



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION



Bureau of Clean Water

PAG-02

NPDES General Permit Reissuance

Water Resources Advisory Committee

July 18, 2024

Josh Shapiro, Governor

Jessica Shirley, Acting Secretary

General Information

- Current PAG-02 expires December 7, 2024
- Draft PAG-02 published on March 9, 2024 and comment period ended April 8, 2024
- 189 public comments from 20 individuals and organizations
- Outreach meetings (PA Chamber, PA Builders Association)

▶ Issue #1: Legal Instrument Recording

- **Comment** – Upfront legal instrument recording will cause delays to utility projects
- **Proposed Solution** – Make an exception for utility projects and other “shovel ready” projects

▶ Issue #2: Landowner Acknowledgment

- **Comment** – Burdensome to collect signatures from multiple landowners for linear projects; confusion over how this is to be interpreted
- **Proposed Solution** – Remove this section from the NOI

Issue #3: BMP Photographs

- **Comment** – Taking photographs of BMPs and SCMs monthly is a burden that provides no water quality benefit
- **Proposed Solution** – Provide for approved alternatives for large projects

Issue #4: Residential Impervious

- **Comment** – Requiring a factor of safety or maximum impervious area allowed under an ordinance on residential imperviousness will drive up costs
- **Proposed Solution** – Make it optional (but beneficial to permittee if done)

Issue #5: Co-Permittee Forms

- **Comment** – These forms are valuable
- **Proposed Solution** – DEP/CCD will monitor changes in operators through Visual Site Inspection Reports

Issue #6: Annual Reports

- **Comment** – Not needed, a burden to submit to municipality
- **Proposed Solution** – Retain annual reports but do not require submission to municipality

Issue #7: Confirmation Testing

- **Comment** – Costly (although some in favor)
- **Proposed Solution** – Retain but give licensed professionals more flexibility

Questions?

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