

**SUMMARY OF MAJOR COMMENTS SUBMITTED BY THE BOROUGH OF  
LANSDALE TO PROPOSED AMENDMENTS TO NPDES RULES (CHAPTER 92a)  
March 15, 2010**

Submitted by Counsel for Lansdale  
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**Note that additional issues are raised in Lansdale's full set of comments.**

**General Comments:**

Inadequate opportunity to comment and inadequate preamble descriptions of changes/impacts provided given the significant changes. Many sections now more stringent than federal law.

**Definitions:**

“**Expanding Facility or Activity**” is vague. It should be defined as that which will require a permit amendment or physical construction of expanded facilities.

“**Immediate**” should be defined as no longer than 8 hours.

“**POTW**” should include only sewers owned by the POTW and not the municipality itself.

“**Significant Biological Treatment**” is vague and should be eliminated.

**Other Comments:**

§92a.3 incorporation of federal regulations language is vague and confusing.

§92a.26 contains many vague new terms (e.g., “may result in ..”, “have the potential to”).

§92a.28 and §92a.62 contain significantly higher fees that are arbitrary, without precedent or authority and will cause hardship. Lansdale will pay as much as the City of Philadelphia.

§92a.41 contains an absolute ban on floating materials, oil, grease, etc. that will result in immediate and consistent violations by virtually all WWTPs.

§92a.47 contains significant changes to secondary treatment and new tertiary treatment tied to vague triggers, conflicts with other provisions of law/policies (e.g. blending/maximizing flow through plants during high flow), is more stringent than federal requirements, and will result in significant costs, particularly if applicability to CSOs is not clarified.

§92a.51 –schedules of compliance should be allowed beyond 3 years, based on complexity/costs.

§92a.54 – denial of general permits should be immediately appealable.

§92a.61 provides unfettered discretion to impose monitoring based on vague triggers and imposes new monitoring for influent that may be extremely costly to implement.

§92a.75 – the provision eliminating the administrative extension of most permits based on factors beyond the permittees' control must be eliminated. It is also inconsistent with §92a.7.