



Application Type New  
Facility Type MS4  
MS4 Type Small

**INDIVIDUAL MS4  
CHECKLIST**

Application No. PAI136154  
APS ID 1113344  
Authorization ID 1484410

Applicant and Facility Information			
Applicant Name	<u>New Kensington City Westmoreland County</u>	Facility Name	<u>New Kensington City Storm Sewer System</u>
Applicant Address	<u>301 Eleventh Street New Kensington, PA 15068</u>	Facility Address	<u>301 Eleventh Street New Kensington, PA 15068</u>
Municipality	<u>New Kensington City</u>	County	<u>Westmoreland</u>
Receiving Water(s)	<u>Allegheny River (WWF) and Little Pucketa Creek (TSF)</u>	Ch. 93 Class.	<u>WWF and TSF</u>
Date Application Received	<u>May 3, 2024</u>		

Checklist		
	<u>Completeness Item</u>	<u>Comments</u>
<input checked="" type="checkbox"/>	1. One original and two copies of complete NOI (3800-PM-BCW0100b).	
<input type="checkbox"/>	2. One original and two copies of complete Waiver Application (3800-PM-BCW0100e) (optional).	N/A
<input checked="" type="checkbox"/>	3. Complete storm sewer system map (existing permittees) (note – new urbanized areas do not require mapping of entire storm sewer collection system).	
<input checked="" type="checkbox"/>	4. Topographic map or storm sewer system map (new permittees and existing waivers).	
<input type="checkbox"/>	5. MOU or written agreement for third party MCM implementation (if applicable).	N/A
<input checked="" type="checkbox"/>	6. Stormwater Management Ordinance (municipal applicants seeking renewed coverage only).	Stormwater Management Ordinance enacted 10/6/25.
<input type="checkbox"/>	7. Stormwater Management Ordinance Checklist (3800-PM-BCW0100g) (if applicable).	N/A
<input type="checkbox"/>	8. SOPs (non-municipal applicants seeking renewed coverage only).	N/A
<input checked="" type="checkbox"/>	9. Chesapeake Bay PRP (Appendix D) and/or Impaired Waters PRP (Appendix E), where required.	Incomplete draft PRP – 5/22/25 Complete PRP – 12/23/25
<input type="checkbox"/>	9a. PRP public participation requirements – the PRP contains a copy of the public notice advertising the PRP, a copy of all written comments received from the public to the PRP, and a copy of the permittee’s record of consideration of all timely comment received in the public comment period.	Public notice of New Kensington’s PRP submission was published on the City of New Kensington’s website on June 30, 2025. The city did not publish, in a newspaper of general circulation in the area, a public notice containing

Approve	Deny	Signature	Date
X		 Lauren Nolfi / Environmental Engineering Specialist	January 29, 2026
X		 Michael E. Fifth, P.E. / Environmental Engineer Manager	February 3, 2026

		a statement describing the plan, where it may be reviewed by the public, and the length of time the permittee will provide for the receipt of comments. The PRP was available on the City of New Kensington's website at <a href="https://newkensingtonpa.org">https://newkensingtonpa.org</a> and at the City of New Kensington offices for public review. Verbal comments were open to being accepted from the public at the city's regularly schedule City Council Meeting on August 1, 2025. No verbal or written comments were received.
<input type="checkbox"/>	9b. PRP contains a map that identifies land uses and/or impervious/pervious surfaces and the storm sewershed boundary(ies) (note – this map may be combined with item #3 for existing permittees).	Land covers were not indicated on the maps, but sewersheds were broken down into impervious/pervious areas in the calculations.
<input checked="" type="checkbox"/>	9c. PRP contains a section that describes the pollutants of concern.	Pucketa Creek - siltation
<input checked="" type="checkbox"/>	9d. PRP contains existing load calculations for pollutants of concern.	1,747,994.80 lbs/yr
<input checked="" type="checkbox"/>	9e. PRP selects BMPs to achieve the minimum required reductions in pollutant loading	Storm Sewer System Solids Removal Street Sweeping Bioswale Filter Strip Runoff Reduction Bioretention/ Raingarden
<input checked="" type="checkbox"/>	9f. PRP identifies funding mechanisms.	City funds proposed as funding mechanism.
<input checked="" type="checkbox"/>	9g. PRP identifies responsible parties for operation and maintenance (O&M) of BMPs.	BMPs will be installed and maintained using city workforce.
<input type="checkbox"/>	9h. For joint PRPs, a written agreement amongst the parties is attached (if applicable).	N/A
<input type="checkbox"/>	10. TMDL Plan (Appendix F), where required.	N/A
<input type="checkbox"/>	10a. TMDL Plan public participation requirements (see 9a).	N/A
<input type="checkbox"/>	10b. Plan contains a map that identifies land uses and/or impervious/pervious surfaces and the storm sewershed boundary(ies).	N/A
<input type="checkbox"/>	10c. Plan contains describes the pollutants of concern.	N/A
<input type="checkbox"/>	10d. Plan contains existing load calculations.	N/A
<input type="checkbox"/>	10e. Plan identifies wasteload allocations (WLAs).	N/A
<input type="checkbox"/>	10f. Plan contains an analysis of short- and long-term objectives.	N/A
<input type="checkbox"/>	10g. PRP selects BMPs to achieve the minimum required reductions in pollutant loading.	N/A
<input type="checkbox"/>	10h. PRP identifies funding mechanisms.	N/A
<input type="checkbox"/>	10i. PRP identifies responsible parties for O&M of BMPs.	N/A
<input type="checkbox"/>	10j. For joint PRPs, a written agreement amongst the parties is attached (if applicable).	N/A
<input type="checkbox"/>	11. Complete NOI packages for each co-applicant (joint NOIs only). <b>NOTE</b> – Each municipality served by an authority must also submit an NOI.	N/A

### Internal Review and Recommendations

The Department received an incomplete Notice of Intent (NOI) for new coverage of the City of New Kensington under the Individual MS4 Permit on May 3, 2024. The Department received New Kensington's Outfall Inspection Report on April 21, 2025, an updated but incomplete draft PRP and Outfall Map on May 22, 2025, and a final complete PRP, Outfall Map, and enacted Stormwater Ordinance on December 23, 2025. New Kensington was previously covered under General Permit PAG136290. New Kensington's previous General Permit PAG136290 was issued on July 11, 2014 and expired on July 10, 2019. The Department received an incomplete and technically deficient NOI for renewed General Permit coverage on September 15, 2017. A technical deficiency letter was sent to New Kensington on December 19, 2017, outlining the deficiencies. A Notice of Violation (NOV) was sent to New Kensington on March 26, 2019 to inform the city of the outstanding NOI technical deficiencies. No response to the technical deficiency letter nor the NOV was submitted.

The Department inspected New Kensington on January 17, 2024. The inspection report included 28 violations:

- failure to submit an Annual MS4 Status Report;
- failure to provide PRP upon request;
- failure to develop and implement a written Public Education and Outreach Program;
- failure to develop a list of target audiences;
- failure to publish at least one issue of a newsletter, pamphlet, flyer, or website;
- failure to distribute stormwater educational materials to target audiences;
- failure to make Annual MS4 Status Report available for public review;
- failure to implement a written Public Involvement and Participation Program;
- failure to advertise to the public and solicit public input on ordinances, SOPs, and PRP prior to adoption or submission to DEP;
- failure to solicit public involvement and participation from target audiences;
- failure to develop and implement Illicit Discharge Detection and Elimination Program;
- failure to develop and maintain maps that include permittee and urbanized area boundaries, location and number of outfalls, location and names of all receiving surface waters;
- failure to develop and maintain maps of the entire storm sewer collection system;
- failure to conduct dry weather screenings at outfalls to evaluate the presence of illicit discharges;
- failure to enact a Stormwater Management Ordinance or SOP to implement and enforce a stormwater management program that includes prohibition of non-stormwater discharges to the regulated small MS4;
- failure to provide educational outreach to target audiences about the program to detect and eliminate illicit discharges;
- failure to have a protocol in place requiring responsible parties to have a valid NPDES Permit coverage under 25 Pa. Code Chapter 102 prior to issuing a building or other permit or final approval to conduct earth disturbance activities;
- failure to have a protocol in place to notify DEP / CCD within 5 days of the receipt of an application for a permit involving an earth disturbance activity consisting of one acre or more;
- failure to enact an ordinance or develop a standard operating procedure to require the implementation and maintenance of erosion and sediment control BMPs;
- failure to enact an ordinance or develop an SOP to require post-construction stormwater management from new development and redevelopment projects;
- failure to develop and implement measures to encourage and expand the use of LID in new development and redevelopment;
- failure to implement a program to ensure proper operation and maintenance of all PCSM BMPs;
- failure to develop an inventory of PCSM BMPs;
- failure to identify and document all operations that are owned or operated by the permittee and have the potential for generating stormwater runoff;
- failure to develop and implement a written O&M program for all operations that could contribute to the discharge of pollutants from the MS4;
- failure to include MS4 topics of Operation, Inspection, Maintenance and Repair, and the Permittee's stormwater management plan in training program;
- failure to conduct, review, and update training program annually; and
- failure to include dates, names of attendees, names of presenters, and topics covered in employee training documentation.

In response to New Kensington's significant non-compliance and failure to response to the NOV, the Department required that New Kensington submit an Individual MS4 Permit Application.

### Internal Review and Recommendations

New Kensington City is located in Westmoreland County and has a population of 12,155, per the 2020 US Census. The city has an urbanized area of approximately 2,525.6 acres per DEP Land Cover Estimates. 39% of the city's urbanized area is impervious and 61% of the city's urbanized area is pervious, per DEP Land Cover Estimates. The renewal submittal included a Stormwater Management Ordinance that was enacted on October 6, 2025 to be consistent with the 2022 DEP Model Stormwater Management Ordinance. New Kensington is relying on Pennsylvania's Chapter 102 program for erosion and sediment control and post-construction stormwater management requirements.

New Kensington has outfalls discharging to water bodies within one HUC-12 Watershed: Pucketa Creek Watershed. New Kensington is located adjacent to the Allegheny River but reportedly does not have any outfalls discharging directly to the Chartiers Run-Allegheny River Watershed. The most downstream outfall to each water body is listed as: Outfall 001 to Little Pucketa Creek (TSF). Little Pucketa Creek does not have any listed impairments, but discharges to Pucketa Creek 0.2 miles downstream from New Kensington. **Pucketa Creek** is impaired for siltation, resulting from rural (residential areas) and highway/ road/ bridge runoff (non-construction related). Pucketa Creek discharges to the Allegheny River 0.52 miles downstream from New Kensington. The **Allegheny River** is impaired for polychlorinated biphenyls (PCBs).

The City of New Kensington is subject to Appendix C and E requirements. New Kensington submitted one PRP to reduce pollutant loadings of sediment by 10% in the impaired watershed. The PRP Technical Review Checklist is attached. Some of the proposed BMPs included in New Kensington's submitted PRP are calculated to achieve an unusually high amount of sediment reduction. Since New Kensington's PRP includes more BMPs than are necessary to achieve their pollutant load reduction requirement, the city has backup projects that can be implemented in the event that some of the proposed BMPs don't achieve the anticipated load reductions listed in the PRP. As will be stated in the Final Permit Cover Letter, the Department recommends that New Kensington check in with DEP's Southwest Regional Office as the projects are developed so DEP may provide feedback.

The City of New Kensington submitted annual reports from 2004-2012, but is overdue for submitting their 2013-2025 annual reports. As will be stated in the Final Permit Cover Letter, the City of New Kensington is required to resume annual report submittals. New Kensington received 28 violations during their January 17, 2024 inspection for their failures to submit an MS4 Periodic Report, implement MCMs #1-6, provide information or records required by the permit or otherwise needed to determine compliance, and submit NPDES renewal application at least 180 days prior to expiration or later approved date. The violations have all been resolved and the city has no open violations.

Draft permit issuance is recommended.

#### Public Participation

DEP will publish notice of the receipt of the NPDES permit application and a tentative decision to issue the individual NPDES permit in the *Pennsylvania Bulletin* in accordance with 25 Pa. Code § 92a.82. Upon publication in the *Pennsylvania Bulletin*, DEP will accept written comments from interested persons for a 30-day period (which may be extended for one additional 15-day period at DEP's discretion), which will be considered in making a final decision on the application. Any person may request or petition for a public hearing with respect to the application. A public hearing may be held if DEP determines that there is significant public interest in holding a hearing. If a hearing is held, notice of the hearing will be published in the *Pennsylvania Bulletin* at least 30 days prior to the hearing and in at least one newspaper of general circulation within the geographical area of the discharge.