disturbance area and specify the percentage of the Total Earth Disturbance Area that is comprised of each land use, utilizing similar land use (or land cover) descriptions as used for pre-construction land use(s).
6. **E&S and PCSM Plan Drawing(s).** Attach to the E&S and PCSM Plan Drawing(s) that identify topographic information, the project site boundary, the limit of disturbance boundary, surface waters, anticipated discharge points during and following construction, anticipated locations for E&S and PCSM BMPs, and drainage patterns. Also attach E&S and PCSM Plan Drawing(s) showing the location(s) of off-site construction support activities, if known at the time of application submission. Check the box if the Drawing(s) are attached.

**NOTE 16** – Site-specific E&S Plan Drawings and PCSM Plan Drawings will satisfy this requirement if the drawings include all of the features referenced above (if this is the case, the box should be checked).

7. **Coordinates.** Report the latitude and longitude of the center of the proposed disturbed area, in decimal degrees with a minimum of five digits to the right of the decimal. If the project is a linear project, then report one terminus of the project and attach a sheet specifying the other terminus of the project to the application.
8. **Horizontal Reference Datum.** Indicate the Horizontal Reference Datum used to determine the coordinates by checking the box for North American Datum (NAD) of 1927, NAD of 1983, World Geodetic System (WGS) of 1984, or “Unknown”.
9. **Off-Site Construction Support Activities.** Select the box for Yes if the applicant is aware that off-site support activities will be necessary for the project, otherwise select the box for No.
10. If Yes to question #9, identify the nature of known off-site support activities whose area of disturbance is included in the Total Earth Disturbance Area response to question #1. Provide a description of the activity, the distance from the site (from the limit of disturbance boundary), and the disturbance area associated with the activity. For example, the Total Earth Disturbance Area associated with a project is reported in question #1 as 1 acre, of which 0.2 acre is an off-site support activity located 0.1 mile from the limit of disturbance boundary. Identify the activity in question #10, report the distance as 0.1, and report the disturbance area as 0.2. If No to question #9, this question may remain blank.

**NOTE 17** – E&S Plan(s) for these off-site support activities should be submitted with the application.

11. If Yes to question #9, identify the nature of known off-site support activities whose area of disturbance is not included in the Total Earth Disturbance Area response to question #1. The table for question #11 would generally

## Application Instructions

be used only in situations where a linear project has multiple off-site support activities that are greater than one-quarter (0.25) mile apart and are not contiguous to the project site. Identify those off-site support activities that meet these criteria, if known at the time of application submission. Any such off-site support activities identified in the table for question #11 are for information purposes only and are not part of the earth disturbance area covered by an individual permit. If the earth disturbance area of an off-site support activity listed in this table is greater than or equal to one acre, separate NPDES permit coverage must be obtained. If No to question #9, this question may remain blank.

**NOTE 18** – E&S Plan(s) for these off-site support activities may be submitted with the application or may be submitted separately for approval prior to use.

12. **Fill Material.** With the exception of sites enrolled in DEP's Land Recycling and Environmental Remediation Standards (Act 2) program, all fill material excavated and used on-site, imported to the site, and exported from the site, should meet the definition of clean fill contained in DEP's [Management of Fill Policy](#) (Document ID No. 258-2182-773). Regulated fill may only be used on Act 2 sites, in accordance with standards established by DEP's Land Recycling and Environmental Remediation Standards program.

Check the appropriate box(es) concerning the use of fill material at the project site. Applicants should review DEP's Management of Fill Policy to ensure understanding of the requirements relating to fill material. Prior to submission of the application, the applicant has a responsibility to conduct environmental due diligence, as defined in the Policy, to verify that fill excavated on-site that is used to establish final grade, fill imported to the site, and fill exported from the site is considered clean fill.

If due diligence results in evidence of a release (as defined by the Policy) that has affected the fill material, the material must be tested to determine whether the material qualifies as clean fill, and the Certification of Clean Fill form ([Form FP-001](#)) must be completed. Individual NPDES Permits require retention of Form FP-001 on-site, which must be made available upon request by DEP/CCD.

Plan drawings must include a note explaining the need for permittees and operators that are co-permittees to conduct environmental due diligence and comply with DEP's Management of Fill Policy.

13. **Act 2 Enrollment.** Check the box for Yes if the site has been enrolled in DEP's Act 2 Program, otherwise select the box for No.
14. **Act 2 Release.** Check the box for Yes if the site was previously enrolled in DEP's Act 2 Program and cleanup standards have been met. If applicable, attach the Act 2 release of liability letter to the application. These letters generally identify the media and pollutant(s) addressed by the release of liability.
15. **Act 537 Status.** Indicate whether Act 537 sewage planning approval is needed for the project. If Yes, indicate whether the approval letter is attached to the application.

**NOTE 19** – If Act 537 sewage planning is necessary but the approval is not available at the time the application is submitted, the application will not be considered incomplete. Act 537 approval, if needed, is required prior to conducting earth disturbance activities.

16. **Chapter 105 Permit or Authorization.** Check the box for Yes if the project requires a permit or other authorization under 25 Pa. Code Chapter 105, otherwise select the box for No and skip question #17.
17. If Yes to question #16, identify the type of permit or authorization necessary for the project under Chapter 105 by checking the appropriate box.
18. **Other Required DEP Permits or Authorizations.** Check the box for Yes if the project requires any other authorizations or permits from DEP; otherwise, select the box for No and skip question #19.
19. If Yes to question #18, identify all other authorizations or permits from DEP/CCD necessary for the project. Include the status of the authorization or permit. If applicable, attach the approval letter to the application.

## APPLICATION – EXISTING PERMITS

List all permits that have been issued or are pending for this facility or project site by DEP/CCD or EPA within the past five years, including those that have been terminated. Attach a separate sheet as necessary. Include any NPDES and Water Quality Management (WQM) permits, Chapter 105 permits, and any other environmental permits. Provide the permit number, the date of permit issuance, and the name of the agency which issued the permit, as applicable.

## APPLICATION – COMPLIANCE HISTORY

Check the appropriate box to indicate if the applicant(s) is or has in the past five years been in violation of any DEP regulation, permit, order or schedule of compliance at this or at any other facility or project site. If the answer is “No,” no further information is needed in this area. If the answer is “Yes,” list each permit, order or schedule of compliance and provide compliance status of the permitted facility or operation. If needed, use additional sheets to provide all information.

## APPLICATION – STORMWATER DISCHARGE INFORMATION

1. **Discharge Point Locations and Receiving Waters, During Construction.** Identify all discharge points and the receiving waters to which they discharge during construction. If there will be no discharge points, i.e., all stormwater flows will be sheet flows or shallow concentrated flows as may occur for example with a linear project such as utility installation or replacement where disturbed areas will be restored to approximate original condition, the box for “Not Applicable” may be checked. If “Not Applicable” is checked, the applicant must still complete all information under the heading of “Receiving Waters” (i.e., name of receiving waters, whether the water is in the Chesapeake Bay watershed, whether discharges flow to non-surface waters, the Chapter 93 classification, and whether the waters are impaired and are covered by an EPA-approved TMDL as discussed below).

- **Discharge Point No.** – Provide a three-digit identification number consisting of numerals only (i.e., no letters or other symbols) for each discharge point receiving stormwater discharges associated with construction activity from the earth disturbance area, starting with 001 and continuing with 002, 003, and so on. If there are more discharge points than space allows, attach an additional sheet. The permittee is authorized to discharge through the discharge points identified in this table if a permit is issued.

**NOTE 20** – Discharge points are all engineered structures, drainageways and areas of concentrated flow where runoff leaves a project site, except for areas of shallow concentrated flow that are controlled by perimeter BMPs. For example, water filtering through a compost sock should not be considered a discharge point). Discharge points are not only pipes (i.e., outlets from BMPs) but also include areas where stormwater flows will concentrate by natural means or by design and areas of concentrated flow prior to level spreaders or other diffusion of flows. Discharge points may be situated at or near surface waters or at another location, at or prior to the project site boundary.

- **Latitude / Longitude** – Report the latitude and longitude coordinates in decimal degrees with at least five digits to the right of the decimal place for the discharge point. This location should correspond to the point where stormwater will enter surface waters or, for discharges to non-surface waters, the point where stormwater will leave the project site.
- **Name of Receiving Waters** – Specify the name of the surface waters receiving stormwater discharges (i.e., receiving waters) for each discharge point, as specified in 25 Pa. Code Chapter 93. If the receiving waters are not identified in Chapter 93, use the term “Unnamed tributary to XXX”, where XXX is the first named surface water downstream. If the discharge is to a storm sewer, list the name of the receiving waters followed by, “via storm sewer” (e.g., “Muddy Run via storm sewer”). If the discharge is to existing wetlands, list the name of the receiving waters followed by, “via wetland.”
- **Ches. Bay?** – Check the box if the project is located within the Chesapeake Bay watershed, and the receiving waters drain to the Chesapeake Bay.
- **Non-Surface Waters** – Check the box if the applicant is proposing any stormwater discharge to areas other than surface waters, either on or off the project site, during or following construction. For example, an



applicant should check this box if a stormwater discharge point will be located at a property boundary to a swale that eventually reaches surface waters.

**NOTE 21** – If there will be off-site discharges (e.g., discharges to a non-surface water such as a swale, ditch, or ground surface via level spreader, that will flow through a property or properties not owned by the applicant prior to reaching a surface water), the applicant is expected to secure an easement (e.g., common law or express easement) providing legal authority for the off-site discharge, unless waived by the property owner, and to provide for adequate BMPs to prevent accelerated erosion on off-site property. Stormwater management to prevent accelerated erosion is also required for discharges to non-surface waters on property owned by the applicant. Submission of an easement for off-site discharges is not required as part of the application package. An Individual NPDES Permit does not grant property rights.

- **Ch. 93 Class.** – Report the existing use or, if DEP’s [Statewide Existing Use Classifications website](#) does not list the water, the designated use of the receiving waters under Chapter 93.
- **Impaired?** – Check the box if the receiving waters are “**impaired**” (i.e., not attaining water quality standards) **for siltation, suspended solids, turbidity, water/flow variability, flow modification/alterations, or nutrients** according to DEP’s latest published Integrated Water Quality Monitoring and Assessment Report (visit [www.dep.pa.gov](http://www.dep.pa.gov) and select Businesses > Water > Bureau of Clean Water > Water Quality > Integrated Water Quality Report). The box may remain un-checked if the waters are not impaired or are impaired for other causes.
- **TMDL?** Check the box if the receiving waters have an **EPA-approved TMDL for siltation, suspended solids, turbidity, water/flow variability, flow modification/alterations, or nutrients**. The box may remain un-checked if the waters do not have an EPA-approved TMDL or if a TMDL has been developed for other causes.

Attach additional sheets as necessary to report all discharge points.

2. **Discharge Point Locations and Receiving Waters, Post-Construction.** Provide the same information in this table as in question #1, except this table requests information concerning post-construction discharges. The information in this table may be the same as in question #1.

**NOTE 22** – If there is a discharge point that will exist during construction but is eliminated following construction, then that discharge point should not be used in the post-construction table, and vice-versa for discharge points that are proposed after construction but not during construction.

3. **Discharges to Storm Sewers or Combined Sewers.** Check the appropriate box (i.e., Yes or No) to indicate whether any of the discharge points identified in questions #1 and #2 above discharge to a storm sewer system. If Yes, indicate whether the storm sewer is also a municipal separate storm sewer system (MS4) or a combined sewer system (CSS) with combined sewer overflows (CSOs) (i.e., Yes or No). Identify the name of the storm sewer owner/operator and list all discharge point numbers that will discharge to the storm sewer. If unsure whether the storm sewer is also classified as an MS4 or CSS with CSOs, contact the municipality in which the facility is located. If there are no discharges to storm sewers, check the box for No and enter “N/A” for the remaining questions for question #3.
4. **Non-Stormwater Discharges.** Identify and describe all non-stormwater discharges that are expected to occur during permit coverage. Include off-site support areas that are part of the Total Earth Disturbance Area. List each type of non-stormwater discharge anticipated, the discharge point that is expected to receive the discharge, and the expected frequency and volume of discharges. Attach a separate sheet as necessary. Select the appropriate box if no non-stormwater discharges are anticipated.
5. **Discharges to Non-Surface Waters.** Check the box for Yes if the applicant is proposing any new or increased stormwater discharge to areas other than surface waters or storm sewers, either on or off the project site, during or following construction; otherwise select No.

### APPLICATION – DISCHARGES TO IMPAIRED WATERS

1. If any stormwater discharges (including shallow concentrated flow or sheet flow and regardless of whether discharges will flow through off-site conveyance prior to reaching surface waters) will enter surface waters impaired for siltation, suspended solids, turbidity, water/flow variability, flow modification/alterations, or nutrients, select the box for Yes, otherwise select the box for No.
2. If the response to question #1 is Yes, Antidegradation Analysis Module 3 must be completed, i.e., the non-discharge alternative or Antidegradation Best Available Combination of Technologies (ABACT) BMPs must be selected for E&S and PCSM BMPs. Check the box for Yes if the response to question #1 is Yes. If the response to question #1 is No, this question may be skipped. It is noted that the same BMPs may be established for impaired waters as are established for special protection (HQ/EV) waters.
3. If any stormwater discharges (including shallow concentrated flow or sheet flow and regardless of whether discharges will flow through off-site conveyance prior to reaching surface waters) will enter surface waters impaired for siltation, suspended solids, turbidity, water/flow variability, flow modification/alterations, or nutrients, and the waters have an EPA-approved Total Maximum Daily Load (TMDL) that limits one or more of these parameters, select the box for Yes, otherwise select the box for No.
4. If the response to question #3 is Yes, indicate (i.e., Yes or No) whether there is a wasteload allocation (WLA) in the TMDL that would apply to the applicant's stormwater discharges. If the response to question #3 is No, this question may be skipped.
5. If the response to question #4 is Yes, explain in the space provided or in a separate attachment how the stormwater discharges will comply with the WLA(s), if applicable.

### APPLICATION – CERTIFICATION FOR APPLICANTS

The applicant must certify that the information contained in the application is true, accurate and complete. In addition, the responsible official's signature also verifies that the applicant will abide by the terms and conditions of the permit until the NOT is submitted; a licensed professional or designee will be on-site and responsible during critical stages of PCSM BMP implementation, if applicable; and the applicant will not commence in construction resulting in earth disturbance until all criteria are met for commencing construction under the Individual NPDES Permit.

#### The application must be signed as follows:

- For individually owned operations, the application must be signed by the owner of the facility or project site.
- For a corporation, the application must be signed by a responsible corporate officer. For purposes of this section, a responsible corporate officer means a principal executive officer of at least the level of vice president or an authorized representative, if the representative is responsible for the overall operation of the facility or project from which the discharge described in the application originates.
- For a partnership or sole proprietorship, the application must be signed by a general partner or the proprietor, respectively.
- For a municipality, state, federal, or other public agency, the application must be signed by either a principal executive officer, ranking elected official or other authorized employee.

### APPLICATION – CERTIFICATION FOR OPERATORS

Operators that are identified in the Operator Information section of the application must sign the application, acknowledging that the operator is assuming joint and severable responsibility, coverage, and liability under the permit for all duties, responsibilities, and non-compliance with the permit, as a co-permittee of this permit coverage.

## E&S MODULE 1

E&S Module 1 ([3800-PM-BCW0406a](#)) must be attached to all Individual NPDES Permit Applications. Completion of E&S Module 1 constitutes an E&S Plan required by 25 Pa. Code § 102.4(b)(5) when accompanied by E&S Plan Drawings and supporting calculations. Instructions for completing E&S Module 1 for the Individual NPDES Permit Application for Discharges of Stormwater Associated with Construction Activities are presented herein (each Chapter 102 NPDES permit application/NOI instructions document has specific information on how to complete Module 1 for that application/NOI).

Enter the name of the applicant, Project Site Name, the receiving surface water name(s), and the receiving surface water use(s) as listed on the application.

### E&S Plan Information

1. **Topography.** In the space provided, describe the existing topographic features of the project site and the immediate surrounding area. Describe land cover, structures, drainage patterns, surface waters and other features of the pre-construction (present) land surface.
2. **Soils.** For soils present at the project site, identify in the table provided: 1) the Natural Resources Conservation Service (NRCS) soil survey map unit symbol of soils present at the project site; 2) the NRCS soil survey map unit name; 3) the acres associated with each soil map unit; 4) the Hydrologic Soil Group (HSG) associated with each soil map unit; 5) the percentage of each soil map unit within the disturbed area; 6) average depths of each soil map unit; and 7) the presence of hydric soils within the soil map unit on the project site (check the box if True). Discuss the presence of any soil limitations (e.g., steep slopes) and how the E&S Plan was developed to address those limitations. If no limitations exist the applicant may enter, "N/A." If hydric soils are present, a wetland determination should be attached to E&S Module 1. Check the appropriate box to indicate whether a wetland determination is attached (select the box for Yes, No, or N/A if there are no hydric soils on the project site). If soils are known to be contaminated on the project site, identify the pollutants exceeding Act 2 standards (MSCs contained in 25 Pa. Code Chapter 250), attach an E&S Plan Drawing that illustrates the extent of soil contamination, and describe the methods that will be used to avoid or minimize disturbance of the contaminated soils.
3. **Land Use.** Describe past, pre-construction (i.e., present) and post-construction (i.e., proposed) land uses of the project site and how earth disturbance activities will alter the land uses of the project site. For past land uses, provide a description of the historical uses of the land (i.e., at least 50 years ago).
4. **Runoff.** Describe the volume and rate of runoff from the project site and any area upgradient of the project site that flows onto the project site, to supplement supporting E&S BMP design calculations. Discuss the management of this runoff during construction. This may be a qualitative description.
5. **E&S BMPs.** Check all boxes within the table to indicate the E&S BMPs that have been selected for installation or implementation at the project site. The BMP Names are consistent with the E&S Manual and ordered as they appear in the E&S Manual's Table of Contents. Identify the E&S Plan Drawing Number(s) where the E&S BMPs are presented and where O&M requirements are specified. Explain any deviations from the E&S Manual in the space provided and as necessary attach an additional sheet providing the demonstration required by 25 Pa. Code § 102.11(b). If an alternative E&S BMP is proposed, identify it at the end of the table for question #5. Alternative E&S BMPs should be identified on DEP's list of reviewed alternative BMPs prior to proposing their use in a permit application (see [www.dep.pa.gov/constructionstormwater](http://www.dep.pa.gov/constructionstormwater), select E&S Resources).

**NOTE 23** – Following question #5 there is a Table 1 that is intended for PAG-01 applicants only. Applicants for individual permits should not complete Table 1.

6. **Standard E&S Worksheets.** Check the box if all applicable Standard E&S Worksheets from Appendix B of the E&S Manual have been completed and are attached.
7. **Other Equivalent Worksheets.** Check the box if information and calculations equivalent to the Standard E&S Worksheets from Appendix B of the E&S Manual have been completed and are attached. **The submission of completed Standard E&S Worksheets or equivalent providing the same information is required for applicants seeking individual permits.**

8. **Sequence.** In the space provided, identify the E&S Plan Drawing Number(s) that describes the sequence of BMP installation and removal in relation to the scheduling of earth disturbance activities, prior to, during and after earth disturbance activities that ensure the proper functioning of all BMPs.
9. **Calculations Completed.** Check the box if supporting calculations for BMP design have been completed and will be provided upon request. For applicants seeking individual permits, this box should remain unchecked (i.e., such calculations must be provided by permit applicants).
10. **Calculations Attached.** Check the box if the supporting calculations have been attached to the application. **The submission of supporting E&S calculations is required for applicants seeking individual permits.** Standard E&S Worksheets that document design calculations for a BMP may be used to satisfy this requirement; where a Standard E&S Worksheet is not available or otherwise does not fully document design calculations, the applicant must attach separate calculations.
11. **Standard Figures or Details Serve as Plan Drawings.** Check the box if standard Figures and/or Construction Details in the E&S Manual will serve as plan drawings for the project. For applicants seeking individual permits, this box should remain unchecked.
12. **Plan Drawings Attached.** Check the box if plan drawings have been attached to the application. **The submission of plan drawings is required for applicants seeking individual permits.**
13. **Inspections.** Check the box to confirm the applicant's understanding that inspections of earth disturbance activities must occur weekly and following measurable storm events (i.e., at least 0.25 inch). An inspection must be conducted within 24 hours following a 24-hour period in which at least 0.25 inch of precipitation occurs, or when snowmelt occurs that is sufficient to produce a discharge.
14. **Temporary Stabilization.** In the space provided, identify the E&S Plan Drawing Number(s) that contain the following information relating to temporary vegetative stabilization measures: 1) vegetative species, 2) % pure live seed, 3) seed application rate, 4) fertilizer type, 5) fertilizer application rate, 6) mulch type, 7) mulching rate, and 8) liming rate.
15. **Permanent Stabilization.** In the space provided, identify the E&S Plan Drawing Number(s) that contain the following information relating to permanent vegetative stabilization measures: 1) vegetative species, 2) % pure live seed, 3) seed application rate, 4) fertilizer type, 5) fertilizer application rate, 6) mulch type, 7) mulching rate, 8) liming rate, 9) anchor material, 10) anchoring method, 11) rate of anchor material application, 12) topsoil placement depth, and 13) seeding season dates.  
  
**NOTE 24** – If Standard E&S Worksheets will be attached to the application that address temporary and permanent stabilization, the applicant may refer to the attachment(s) in lieu of completing #14 and #15 in this section.
16. **Recycling or Disposal.** Describe how the applicant will ensure that proper recycling or disposal of materials will be conducted at the project site.
17. **Sensitive Features.** Identify the presence of any naturally occurring soil conditions or geologic formations (e.g., karst) that may have the potential to cause pollution during earth disturbance activities and identify BMPs that will be implemented to avoid or minimize potential pollution caused by these features. If no such features are known, the applicant may report, "unknown" or "none". These sensitive areas must also be identified on the E&S Plan Drawings.
18. **Thermal Impacts.** Identify whether the potential exists for thermal impacts to surface waters during the earth disturbance activity and, if such potential exists, identify BMPs that will be implemented to avoid, minimize or mitigate potential thermal impacts.
19. **Consistency.** Check the appropriate box to indicate that the E&S Plan has been planned, has been designed and will be implemented to be consistent with the PCSM Plan.

**20. Buffers.** If applicable, in the space provided identify the E&S and PCSM Plan Drawing Number(s) that show existing and proposed riparian forest buffers (select the box for N/A if not applicable).

### **E&S Plan Developer**

The developer of the E&S Plan for the project must complete this section.

If True, check the box next to the statement, “I am trained and experienced in E&S control methods.” In that statement, “trained and experienced” also refers to the size and scope of the project. Check the box next to the statement, “I am a licensed professional” if the E&S Plan Developer is a professional engineer, landscape architect, geologist or land surveyor licensed to practice in this Commonwealth. Enter the name of the E&S Plan Developer, the business title (if applicable), the company that employs the E&S Plan Developer, mailing address, city, state, ZIP code (including 4-digit extension), phone number and email address. If the E&S Plan Developer is a licensed professional, enter the License Type (i.e., engineer, landscape architect, geologist and/or land surveyor), License No., and Expiration (“Exp.”) Date of the license; otherwise leave these fields blank.

The E&S Plan Developer must sign and date this section at the location specified. The signature attests to the accuracy of the information provided and to the E&S Plan Developer’s understanding that the E&S Plan conforms to Chapter 102 requirements. Note that an E&S Plan Developer need not be a licensed professional, but must be a person trained and experienced in E&S control methods and techniques applicable to the size and scope of the project being designed.

## **PCSM MODULE 2**

PCSM Module 2 ([3800-PM-BCW0406b](#)) must be attached to all Individual NPDES Permit Applications. Completion of PCSM Module 2 constitutes a PCSM Plan required by 25 Pa. Code § 102.8(f) when accompanied by PCSM Plan Drawings and supporting calculations. Instructions for completing PCSM Module 2 for Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activities are presented herein (each Chapter 102 NPDES permit application/NOI instructions document has specific information on how to complete Module 2 for that application/NOI).

**NOTE 25** – Certain information required by 25 Pa. Code § 102.8(f) is intentionally left out of PCSM Module 2 because the same information is required by E&S Module 1. For these instances DEP has approved the E&S and PCSM Plans to be combined, in accordance with 25 Pa. Code §§ 102.4(b)(5)(xiv) and 102.8(d).

Enter the name of the applicant, Project Site Name, the receiving surface water name(s), and the receiving surface water use(s) as listed on the application.

### **PCSM Plan Information**

- 1. Structural PCSM BMPs.** Identify all proposed structural and non-structural PCSM BMPs for implementation at the project site that will be utilized for volume, water quality and/or rate control, as follows:
  - **Discharge Point(s)** – Identify all discharge point ID numbers (e.g., 001, 002) that are associated with the structural or non-structural BMP, as identified in the Stormwater Discharge Information section of the application, as applicable.
  - **BMP ID** – Provide a BMP ID number for each listed BMP, starting at 1. If there are two BMPs in series, each BMP should be listed on a separate row with a separate number. These BMP IDs numbers should also be identified on PCSM Plan Drawings.
  - **BMP Name** – List the name of the BMP as contained in the [Pennsylvania Stormwater Best Management Practices Manual \(Document ID No. 363-0300-002\)](#) (BMP Manual), as amended. If the BMP is not identified in the BMP Manual the applicant may select a name that best describes the BMP. For BMPs in series, enter the name as follows: “BMP Name in series with BMP ID X.”
  - **BMP Manual** – Identify the section of the BMP Manual that describes and provides standards for the BMP (e.g., 6.4.1). If the BMP is not contained in the latest version of the BMP Manual but has been approved by DEP’s Bureau of Clean Water as an alternative BMP, indicate “approved alternative” in the space provided.

- **Latitude / Longitude** – Report the latitude and longitude coordinates at the center of the BMP in decimal degrees with at least five digits to the right of the decimal place.
- **DA Treated (ac)** – List the drainage area treated by the BMP.

If there are undetained areas (areas in which stormwater will not be treated by a BMP), list the total area in acres of the undetained areas.

Select “The Project Qualifies as a Site Restoration Project (§ 102.8(n))” if the project (in its entirety) meets one or more of the criteria for a site restoration project, as discussed above. Site restoration projects are considered PCSM BMPs. Applicants of site restoration projects must complete Module 2 to the extent applicable, except for Stormwater Analysis and Infiltration Information sections, which may be skipped.

1. **Sequence and Critical Stages.** Describe the sequence of PCSM BMP implementation in relation to earth disturbance activities. Additionally, ensure that the critical stages of the PCSM BMP installation are identified and schedule of inspections for the critical stages is provided. If the sequence and critical stages are provided on the PCSM Plan Drawings, then identify this in the space provided (including the location in the drawings).

**NOTE 26** – The PCSM sequence must include the installation and construction steps necessary to construct and implement each PCSM BMP.

2. **Plan Drawings Developed.** Check the box if plan drawings of PCSM BMPs have been developed and will be available on-site. (For applicants seeking individual permits, this box should remain unchecked).
3. **Plan Drawings Attached.** Check the box if plan drawings have been attached to the application. **Submission of plan drawings is required for applicants seeking individual permits.**
4. **Waste Management.** Check the box if recycling and proper disposal of materials associated with PCSM BMPs are addressed as part of long-term operation and maintenance of the PCSM BMPs.
5. **Sensitive Features.** Identify the presence of any naturally occurring soil conditions or geologic formations (e.g., karst) that may have the potential to cause pollution after earth disturbance activities are completed and the PCSM BMPs are operational and identify BMPs that will be implemented to avoid or minimize potential pollution caused by these features. If no such features are known, the applicant may report, “unknown” or “none”. These sensitive areas must also be identified on the PCSM Plan Drawings.
6. **Thermal Impacts.** Identify whether the potential exists for thermal impacts to surface waters from post-construction stormwater and, if such potential exists, identify BMPs that will be implemented to avoid, minimize or mitigate potential thermal impacts.
7. **Consistency.** Check the appropriate box to indicate that the PCSM Plan has been planned, has been designed and will be implemented to be consistent with the E&S Plan.
8. **Pre-development Site Characterization.** Check the appropriate box to indicate that a pre-development site characterization has been performed, including appropriate infiltration and geotechnical studies. Applicants for site restoration projects may skip this question. Attach soil test results, geotechnical study results, and appropriate narrative explanations of methods and study results to the application.

### **Stormwater Analysis – Runoff Volume**

Applicants of site restoration projects may skip this section. Otherwise, a Stormwater Analysis must be performed for each discharge point. DEP allows applicants to complete the analysis on a surface water basis, i.e., all discharge points to a single surface water may be considered collectively. Attach additional sheets as necessary.

At the top of the form, identify the Surface Water Name and the Discharge Point ID Number(s) (e.g., 001, 002).

1. **Design Standard – Act 167.** Check the box if the applicant is using a design standard for volume management that is contained in an Act 167 Plan approved by DEP within the past five years. In general, DEP/CCD will only



accept design standards based on Act 167 Plans when those plans have been approved by DEP within the past five years (this does not include municipal ordinances enacted under Act 167 Plans).

2. **Design Standard – Manage Net Change.** Check the box if the applicant is using the net change in the 2-year/24-hour storm, comparing post-construction conditions to pre-construction conditions, as the volume management design standard.
3. **Design Standard – Alternative.** Check the box if the applicant is using a volume management design standard that differs from an Act 167 Plan and the net change in the 2-year/24-hour storm. While use of alternative design standards is authorized by 25 Pa. Code § 102.8(g)(2)(iv), please be advised that applications using an alternative design standard may require additional review by DEP/CCD.
4. **PCSM Spreadsheet.** Check the box if the Volume Worksheet in DEP’s PCSM Spreadsheet was used for the stormwater volume management analysis and if a printout of the Volume Worksheet is attached. The PCSM Spreadsheet is available at [www.dep.pa.gov/constructionstormwater](http://www.dep.pa.gov/constructionstormwater), under the “E&S Resources” section. The PCSM Spreadsheet uses the net change in the 2-year/24-hour storm as the design standard and calculates infiltration and evapotranspiration (ET) credits for selected BMPs using DEP-approved methods. If a completed Volume Worksheet is attached to the application, the applicant may skip questions 5-9 in the remainder of this section and may omit supporting calculations.
5. **2-Year/24-Hour Storm Event.** Enter the total precipitation associated with the 2-year/24-hour storm event for the project site location, in inches. In addition, enter the source for the precipitation amount reported in question #5. [NOAA Atlas 14](#) values are preferred, but other sources may be used.
6. **Pre-Construction Volume.** Calculate and report the total stormwater runoff volume, in cubic feet (CF), for the project site for pre-construction conditions. If the Volume Worksheet is not attached, attach calculations supporting the reported value and check the appropriate box.

**NOTE 27** – If the applicant chooses not to use the PCSM Spreadsheet, the applicant may complete and submit Worksheets from Chapter 8 of the Stormwater BMP Manual or calculations in alternative format.

7. **Post-Construction Volume.** Calculate and report the total stormwater runoff volume, in CF, for the project site for post-construction conditions (i.e., the runoff volume before PCSM BMPs are implemented). If the Volume Worksheet is not attached, attach calculations supporting the reported value and check the appropriate box.
8. **Net Change.** Report the difference, in CF, between Post-Construction Volume (i.e., question #7) and Pre-Construction Volume (i.e., question #6).
9. **Structural BMPs.** Report the following information for structural BMPs that will treat post-construction stormwater discharging to the surface water. If the Volume Worksheet is not attached, attach calculations supporting the information reported in the table. Note that BMPs that are “self-crediting” including Riparian Buffer, Landscape Restoration and Vegetated Roof should not be used in this table since credit should already be received through selection of appropriate land covers in the calculation of post-construction runoff volume.
  - **DP No.** – Identify the discharge point (DP) associated with the structural BMP.
  - **BMP ID.** – List the BMP ID number as reported in the PCSM Plan Information section.
  - **Series** – BMPs that are in series should be entered in the same order they will be configured in the field. For example, a vegetated swale that is followed by a rain garden should be entered with the vegetated swale first and the rain garden in the next row. When BMPs are in series, select the BMP number that the BMP is in series with. If a BMP is not in series, enter “-”. BMPs that are in series are separate and distinct BMPs, such as a vegetated swale followed by a rain garden. A BMP’s components cannot be broken down and treated as separate BMPs. For example, a rain garden that dewateres in more than 24-hours cannot be broken into soil amendments followed by a dry extended detention basin.
  - **Volume Routed to BMP (CF)** – Calculate and report the volume routed to the BMP during the 2-year/24-hour storm event, in cubic feet (CF). Include the area associated with the BMP as part of the volume calculation, as applicable. For example, the volume routed to an infiltration basin must include

stormwater from the drainage area routed to the BMP along with direct precipitation on the infiltration basin. As another example, for a vegetated swale that reduces the runoff volume and then discharges to a rain garden, the volume routed to the rain garden would not include the volume reduced by the vegetated swale.

- **Infiltration Area (SF)** – Enter the infiltration area of the BMP in square feet (SF), if applicable. If the BMP is not designed as an infiltration BMP, leave this field blank.
- **Infiltration Rate (in/hr)** – Report the design infiltration rate or saturated hydraulic conductivity (Ksat) associated with the infiltration area, in inches per hour (in/hr) utilizing methods contained in Appendix C of the Stormwater BMP Manual or other published and defensible methods. If the BMP is not designed as an infiltration BMP, leave this field blank. The design infiltration rate value entered should be the tested infiltration rate adjusted with factors of safety (and other additional factors) where appropriate.
- **Infiltration Period (days)** – Select the infiltration period, in days, for site-wide structural BMPs. DEP may accept infiltration periods up to 4 days (96 hours). However, 1) the maximum ponding depth for infiltration and bioretention BMPs may not exceed 2 feet at the 2-year/24-hour storm event, and 2) local ordinance requirements must be met, where applicable. Many local ordinances require infiltration periods no greater than 3 days (72 hours).
- **Vegetated? (Veg?)** – Check the box if the structural BMP will be “vegetated.” A vegetated PCSM BMP is a permanent BMP where vegetation is a dominant or significant component within the storage area. Vegetation must include species other than lawn/turf grasses. Grasses may be used, but may not be the only species planted.
- **Media Depth (ft)** – Enter the design depth of media used for the BMP, in feet (e.g., 1.5 feet of planting soil for a rain garden or 2 feet of stone for an infiltration trench). This does not apply to certain BMPs. If an underdrain is used, report the depth from the bottom of the media to the invert of the underdrain.
- **Storage Volume (CF)** – Enter the design storage volume for the BMP in cubic feet (CF). For storage within media, utilize an appropriate void space percentage for the chosen media (e.g., typically 30-40%). Note that storage volume is not a credit because it does not represent volume reduction; when storage volume infiltrates, evapotranspires, is released or otherwise is reused, storage volume converts to credit.
- **Infiltration Credit (CF)** – Report the infiltration credit for the BMP. The approved calculation for infiltration credit is identified in DEP’s PCSM Spreadsheet and instructions. Alternative methods for calculating this credit may be proposed but may require additional review by DEP/CCD.
- **ET Credit (CF)** – Report the evapotranspiration (ET) credit for the BMP. The approved calculation for ET credit is identified in DEP’s PCSM Spreadsheet and instructions. Alternative methods for calculating this credit may be proposed but may require additional review by DEP/CCD.

To demonstrate that the selected BMPs will provide adequate volume reduction and/or management credit to offset the net increase in stormwater volume, calculate and enter the following below the table for question #9:

- **Total Infiltration & ET Credits (CF)** – Sum the infiltration and ET credits for all BMPs and report the value in the space provided.
- **Non-Structural BMP Volume Credits (CF)** – If non-structural BMP volume credits are proposed, provide as an attachment a detailed description of the non-structural BMPs and calculations warranting the credit, and report the value in the space provided.
- **Managed Release Credits (CF)** – If some portion of the volume required to be reduced or managed will be released using DEP’s Managed Release Concept (MRC) alternative BMP, the applicant must attach the MRC Design Summary Sheet and provide a detailed explanation of the design as an attachment to Module 2. If applicable, enter the number of Managed Release Credits in the space provided. This value should correspond to the value entered for “2-Yr/24-Hr Volume Managed (cf)” on the MRC Design Summary Sheet.
- **Volume Required to Reduce/Manage (CF)** – Report the volume that must be reduced or managed. If using the design standard for managing the net change for storms up to and including the 2-year/24-hour storm,

enter the value reported for question #8. Otherwise report the volume that is supported by an approved Act 167 Plan or other alternative, with appropriate justification attached to the module as necessary.

- **Total Credits** – Sum the values for Total Infiltration & ET Credits, Non-Structural BMP Volume Credits, and Managed Release Credits and report the value in the space provided. If this value exceeds the Volume Required to Reduce/Manage the stormwater analysis for runoff volume has been satisfied.

If the Volume Worksheet is attached, this question may be skipped. If the Volume Worksheet is not attached, calculations supporting the information in this table must be attached.

### **Infiltration Information**

This section must be completed for each BMP that proposes infiltration. Applicants of site restoration projects may skip this section. At the top of each table, enter the BMP ID number as reported in the PCSM Plan Information section. Also check the box next to, "Soil/geologic test results are attached." Soil and geologic testing, as appropriate, must be completed for PCSM BMPs relying on infiltration in accordance with 25 Pa. Code § 10.8(g)(1) and the BMP Manual, as amended, and results must be attached to the application.

1. **Number of Tests.** Enter the number of infiltration tests completed for the identified BMP. In general, the number of tests completed should be consistent with Appendix C of the BMP Manual or other published and defensible methods.
2. **Test Method(s).** Report the method used to determine the infiltration rate. In general, the method and location(s) of infiltration testing should be consistent with Appendix C of the BMP Manual or other published and defensible methods.
3. **Test Pit Identifiers (from PCSM Plan Drawings).** Identify all test pits completed for the BMP (e.g., TP-1, TP-2, etc.). These identifiers should correspond with test pits identified on PCSM Plan Drawings.
4. **Average (Avg.) Infiltration Rate.** Report the average infiltration rate determined through infiltration testing for the BMP, in inches per hour (in/hr).
5. **Factor of Safety (FOS).** Specify the factor of safety used when translating the average infiltration rate to the rate used in the design of the BMP (e.g., 2:1).
6. **Design Infiltration Rate.** Report the design infiltration rate used for the design of the BMP and incorporating the factor of safety (in/hr).
7. **Separation Distance Between BMP and Bedrock.** An experienced professional should be on-site during completion of test pits or soil borings to determine the depth, in feet, to bedrock. The depth to bedrock should be measured from the proposed bottom bed elevation of the BMP (i.e., top of native soils) to the uppermost elevation where bedrock is encountered. If the depth to bedrock varies below the BMP, report the elevation corresponding to the minimum depth to bedrock.
8. **Separation Distance Between BMP and Seasonal High-Water Table.** To determine the separation distance from the bottom bed elevation of the BMP (i.e., top of native soils) and the seasonal high-water table, DEP expects that applicants will employ the services of an experienced professional to evaluate subsurface conditions through test pits or other procedures. In general, the depth to the seasonal high-water table should be determined by identifying the depth of the shallowest observed redoximorphic feature encountered: 1) directly above the observed water table, or 2) directly above the gleyed horizon. A gleyed horizon is a soil horizon with a reduced matrix color less than or equal to two chroma, although soils with lithic chroma colors of two chroma or less are not considered gleyed. If redoximorphic features are encountered but are not indicative of a seasonal high-water table, the attached test results should identify this as such, including what caused the redoximorphic features to form.

### **Stormwater Analysis – Peak Rate**

Applicants of site restoration projects may skip this section. Otherwise, a Stormwater Analysis must be performed for each discharge point. DEP allows applicants to complete the analysis on a surface water basis, i.e., all discharge points to a single surface water may be considered collectively. Attach additional sheets as necessary.

Applicants of projects meeting the Small Site/Small Impervious Area Exception for Peak Rate Mitigation Calculations (Worksheet 6 in Chapter 8 of the BMP Manual) may skip this section but must also attach Worksheet 6 to this Module. Even if an exception applies, a rate analysis and implementation of BMPs for rate control may be required under local ordinances.

At the top of the form, identify the Surface Water Name and the Discharge Point ID Number(s) (e.g., 001, 002).

1. **Design Standard – Act 167.** Check the box if the applicant is using a design standard for rate control that is contained in an Act 167 Plan approved by DEP within the past five years. In general DEP/CCD will only accept design standards based upon Act 167 Plans (not including municipal ordinances enacted under Act 167 Plans) when those plans have been approved by DEP within the past five years.
2. **Design Standard – Manage Net Change.** Check the box if the applicant is using the net change in peak rates for the 2-, 10-, 50-, and 100-year/24-hour storms, comparing post-construction conditions to pre-construction conditions, as the rate control design standard.
3. **Design Standard – Alternative.** Check the box if the applicant is using a rate control design standard that differs from an Act 167 Plan and the net change in the 2-, 10-, 50-, and 100-year/24-hour storms. While use of alternative design standards is authorized by 25 Pa. Code § 102.8(g)(3)(iii), please be advised that applications using an alternative design standard may require additional review by DEP/CCD.
4. **PCSM Spreadsheet.** Check the box if the Rate Worksheet in DEP's PCSM Spreadsheet was used for the peak rate analysis and if a printout of the Rate Worksheet is attached. The PCSM Spreadsheet is available at [www.dep.pa.gov/construction/stormwater](http://www.dep.pa.gov/construction/stormwater) (select "E&S Resources"). The PCSM Spreadsheet uses the net change in peak rate for the 2-, 10-, 50-, and 100-year/24-hour storms as the design standard. Note that the Rate Worksheet may not be suitable for large drainage areas. If a completed Rate Worksheet is attached to the application, the applicant may skip the remainder of this section and may omit supporting calculations.
5. **Alternative Calculations.** If an applicant is required to complete this section and the Rate Worksheet is not attached to the application, the applicant must submit supporting calculations in an alternative format as an attachment to the application, and must complete the remainder of this section.
6. **Precipitation Amounts.** Enter the total precipitation associated with the 2-, 10-, 50-, and 100-year/24-hour storms for the project site location, in inches. In addition, enter the source of the precipitation amounts reported in question #6. NOAA Atlas 14 values are preferred, but other sources may be used.
7. **Peak Discharge Rates, without BMPs.** Report the peak discharge rates, in cubic feet per second (cfs), for pre- and post-construction conditions without BMPs through time of concentration or other analyses. Report total rates for each storm event, summed for all flow patterns. Also report the difference between pre- and post-construction discharge rates (i.e., post-construction rate – pre-construction rate).
8. **Rate Control BMPs.** Identify all BMPs used to mitigate peak rate differences between pre- and post-construction conditions. Report the calculated inflow and outflow rates to and from the BMP at each storm event. If BMPs are in series, specify the order of BMPs in the BMP ID column (e.g., BMP 1 in series with BMP 2).
9. **Peak Discharge Rates, with BMPs.** Report the peak discharge rates, in cfs, for pre- and post-construction conditions without BMPs, as reported in question #7, as well as the peak discharge rates for post-construction conditions with BMPs. Report the difference between pre- and post-construction discharge rates (i.e., post-construction rate with BMPs – pre-construction rate).

### **Stormwater Analysis – Water Quality**

Applicants of site restoration projects may skip this section. Otherwise, a Stormwater Analysis must be performed for each discharge point. DEP allows applicants to complete the analysis on a surface water basis, i.e., all discharge points to a single surface water may be considered collectively.

**PCSM Spreadsheet.** All applicants must check this box and attach to the application a printout of the Quality Worksheet in the PCSM Spreadsheet demonstrating that pollutant loads for Total Suspended Solids (TSS), Total Phosphorus (TP) and Total Nitrogen (TN) following construction will not exceed pre-construction pollutant loads for storms up to and including the 2-year/24-hour storm. **This water quality demonstration in the form of no net change (i.e., increase) in pollutant loads must be made in order for DEP/CCD to issue an Individual NPDES Permit.** See the instructions to the PCSM Spreadsheet for additional information on the Quality Worksheet.

### **Long-Term O&M**

List each PCSM BMP (including site restoration) and report the O&M requirements, including the repair, replacement, or other routine maintenance needs, including a schedule. If the long-term O&M requirements are provided on the PCSM Plan Drawings, identify the location(s) in the Plan Drawings in the “O&M Requirements” section

### **PCSM Plan Developer**

The developer of the PCSM Plan for the project must complete this section.

If True, check the box next to the statement, “I am trained and experienced in PCSM methods.” In that statement, “trained and experienced” also refers to the size and scope of the project). Check the box next to the statement, “I am a licensed professional” if the PCSM Plan Developer is a professional engineer, landscape architect, geologist or land surveyor licensed to practice in this Commonwealth. Enter the name of the PCSM Plan Developer, the business title (if applicable), the company that employs the PCSM Plan Developer, mailing address, city, state, ZIP code (including 4-digit extension), phone number and email address. If the PCSM Plan Developer is a licensed professional, enter the License Type (i.e., engineer, landscape architect, geologist and/or land surveyor), License No., and Expiration (“Exp.”) Date of the license; otherwise leave these fields blank.

The PCSM Plan Developer must sign and date this section at the location specified. The signature attests to the accuracy of the information provided and to the PCSM Plan Developer’s understanding that the PCSM Plan is complete and conforms to Chapter 102 requirements. Note that a PCSM Plan Developer need not be a licensed professional, but must be a person trained and experienced in PCSM design methods and techniques applicable to the size and scope of the project being designed.

## **ANTIDEGRADATION ANALYSIS MODULE 3**

Antidegradation Analysis Module 3 ([3800-PM-BCW0406c](#)) must be attached to all Individual NPDES Permit Applications when there will be any stormwater discharges during or following construction to surface waters with a designated or existing use of HQ or EV under 25 Pa. Code Chapter 93, including EV wetlands. Module 3 must also be completed for Individual NPDES Permit Applications when there will be any stormwater discharges during or following construction to surface waters that are impaired for siltation, suspended solids, turbidity, water/flow variability, flow modification/alterations, or nutrients. Instructions for completing Antidegradation Analysis Module 3 are presented herein.

Enter the name of the applicant, Project Site Name, the receiving surface water name, and the receiving surface water use as listed on the application. A separate Module 3 must be completed for each separate receiving surface water as required.

### **Antidegradation – Erosion and Sediment Control (E&S) Plan**

**Non-Discharge Alternative.** Applicants must evaluate and include a non-discharge alternative in the E&S Plan, unless a demonstration is made that non-discharge alternatives are not environmentally sound and cost effective for the project site. A non-discharge alternative is an environmentally sound and cost effective BMP(s) that individually or collectively eliminate the net change in stormwater volume, rate and quality for storm events up to and including the 2-year/24-hour storm (net change) when compared to the stormwater rate, volume and quality prior to the earth

**Application Instructions**

disturbance activities to maintain and protect the existing quality of the receiving surface waters of this Commonwealth.

Check the appropriate box if a non-discharge alternative will be utilized during earth disturbance activities. If checked, check additional box(es) that identify the E&S BMP(s) that will be used to satisfy the non-discharge alternative. If a BMP is not listed check the box for "Other" and list the name of the BMP.

In the space provided, explain how the proposed E&S BMPs will achieve the non-discharge alternative by eliminating the net change during earth disturbance activities. Attach additional sheets to the Module as necessary.

If a non-discharge alternative is utilized, the E&S Plan section of the Module is complete, and the applicant can proceed to the Antidegradation – Post-Construction Stormwater Management (PCSM) Plan section of the Module.

If a non-discharge alternative will not be utilized, explain in the space provided or on additional sheets why it was determined that a non-discharge alternative is not environmentally sound and cost effective for the project site. Then proceed to the Antidegradation Best Available Combination of Technologies (ABACT) portion of the E&S Plan section of the Module.

**ABACT.** If a non-discharge alternative will not be utilized, the applicant must utilize ABACT E&S BMPs in the E&S Plan. Check the appropriate box to identify the use of ABACT BMPs. ABACT BMPs are environmentally sound and cost effective treatment, land disposal, pollution prevention and stormwater reuse BMPs that individually or collectively manage the difference in the net change in stormwater volume, rate, and quality for storm events up to and including the 2-year/24-hour storm when compared to the stormwater rate, volume and quality prior to the earth disturbance activities to maintain and protect the exiting quality of the receiving surface waters of this Commonwealth. For applicants that will utilize a non-discharge alternative for E&S, this section may be skipped.

Check all appropriate boxes to identify the BMP(s) that will be utilized to achieve ABACT. If a BMP is not listed check the box for "Approved Alternative" and identify the BMP.

In the space provided, explain how the proposed E&S BMPs will achieve ABACT. Attach additional sheets to the Module as necessary.

**Antidegradation – Post-Construction Stormwater Management (PCSM) Plan**

**Non-Discharge Alternative.** Applicants must evaluate and include non-discharge a non-discharge alternative in the PCSM Plan, unless a demonstration is made that non-discharge alternatives are not environmentally sound and cost effective for the project site.

Check the appropriate box if a non-discharge alternative will be utilized after earth disturbance activities. If checked, check additional box(es) that identify the PCSM BMP(s) that will be used to satisfy the non-discharge alternative. If a BMP is not listed check the box for "Other" and list the name of the BMP.

In the space provided, explain how the proposed PCSM BMPs will achieve the non-discharge alternative by eliminating the net change after earth disturbance activities. Attach additional sheets to the Module as necessary.

If a non-discharge alternative is utilized for PCSM, the applicant can proceed to the Certification section of the Module.

If a non-discharge alternative will not be utilized, explain in the space provided or on additional sheets why it was determined that a non-discharge alternative is not environmentally sound and cost effective for the project site. Then proceed to the Antidegradation Best Available Combination of Technologies (ABACT) portion of the PCSM Plan section of the Module.

**ABACT.** If a non-discharge alternative will not be utilized, the applicant must utilize ABACT PCSM BMPs in the PCSM Plan. Check the appropriate box to identify the use of ABACT BMPs. For applicants that will utilize a non-discharge alternative for PCSM, this section may be skipped.

Check all appropriate boxes to identify the BMP(s) that will be utilized to achieve ABACT. If a BMP is not listed check the box for "Approved Alternative" and identify the BMP.



In the space provided, explain how the proposed PCSM BMPs will achieve ABACT. Attach additional sheets to the Module as necessary.

### **Certification**

The applicant must certify that the information contained in the Module is true, accurate and complete. The Module must be signed and dated by the person identified as the applicant in the application. See the Certification for Applicants section of these instructions for additional information.

## **RIPARIAN BUFFER MODULE 4**

Riparian Buffer Module 4 ([3800-PM-BCW0406d](#)) must be attached to all Individual NPDES Permit Applications when the earth disturbance or project site boundary will extend to within 150 feet of a perennial or intermittent river, stream, creek, lake, pond or reservoir with a designated use of HQ or EV under 25 Pa. Code Chapter 93. Instructions for completing Riparian Buffer Module 4 for Individual NPDES Permits are presented herein.

Enter the name of the applicant, Project Site Name, the receiving surface water name(s), and the receiving surface water use(s) as listed on the application.

### **Applicability Information**

Identify the type of Chapter 102 permit application that is being applied for by checking the appropriate box for either Individual NPDES Permit or Erosion and Sediment Control (E&S) Permit. At a minimum, all applicants subject to Module 4 must complete the remaining portion of the Applicability Information section, the Riparian Buffer or Riparian Forest Buffer Information section, and Certification section.

**Exceptions.** Check the appropriate box(es) to identify if the project meets any of the exceptions identified by 25 Pa. Code § 102.14(d)(1). Attach a separate sheet to the Module describing how the project either in its entirety or partially meets the identified exception(s).

If the project, in its entirety, meets one or more of the exceptions, the applicant can proceed to the Certification section of the Module. If the project partially meets one or more of the exceptions, the applicant must complete the remaining applicable portions of the Module based upon the portion of the project that does not meet an exception.

**Allowed or Allowable Activities.** Check the appropriate box(es) to identify if the project meets any of the allowed or allowable activities identified by 25 Pa. Code § 102.14(f)(2) and 102.14(f)(3). Attach a separate sheet to the Module describing how the project either in its entirety or partially meets the allowable or allowed activity(ies), including the authorization by DEP for the last three activities.

If the project, in its entirety, meets one or more of the allowable or allowed activity(ies), the applicant can proceed to the Certification section of the Module. If the project partially meets one or more of the allowable or allowed activity(ies), the applicant must complete the remaining applicable portions of the Module based upon the portion of the project that does not meet an allowable or allowed activity(ies).

### **Riparian Buffer or Riparian Forest Buffer Information**

1. **Earth Disturbance Activity.** Identify (i.e., Yes or No) if there is an earth disturbance activity within 150 feet of a perennial or intermittent river, stream, creek, lake, pond or reservoir with a designated use of HQ or EV.

Check the box for No if there is an earth disturbance activity within 150 feet of a perennial or intermittent river, stream, creek, lake, pond or reservoir with an existing use of HQ or EV. If the answer is No, proceed to question #2.

If the answer is Yes, check the appropriate box to indicate whether a) a 150-foot minimum riparian buffer or riparian forest buffer will be implemented; b) an equivalency demonstration will be conducted; or c) the applicant is seeking a waiver under 25 Pa. Code § 102.14(d)(2). It is noted that waivers are not available to applicants of Individual NPDES Permits, only to applicants of E&S permits. Applicants of Individual NPDES Permits may select only a) (150-foot buffer) or b) (equivalency demonstration), and one must be selected.

**Application Instructions**

If a) (150-foot buffer) is selected, complete all remaining questions (2 – 7) in this section, and proceed to the Certification section of the Module.

If b) (equivalency demonstration) is selected, complete question 2 in this section, and proceed to the Equivalency Demonstration section of the Module. The equivalency demonstration is for a riparian buffer unless stated otherwise in question #2.

If c) (waiver) is selected by an applicant of an E&S Permit, complete question 2 in this section, and proceed to the Waiver Request section of the Module (do not complete the Equivalency Demonstration or Riparian Forest Buffer Offset Information sections).

2. **Project Site Location.** Identify (i.e., Yes or No) if the project site is within 150 feet of a perennial or intermittent river, stream, creek, lake, pond, or reservoir with a designated use of HQ or EV and the use is not being attained (i.e., the water is impaired).

If the answer is No, proceed as directed in question #1.

If the answer is Yes, check the appropriate box to indicate whether a) a 150-foot minimum riparian forest buffer will be implemented (maintained, converted or established); b) an equivalency demonstration will be conducted; or c) the applicant is seeking a waiver under 25 Pa. Code § 102.14(d)(2). It is noted that waivers are not available to applicants of Individual NPDES Permits, only to applicants of E&S permits. Applicants of Individual NPDES Permits may select only a) (150-foot riparian forest buffer) or b) (equivalency demonstration), and one must be selected.

If a) (150-foot buffer) is selected, complete all remaining questions (3 – 7) in this section, and proceed to the Certification section of the Module.

If b) (equivalency demonstration) is selected, proceed to the Equivalency Demonstration section of the Module. The equivalency demonstration is for a riparian forest buffer.

If c) (waiver) is selected by an applicant of an E&S Permit, proceed to the Waiver Request section of the Module (do not complete the Equivalency Demonstration or Riparian Forest Buffer Offset Information sections).

3. **Species.** Identify the species of vegetation that will be planted in order to implement the riparian buffer or riparian forest buffer. Attach additional sheets as necessary to the Module. A planting plan must be included as part of the PCSM Plan.
4. **Buffer Widths.** Identify the average minimum widths, in feet, of Zones 1 and 2 in the space provided.
5. **Buffer Length.** Identify the linear length, in feet, of the implemented riparian buffer or riparian forest buffer.
6. **Management Plan.** If a riparian forest buffer will be implemented a riparian forest buffer management plan must be part of the PCSM Plan, in accordance with 25 Pa. Code § 102.14(b)(4). Check the appropriate box if the management plan has been included in the PCSM Plan.
7. **Protection.** A riparian buffer or riparian forest buffer must be protected in perpetuity in accordance with 25 Pa. Code § 102.14(g). Identify how the riparian buffer/riparian forest buffer will be protected by checking the appropriate box.

**Equivalency Demonstration**

Check the appropriate box to identify that Worksheets 12 and 13 from DEP's BMP Manual and Worksheets 14 and 15 from DEP's Riparian Buffer or Riparian Forest Buffer Equivalency Demonstration (Document ID No. 310-2135-002) have been completed and are attached to this Module and demonstrate that proposed PCSM BMPs will provide equivalent or better pollutant load reductions as a riparian buffer or riparian forest buffer.

Check the appropriate box to identify that the Checklist for Functional Equivalency of Riparian Buffers and Riparian Forest Buffers as contained in DEP's Riparian Buffer or Riparian Forest Buffer Equivalency Demonstration (Document ID No. 310-2135-002) is attached to this Module. In addition to this checklist, the applicant must explain

how the proposed BMPs meet the functional equivalency of a riparian buffer or riparian forest buffer and attach the explanation to this Module.

Check the appropriate box to identify if there will be any earth disturbance within 100 feet of a surface water (including wetlands). If the answer is Yes, the applicant must complete the Offset Information section of this Module. If the answer is No, the applicant can proceed to the Certification section of this Module.

### **Riparian Forest Buffer Offset Information**

1. **Area of Offset.** The amount of earth disturbance within 150 feet of a perennial or intermittent river, stream, creek, lake, pond or reservoir must be offset at a ratio of 1:1. Identify the required amount of area to be offset, in acres. This area must be identified on a PCSM Plan Drawing.
2. **Proposed Offset.** Identify the proposed amount of offset area, in acres. This area must be identified on a PCSM Plan Drawing.
3. **Ch. 93 Drainage List – Project Site.** List the Chapter 93 Drainage List (A – Z) where the perennial or intermittent river, stream, creek, lake, pond or reservoir with a designated use of HQ or EV and the project site is located.
4. **Ch. 93 Drainage List – Offset Site.** List the Chapter 93 Drainage List (A – Z) where the offset buffer will be established. Note that under Act 162, offset sites must be in the same drainage list and as close as possible to the project site.
5. **Offset Property Owner.** In the space provided identify the property owner(s) of where the offset riparian forest buffer will be located.

Check the appropriate box to identify that the authorization to implement the offset riparian forest buffer has been provided by the property owner(s) of where the offset riparian forest buffer will be implemented has been attached to this Module.

Check the appropriate box to indicate that a plan drawing showing the location and extent of the riparian forest buffer and an implementation plan are attached to this Module.

6. **Species.** Identify the species of vegetation that will be planted in order to implement the riparian buffer or riparian forest buffer. Attach additional sheets as necessary to the Module. A planting plan must be included as part of the PCSM Plan.
7. **Buffer Widths.** Identify the average minimum widths, in feet, of Zones 1 and 2 in the space provided.
8. **Buffer Length.** Identify the linear length, in feet, of the implemented riparian buffer or riparian forest buffer.
9. **Management Plan.** If a riparian forest buffer will be implemented a riparian forest buffer management plan must be part of the PCSM Plan, in accordance with 25 Pa. Code § 102.14(b)(4). Check the appropriate box if the management plan has been included in the PCSM Plan.
10. **Protection.** A riparian buffer or riparian forest buffer must be protected in perpetuity in accordance with 25 Pa. Code § 102.14(g). Identify how the riparian buffer/riparian forest buffer will be protected by checking the appropriate box.

### **Waiver Information**

Waivers of riparian buffer or riparian forest buffer requirements is only applicable to E&S Permits (individual or general). If a person is applying for an Individual NPDES Permit this section is not applicable.

**Certification**

The applicant must certify that the information contained in the Module is true, accurate and complete. The Module must be signed and dated by the person identified as the applicant in the application. See the Certification for Applicants section of these instructions for additional information.

**APPLICANT'S CHECKLIST**

To ensure the application is complete, DEP provides a checklist (3800-PM-BCW0408c). This completed checklist must be submitted with the completed application form.