

Application Type

Renewal

Facility Type

MS4

Permit Type

Individual

NPDES PERMIT FACT SHEET MS4s

Application No.

PAI136102

APS ID

1080377

Authorization ID

1426036

Applicant and Facility Information

Applicant Name	Fox Chapel Borough Allegheny County	Facility Name	Fox Chapel Borough Storm Sewer System
Applicant Address	401 Fox Chapel Road	Facility Address	401 Fox Chapel Road
	Pittsburgh, PA 15238-2225		Pittsburgh, PA 15238-2225
Municipality	Fox Chapel Borough	County	Allegheny
	Allegheny River (WWF), Sycamore Run (HQ-WWF), Campbell Run (WWF), Guyasuta Run (HQ-WWF), Little Pine Creek (TSF), Guys Run (WWF), Glade Run (HQ-WWF), and Stony Camp Run (HQ-WWF)		
Receiving Water(s)		Ch. 93 Class.	HQ-WWF, WWF, and TSF
Date Application Received	February 6, 2023		

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 type="checkbox"/>	4. Topographic map or storm sewer system map (new permittees and existing waivers).	N/A
<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 11/19/18
<input checked="" type="checkbox"/>	7. Stormwater Management Ordinance Checklist (3800-PM-BCW0100g) (if applicable).	Stormwater management ordinance enacted 11/19/18
<input type="checkbox"/>	8. SOPs (non-municipal applicants seeking renewed coverage only).	N/A
<input type="checkbox"/>	9. Chesapeake Bay PRP (Appendix D) and/or Impaired Waters PRP (Appendix E), where required.	N/A (approved last permit cycle) Revised PRP submitted 3/11/22 and approved 7/1/22.

Approve	Deny	Signatures	Date
X		 Lauren Nolfi / Environmental Engineering Specialist	December 16, 2024
X		 Michael E. Fifth, P.E. / Environmental Engineer Manager	December 19, 2024

<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.	N/A
<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).	N/A
<input type="checkbox"/>	9c. PRP contains a section that describes the pollutants of concern.	N/A
<input type="checkbox"/>	9d. PRP contains existing load calculations for pollutants of concern.	N/A
<input type="checkbox"/>	9e. PRP selects BMPs to achieve the minimum required reductions in pollutant loading	N/A
<input type="checkbox"/>	9f. PRP identifies funding mechanisms.	N/A
<input type="checkbox"/>	9g. PRP identifies responsible parties for operation and maintenance (O&M) of BMPs.	N/A
<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). NOTE – Each municipality served by an authority must also submit an NOI.	N/A

Internal Review and Recommendations

The Department received a Notice of Intent (NOI) for renewal of coverage of Fox Chapel Borough under the Individual MS4 Permit on February 6, 2023. Fox Chapel's previous individual permit was issued on November 18, 2018 and expired on November 30, 2023. Fox Chapel is located in Allegheny County and has a population of 5342, per the 2020 US Census. The borough has an urbanized area of approximately 5017.8 acres per the application and DEP Land Cover Estimates. 7% of the borough's urbanized area is impervious and 93% of the borough's urbanized area is pervious, per DEP Land Cover Estimates. The renewal submittal included a Stormwater Management Ordinance that was enacted on November 19, 2018 to be consistent with the 2022 Stormwater Management Ordinance Checklist. Fox Chapel is relying on Pennsylvania's Chapter 102 program for erosion and sediment control and post-construction stormwater management requirements.

Fox Chapel has outfalls discharging to receiving water bodies within four HUC-12 Watersheds: Little Pine Creek-Pine Creek Watershed, Allegheny River-Ohio River Watershed, Chartiers Run-Allegheny River Watershed, and Squaw Run Watershed. The most downstream outfall to each water body is listed as: Outfall 140 to Little Pine Creek (TSF), Outfall 335 to the Allegheny River (WWF), Outfall 156 to Glade Run (HQ-WWF), Outfall 293 to Sycamore Run (HQ-WWF) (USGS renamed Squaw Run as Sycamore Run in 2022), Outfall 021 to Campbell Run (WWF), Outfall 262 to Guyasuta Run (HQ-WWF), Outfall 199 to Stony Camp Run (HQ-WWF), Outfall 427 to Guys Run (WWF).

Little Pine Creek is impaired for pathogens at the point of outfall discharge to the stream. Little Pine Creek is tributary to Pine Creek, 1.45 miles downstream from the point of discharge. **Pine Creek** is impaired for siltation, resulting from site clearance (land development or redevelopment), nutrients, resulting from rural (residential areas), and pathogens. Little Pine Creek and Pine Creek are located outside, to the west, of the borough's boundary. The Allegheny River is impaired for pathogens and impaired with a TMDL for PCBs, chlordane, and organics. **Glade Run** is impaired for siltation, flow regime modification, and habitat alterations, resulting from highway/ road/ bridge runoff (non-construction related) and rural (residential areas).

Sycamore Run is impaired for organic enrichment and pesticides, resulting from golf courses, siltation, resulting from rural (residential areas) and highway/ road/ bridge runoff (non-construction related), habitat alterations and flow regime modification, resulting from highway/ road/ bridge runoff (non-construction related), and nutrients, resulting from urban runoff/ storm sewers. Campbell Run and Guyasuta Run have no listed impairments. **Stony Camp Run** is impaired for flow regime modification and habitat alterations, resulting from highway/ road/ bridge runoff (non-construction related).

The Pine Creek Watershed is impaired with a TMDL for pathogens, E. coli, and fecal coliform. Impairments due to pathogens, regardless of whether there is an approved TMDL, are addressed by Appendix B Pollutant Control Measures (PCMs). The Allegheny River is impaired with a TMDL for PCBs, chlordane, and organics. Impairments due to polychlorinated biphenyls (PCBs), pesticides, and any other organic compound listed at 40 CFR Part 423, Appendix A, regardless of whether there is an approved TMDL, are addressed by Appendix C PCMs.

During the last permit cycle, Fox Chapel was subject to Appendix B, C, and E requirements. Fox Chapel submitted a Pollutant Reduction Plan (PRP) to reduce pollutant loadings of sediment by 10% and nutrients by 5% in the Squaw Run and Pine Creek HUC-12 Watersheds. A revised PRP was submitted on March 11, 2022 and approved on July 1, 2022.

Fox Chapel has submitted annual reports for 2004 – 2012 and 2017 – 2023. Fox Chapel documented their Minimum Control Measures (MCMs) and PCMs from the last permit cycle in their 2019 – 2023 Annual Reports. Storm Sewersheds Maps were completed in September of 2019; the borough's Source Inventory was completed in September of 2021; Investigation of Suspected Sources was completed in September of 2022; the Ordinance/ SOP for Controlling Animal Wastes was enacted in August of 2009 per Ordinance 666.

Fox Chapel's previous permit required that the borough achieve pollutant loading reductions for sediment and phosphorus as specified in Appendix E by November 30, 2023. Fox Chapel submitted their PRP Final Report on September 27, 2023. DEP sent a PRP Final Report review letter to Fox Chapel on August 15, 2024 requesting additional information for Fox Chapel's stream restoration BMPs. Fox Chapel submitted the required additional information on September 11, 2024. DEP considers the PRP Final Report to be complete and acknowledges that Fox Chapel achieved compliance with their permit's pollutant reduction requirements.

Fox Chapel Borough was most recently inspected on February 4, 2020 as a compliance evaluation and on January 12, 2021 as an administrative/ file review. No violations were noted. The inspection report recommended that a contractor remove a mobile fuel tank from a construction area at the municipal complex or put a spill kit in the vicinity. The municipality has no open violations.

Draft permit issuance is recommended.

Internal Review and Recommendations

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.