



January 22, 2024

Dale Barnett  
West Brandywine Township Chester County  
198 Lafayette Road  
West Brandywine, PA 19320-1231

Re: Final NPDES Permit – MS4  
West Brandywine Township MS4 UA  
NPDES Permit No. PAI130544  
Authorization ID No. 1201916  
West Brandywine Township, Chester County

Dear Mr. Barnett:

Your NPDES permit is enclosed. Please read the permit carefully. The permit expires on the date identified on page 1 of the permit. A renewal application must be submitted to this office 180 days prior to the permit expiration date.

The submission of Annual MS4 Status Reports is required by the permit. You must submit annual reports to the DEP office that issued the permit by September 30<sup>th</sup> of each year to describe activities conducted under the permit during the period of July 1 – June 30. You must also submit an annual fee to DEP's Bureau of Clean Water by the anniversary of the effective date of the permit.

You are required to comply with the Pollutant Control Measures (PCMs) contained in Appendix C for the surface waters identified in DEP's MS4 Requirements Table (see [www.dep.pa.gov/MS4](http://www.dep.pa.gov/MS4)). You are required to submit to DEP the following: 1) a storm sewershed map for outfalls that discharge to the impaired surface waters; 2) an inventory of all suspected and known sources of the pollutant(s) of concern within the storm sewershed(s); and 3) a report documenting an investigation of each suspected source. Deadlines for submission of this documentation as attachments to future Annual MS4 Status Reports are established in the Appendices.

DEP has reviewed your Pollutant Reduction Plan and TMDL Plan and hereby approves the Plans.

You are required to implement the load reduction requirements established in Appendix E and F of the permit within five years, and you must submit a report demonstrating that you have met these requirements as an attachment to the first Annual MS4 Status Report that is due following completion of the 5th year of permit coverage.

We would like to bring DEP's eNOTICE service to your attention. eNOTICE is a subscription service that provides options to receive notifications of DEP's activities such as the receipt of permit applications, comment periods for guidance and regulations, and stream redesignation

evaluations. To sign up for an account, visit DEP's website ([www.dep.pa.gov](http://www.dep.pa.gov)) and select Data and Tools – Tools – eNOTICE.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board  
Rachel Carson State Office Building, Second Floor  
400 Market Street  
P.O. Box 8457  
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

**IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.**

**IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.**

Mr. Dale Barnett

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If you have any questions, please contact Krista Brown at 484.250.5183.

Sincerely,

/s/

Thomas L. Magge  
Environmental Program Manager  
Clean Water Program

Enclosures

cc: Jamie Eberl, P.E., DEP Central Office  
Elizabeth Mahoney, DEP SERO  
Krista Brown, Central Office  
John Cassels, Herbert E. MacCombie, Jr., P.E., Consulting Engineers  
& Surveyors, Inc.