

Chapter 102 Fact Sheet

<http://www.pacode.com/secure/data/025/chapter102/chap102toc.html>

- Any earth disturbance over **5,000 square feet** requires a written erosion and sediment control plan and it must be available on site.

IF DISTURBING MORE THAN 1 ACRE READ BELOW

- NPDES permits are required for any earth disturbance activity that **disturbs 1 acre or greater**, regardless of whether the activity results in a point source discharge. **102.5 (a)**
- **General NPDES-** \$500 – payable to WCD Clean Water Fund
\$100/disturbed acre – payable to Commonwealth Clean Water Fund
Individual NPDES- \$1,500 – payable to WCD Clean Water Fund
\$100/disturbed acre – payable to Commonwealth Clean Water Fund – **102.6(b)**
- Written erosion and sediment (E&S) control plans are required for both **agricultural plowing and tilling** activities that disturb over 5,000 square feet **AND animal heavy use areas** that disturb over 5,000 square feet. The E&S plan must identify all "Surface Waters of the Commonwealth".
102.4 (a)
- **Inspection reports** and monitoring records should be **available on site**. They can be maintained electronically as long as a copy can be produced when requested by the Westmoreland Conservation District (WCD) or Department of Environmental Protection (DEP). **102.4(b)**
- A **pre-construction meeting** must be held for any earth disturbance activity which is authorized by a permit. Any person who has a role in the design or implementation of the E&S control plan or post-construction stormwater management (PCSM) plan must attend this meeting. **102.5(e)**
- A Notice of Termination (NOT) must be submitted to the WCD or DEP which identifies the person(s) responsible for the **long-term operation and maintenance** of PCSM best management practices (BMP's). **102.7(a)**
- "**Record Drawings**" of PCSM structures, with a final certification, should be included with the NOT.
102.8(l)
- **Permit Renewals:** A person conducting earth disturbance activities under a permit issued before November 19, 2010, and renewed prior to January 1, 2013, shall implement, operate, and maintain the PCSM requirements in accordance with the terms and conditions of the existing permit. After January 1, 2013, the renewal of a permit issued before November 19, 2010 shall comply with the requirements new permit. **102.8 (a) Renewals need submitted 180 days before expiration.**
 - **NOTE: Currently, NPDES permits which are being issued are valid for 5 years. ESCGP-2 permits are valid for 5 years.**
- A **licensed professional** or designee shall be present on site and be responsible during critical stages of PCSM installations. Critical stages may include the installation of underground facilities, structurally engineered BMP's, or other BMP's identified by WCD or DEP. **102.8(k)**

(OVER)

- New buffer requirements: 150' **riparian buffer** required when site is located in high quality (HQ) or exceptional value (EV) watersheds. Also requires protection of any existing buffer. A 150' **riparian forest buffer** required when the site is located in HQ or EV category 4 or 5 impaired stream watershed.
102.14(a)
 - 86,000 – stream miles in PA
 - 26,000 – miles designated HQ or EV – requires **riparian buffer**
 - 700 – miles designated HQ/EV category 4 or 5 impaired – requires **riparian forest buffer**
- Buffers must be **protected in perpetuity** through deed restrictions, conservation easements, local ordinance, or permit conditions. Proof should be submitted with the NOT. **102.14(g)**
- A **stream ReLeaf form** must be submitted to WCD or DEP within one year of buffer establishment **102.14(h)**
- **Temporary stabilization** must be applied to a site when cessation of earth disturbance activities will exceed 4 days. **102.22**
- A municipality or county which issues building or other permits shall **notify the WCD or DEP within 5 days** of receipt of the application for a permit involving an earth disturbance activity consisting of 1 acre or more. **102.42**
- With the exception of local stormwater approvals or authorizations, **a municipality or county may not issue a building or other permit** approval to those proposing or conducting earth disturbance activities requiring a DEP permit until the WCD or DEP has issued the E&S or individual NPDES permit, or approved coverage under the general NPDES permit. **102.43**
- **New technologies** must be submitted to Darl Rosenquest/DEP for approvals. WCD cannot grant approvals.

For further information, please contact



J. Roy Houston Conservation Center
218 Donohoe Road
Greensburg, PA 15601-9217
Phone: 724-837-5271
Administrative FAX: 724-552-0143 Technical FAX: 724-837-4127
email: wcd@wcdpa.com website: www.wcdpa.com



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APPLICATION FOR PLAN REVIEW

Application must be completed by project owner or consultant and submitted with the required plan, narrative, and applicable fees.

The following items are included in this plan: *Check all that apply.*

☐ **NPDES Permit**

\$500 for General, \$1500 for Individual

Payable to Westmoreland Clean Water Fund _____ Total Enclosed _____

\$100 per disturbed acre *rounded to the nearest whole acre*

Payable to Commonwealth of PA Clean Water Fund _____ Total Enclosed _____

☐ **ESCGP-2 Permit**

\$500 Payable to Westmoreland Clean Water Fund _____ Total Enclosed _____

\$100 per disturbed acre *rounded to the nearest whole acre*

Payable to Commonwealth of PA Clean Water Fund _____ Total Enclosed _____

☐ **Stormwater Management Plan**

See Stormwater Management Fee Schedule

Payable to Westmoreland Conservation District _____ Total Enclosed _____

☐ **Erosion & Sediment Control Plan**

See Section IIA of E&S Fee Schedule

Payable to Westmoreland Conservation District _____ Total Enclosed _____

☐ **Stream Encroachment General Permit (GP #'s 1 through 9)**

See Section IIIB for link of DEP Fee Schedule

Payable to Westmoreland Clean Water Fund _____ Total Enclosed _____

See Section IIIA of E&S Fee Schedule

Payable to Westmoreland Conservation District _____ Total Enclosed _____

The Project:

Project Name _____

Site Location/Address _____

General Project Description _____

Receiving Waters _____ Chapter 93 Classification _____

Latitude _____ degrees _____ minutes _____ seconds

Longitude _____ degrees _____ minutes _____ seconds

Municipality Name	Total Project Acres in Municipality	Total Disturbed Acres in Municipality
Totals		

Project Classification: *Check all that apply.*

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Residential Subdivision | <input type="checkbox"/> Forestry/Silviculture | <input type="checkbox"/> Utility | <input type="checkbox"/> Oil/Gas Development |
| <input type="checkbox"/> Commercial/Industrial | <input type="checkbox"/> Institutional (school) | <input type="checkbox"/> Facility/Transmission | <input type="checkbox"/> Public Road |
| <input type="checkbox"/> Recreational | <input type="checkbox"/> Waste/Borrow Area | <input type="checkbox"/> Highway Construction | <input type="checkbox"/> Sewerage/Water System |
| <input type="checkbox"/> Agricultural Activities | <input type="checkbox"/> Remediation/Restoration | <input type="checkbox"/> Private Road/Residence | <input type="checkbox"/> Government Facility |

☐ Activity Related to Oil and Gas Exploration, Production or Transmission

☐ Activity Subject to FERC Approval (Docket Number _____)

☐ FERC Natural Gas Act Facility

☐ Riparian Forest Buffer or Equivalency Included

If Stream Encroachment General Permit is included, complete this section.

General Permit Number(s) _____ Stream Encroachment Length (linear feet) _____

☐ Non-Reporting ☐ Reporting to Army Corp SLLA ☐ Yes ☐ No

Property Owner _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

Contact person _____ Email _____

Project Developer _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

Contact person _____ Email _____

Consultant/Engineer _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

Contact person _____ Email _____

Complete All Applicable Sections:

Individual or General NPDES Permit

*Complete component checklist included with the NPDES permit application package

Stormwater Management Plan

- ☐ Detailed plan narrative
- ☐ Site plans, location map, and topographical information
- ☐ Design consideration of Stormwater velocity & volume
- ☐ Consideration of downstream effects of released water
- ☐ Methods of runoff calculations
- ☐ Precipitation and stormwater data
- ☐ Location and type of stormwater controls
- ☐ Drainage areas worksheets and supporting calculations

Erosion and Sediment Control Plan

*Complete and attach component checklist on pages 355-356 of the PA DEP E&S Manual

General Permit (#'s 1 through 9)

*Complete component checklist included with the General Permit application package

ESCGP-2

*Complete component checklist included with the ESCGP-2 permit application package