

Substantive Changes to Chapter 92a between WRAC Meetings July 22 through October 7, 2008

- A few typos were corrected, some minor clarifications were made, and minor changes were made to some definitions and provisions based on internal comments. (None of these changes are considered substantive)
- 92a.4 Exclusions: Subsection (a) was changed to limit the provisions of 40 CFR 122.3 that are incorporated by reference to (a) through (h). (Water transfers are not excluded from the need for a permit under Chapter 92a)
- 92a.21 Application for a permit: Subsection (a) was changed to incorporate by reference 122.21 (b). (Owner/Operator issue) (EPA comment)
- 92a.25 New or increased discharges, or change of waste streams: Subsection (a) was modified to make it clear that certain changes in wastestream do not require prior approval from the Department. (WRAC comment)
- 92a.27 Application Fees and 92a.62 Annual Fees: Changes were made to these tables to make it clear that all flows listed are design flows; the breakpoints are clearly defined and consistently formatted; and a new category of industrial discharges of 250 MGD or greater was added. (Program comments)
- 92a.37 Department action on NPDES permit applications: Subsection (6) addressing the Pennsylvania Constitution was deleted. (Counsel comment)
- 92a.47 Sewage permit: Subsection (b) was deleted, removing the requirement for tertiary treatment for discharges of treated sewage subject to a watershed permit. (WRAC comment)
- 92a.48 Industrial waste permit: Subsection (4) was changed to make it clear that more stringent limits may apply based on other applicable technology-based or water quality-based requirements. (WRAC comment)
- 92a.51 Schedules of compliance: Subsection (a) was changed to eliminate ambiguity regarding whether a schedule of compliance could extend past the section 301 statutory deadline. (EPA comment)
- 92a.55 Watershed permits: [Reserved]. (WRAC comment)
- 92a.85 Public notice of watershed permits: [Reserved]. (WRAC comment)