

Standard Operating Procedure (SOP)¹
Review of PAG-01 General NPDES Permit NOIs
Stormwater Discharges Associated with Small Construction Activities
SOP No. BCW-102-001
Final, February 11, 2022
Version 1.0

This SOP describes the procedures by which the Department of Environmental Protection (DEP) Waterways and Wetlands Program, DEP Major Projects Permitting Division (MPPD), and delegated county conservation districts (CCDs) will process Notices of Intent (NOIs) for PAG-01 General NPDES Permit coverage for Discharges of Stormwater Associated with Small Construction Activities. The eFACTS authorization type covered by this SOP is “PAG01” and the application types covered by this SOP include “NEW”, “AMEN” (amendment) and “REN” (renewal).

This SOP is intended to comply with the DEP’s [Policy for Implementing the Department of Environmental Protection \(Department\) Permit Review Process and Permit Decision Guarantee](#) (DEP Document No. 021-2100-001) (PRP/PDG Policy). Only certain types of applications are subject to the Permit Decision Guarantee (PDG) described in the PRP/PDG Policy. PAG-01 NOIs **ARE NOT** part of the PDG.

It is anticipated that CCDs will be the permitting authority for most PAG-01 authorizations. However, DEP will also receive and review PAG-01 NOIs, particularly for projects in counties without a delegated CCD. The term, “DEP/CCD” is used in this SOP to represent the applicable permitting authority.

DEP and CCDs will refer to DEP’s [Policy for Permit Coordination](#) (DEP Document No. 021-2000-301) and other existing guidance when evaluating the need to coordinate issuance of PAG-01 General Permit coverage with other permits.

Existing permittees with PAG-02 coverage may seek to renew or amend their NPDES permit coverage by submitting a PAG-01 NOI only when a portion of the site is permanently stabilized and a Notice of Termination is approved, and the remaining portion of the site would qualify for PAG-01. Otherwise PAG-01 NOIs may be accepted only for new projects or for renewals or amendments to projects that already have PAG-01 coverage.

I. Pre-Application Meeting (DEP/CCD Staff)

Applicants for PAG-01 coverage must request a Pre-Application Meeting (i.e., a call or an in-person meeting) with DEP/CCD as a condition of coverage. A Pre-Application Meeting is important not only for the applicant to explain the project to DEP/CCD, but also for DEP/CCD to verify eligibility, minimizing the likelihood of a DEP/CCD finding of ineligibility.

- A. An applicant for coverage under the PAG-01 must contact DEP/CCD to schedule a Pre-Application Meeting (either an in-person meeting or a conference call). The request should be accompanied by a completed [Chapter 102 Pre-Application Meeting Request Form](#) (DEP Document No. 3800-FM-BCW271e). If a CCD is the permitting authority and believes that there will be unique or

¹ **DISCLAIMER:** The process and procedures outlined in this SOP are intended to supplement existing requirements. Nothing in the SOP shall affect regulatory requirements. The process, procedures and interpretations herein are not an adjudication or a regulation. There is no intent on the part of DEP to give the rules in this SOP that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

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challenging circumstances for the NOI review, the CCD will invite appropriate DEP staff. Failure to request a Pre-Application Meeting will result in the NOI being returned. If a Pre-Application Meeting cannot be scheduled by DEP/CCD staff within a reasonable period of time, staff should waive the requirement for a meeting in writing (email is acceptable).

NOTE 1 – It is at the sole discretion of DEP/CCD to waive the Pre-Application Meeting. If DEP/CCD elects to waive the meeting, DEP/CCD staff will communicate the waiver to the applicant in writing (email acceptable).

- B. During the Pre-Application Meeting, DEP/CCD staff will identify any additional DEP permits potentially required for the project² and provide an explanation of the Permit Review Process (PRP) and review timelines. DEP's *Policy for Permit Coordination* should be followed during the Pre-Application Meeting.
- C. During the Pre-Application Meeting, DEP/CCD staff will take general notes of the discussion and record the notes on the Chapter 102 Pre-Application Meeting Record Form (see **Attachment A**) or equivalent. At the conclusion of the Pre-Application Meeting or otherwise within 2 business days, DEP/CCD staff will provide (in person or by email) a copy of this form to the applicant and consultant to ensure understanding by all parties. Alternatively, DEP/CCD staff may request that the applicant or applicant's consultant be responsible for recording and distributing the notes.
- D. If known at the time, the Application Manager for DEP/CCD (i.e., the lead reviewer of the NOI when it is submitted) for the NOI should be identified to the applicant.

II. Preliminary Processing, Prioritization and Assignment (DEP/CCD Staff/Management)

Upon receipt of a PAG-01 NOI, DEP/CCD administrative staff (administrative staff) and management will implement the following steps as soon as possible but no longer than five (5) calendar days of the receipt of the NOI:

- A. Administrative staff will confirm that the NOI was submitted by the applicant using a method that confirms DEP's or CCD's receipt (e.g., Certified Mail, manual delivery, private service with delivery confirmation, an email with receipt confirmation, etc.). If the NOI was not submitted in this manner, the NOI will be returned using the **Return of NOI Letter** (see Notes 13 and 14, below).

NOTE 2 – For DEP and CCD offices without administrative staff, steps identified for completion by administrative staff should be completed by the Application Manager or other staff as assigned by the DEP/CCD manager.

- B. Administrative staff will confirm that a pre-application meeting was held or was requested and a waiver was granted in writing by DEP/CCD. If neither occurred, the NOI will be returned using the **Return of NOI Letter** (see Notes 13 and 14, below).
- C. Administrative staff will confirm that PNDI receipt(s) were submitted that have not expired and are not expected to expire prior to final action on the NOI. If the PNDI receipt(s) indicate "Avoidance Measures" and the applicant indicates that they will not agree to those measures, or if the PNDI receipt(s) indicate "Potential Impact", PNDI clearance letter(s) must be submitted. If the PNDI receipt(s) and/or clearance letter(s) (if applicable) are not attached to the NOI submission, the NOI will be returned using the **Return of NOI Letter** (see Notes 13 and 14, below).

² It is the responsibility of an applicant to ensure that all necessary permits are obtained from DEP. The applicant is encouraged to submit their project information through DEP's [Permit Application Consultation Tool](#).

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- D. Administrative staff will date stamp the NOI (and all other accompanying information) with the Date Received and record the Date Received in the “DEP/CCD Use Only” box on the first page of the NOI.

NOTE 3 – For the purpose of the PAG-01 General Permit, the Date Received should be the first full day that DEP/CCD is in the possession of the NOI, due to the accelerated review periods. If the NOI is received at 8 AM or later, the Date Received should be recorded as the following business day.

- E. Administrative staff will assign an NPDES Permit Identification (ID) Number in accordance with Section 6 of the E&S and NPDES Administrative Manual (Permit Numbering) and record the Permit ID number in the “DEP/CCD Use Only” box on the first page of the NOI.

- F. Process Fees.

1. If the appropriate Base Administrative Filing Fee (\$500) for PAG-01 coverage was submitted, administrative staff will process and deposit the fee (including any CCD-specific fees where a CCD is the permitting authority) in accordance with guidance provided under the DEP Management Directive OAM-1000-001 (Deposit of Fees, Fines, Penalties and Other Revenue). If the appropriate Base Administrative Filing Fee for PAG-01 coverage was not submitted, DEP/CCD administrative staff will follow the procedures for over-payment or under-payment of fees identified in the DEP Management Directive OAM-1000-001 and Program Clarification Memo PCM_WET_NCEC_13_003.

NOTE 4 – Fees should not be held until after the Completeness Review has been performed.

NOTE 5 – The United States Environmental Protection Agency (EPA), PennDOT, the Pennsylvania Turnpike Commission, DEP, the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission are exempt from Chapter 102 fees. If any other entity claims an exemption, the Application Manager should request assistance from the DEP regional office or DEP Bureau of Clean Water.

2. DEP/CCD administrative staff will determine whether the appropriate Additional Administrative Filing Fee (i.e., Disturbed Acreage Fee) was submitted by multiplying the Total Earth Disturbance Area reported on page 3 of the NOI by \$100, where Total Earth Disturbance Area is rounded to the nearest whole number (e.g., for a Total Earth Disturbance Area of 2.5 acres, a Disturbed Acreage Fee of \$300 must be submitted).

- a. If the appropriate Disturbed Acreage Fee was submitted, and a CCD is the permitting authority, CCD staff will forward the check to the appropriate DEP regional office. DEP regional office staff will confirm by email to the CCD that the Disturbed Acreage Fee payment was received.

NOTE 6 – CCDs may forward the checks to the DEP regional office as they are received or may bundle them and forward all checks at least once per week.

NOTE 7 – The PAG-01 Applicant Checklist requires that a copy of the NOI be sent to the appropriate DEP regional office if the CCD is the permitting authority. Therefore, CCDs will not be expected to mail a copy of the NOI to DEP, unless DEP informs CCDs that it did not receive a copy of the NOI.

- b. If the appropriate Disturbed Acreage Fee was not submitted, DEP/CCD administrative staff will follow the procedures for over-payment or under-payment of fees identified in the DEP Management Directive OAM-1000-001 and Program Clarification Memo PCM_WET_NCEC_13_003.

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3. CCD administrative staff will determine whether the appropriate CCD-specific fees have been submitted.

If the appropriate CCD-specific fee was not submitted, CCD administrative staff will follow the procedures for over-payment or under-payment of fees identified in the DEP Management Directive OAM-1000-001 and Program Clarification Memo PCM_WET_NCEC_13_003.

NOTE 8 – Fees (including CCD-specific fees) must be resolved prior to considering an NOI for completeness (Section III).

G. Preliminary Data Management.

1. If a CCD is the permitting authority, CCD administrative staff will record basic information on the NOI into an electronic data system (i.e., database, spreadsheet, or other system in which this information can be retrieved for review by staff or other parties). The minimum information that will be recorded includes applicant name, applicant address, project (site) name, NPDES Permit ID No., municipality, fees collected and date the NOI was received.
2. If DEP is the permitting authority, DEP administrative staff will take the steps below to record receipt of the NOI in eFACTS:
 - a. Create or update a site, client and client-site relationship for the project in eFACTS, as necessary.
 - b. Create or update a primary facility (PF) and at least one subfacility (SF) under the site. The PF should have a Kind of “SWC” (Stormwater Construction (Non-Phased)) or “SWCP” (Stormwater-Phased Construction) as appropriate. To determine which PF Kind to use review page 1 of the NOI (i.e., if a Common Plan of Development or Sale select “SWCP”). Select an SF type that matches the proposed land use upon completion of the project. Enter as much information in the PF and SF screens as is available, including latitude/longitude coordinates.
 - c. On the eFACTS Application screen, create a new authorization record by entering a new APS (Project) name, Program ID (i.e., NPDES Permit ID No.), and date the NOI was received (“Recvd”), and by selecting the client, site, authorization type (“PAG01”), application type, and lead reviewer (if known at this stage, otherwise select the Permits Chief).
 - d. Select the Master Auth ID (for renewals and amendments) or create the Master Auth (for new NOIs), as appropriate.
 - e. Enter consultant information. If a consultant is identified on the NOI, select the appropriate client or otherwise create the consultant as a client on the Application Screen.

H. DEP/CCD administrative staff will provide the NOI to the CCD manager (or assistant manager or supervisor as designated by the manager) (where a CCD is the permitting authority) or the DEP Permits Chief (where DEP is the permitting authority). The CCD manager or DEP Permits Chief will:

1. Prioritize the NOI in accordance with the “Permit Review Hierarchy” contained in the PRP/PDG Policy.

NOTE 9 – A CCD may create an expedited review process under their fee schedule. However, the expedited reviews under such a process would be to pay for overtime for the CCD staff to perform the review. A CCD expedited review would not supersede the PRP/PDG Policy’s Permit Review Hierarchy.

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2. Where a CCD believes that the project should receive a higher priority review, the CCD staff will consult with the DEP Permits Chief or Program Manager, specifically when a project may be considered controversial, involves an applicant with an adverse compliance history, or is the subject of legislative interest.
3. Enter the Review Period (i.e., 30 or 60 calendar days) and Review Period End Date in the “DEP/CCD Use Only” box on the first page of the NOI. The CCD Manager or DEP Permits Chief will verify that the Review Period information on page 2 of the NOI is accurate by examining the County and Municipal Notification Forms, and will enter the Review Period End Date as 30 or 60 calendar days from the receipt of the NOI (i.e., Date Received).

A Review Period of 30 calendar days applies if all of the following are true and the county and municipality have signed the County and Municipal Notification Forms, respectively, otherwise a 60-day Review Period applies:

- a. The county has a DEP-approved Act 167 plan (or plan update) with an approval date within the past five years.
- b. The county has certified that the project is consistent with the Act 167 plan, without waiver or variance.
- c. The municipality has enacted a stormwater management ordinance.
- d. The municipality has certified that the project is consistent with the ordinance, without waiver or variance.

In the event that the applicant reports an incorrect Review Period on the NOI, the CCD Manager or DEP Permits Chief will notify the applicant of the appropriate Review Period in writing (i.e., email or letter).

4. Assign an Application Manager to the NOI, unless this has been done previously, and provide the NOI to the Application Manager.

III. Completeness Review (Application Manager)

When the Application Manager receives the NOI from the CCD Manager or DEP Permits Chief, the Application Manager will, within 15 business days from DEP/CCD’s completion of Step II, review the NOI for eligibility, administrative completeness and overall technical adequacy, as follows.

NOTE 10 – The review period is either 30 or 60 calendar days for a PAG-01 NOI, depending on the presence of and adherence to county Act 167 Plans and municipal ordinances. DEP/CCD will take a final action on PAG-01 NOIs within those timeframes only when NOIs are complete and contain no technical deficiencies.

A. Completeness Review by NOI Type.

1. **New NOIs** – The Application Manager will document the completeness review of new NOIs using the PAG-01 Fact Sheet template (see **Attachment B**), which serves as the record of decision on the NOI. The Application Manager and CCD Manager or DEP Permits Chief will sign the Fact Sheet. A complete and technically adequate PAG-01 NOI for a new project is characterized by a response of “TRUE” or “N/A” for all items in the NOI Completeness Review Checklist of the PAG-01 Fact Sheet, not including fees addressed in Section II.F.

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2. **Renewal NOIs** – A complete and technically adequate PAG-01 NOI for an existing permittee seeking renewal of PAG-01 coverage must include only an NOI (3800-PM-BCW0404b) with the General Information, Applicant Information, Eligibility Information, Compliance History and the Certification sections completed, at a minimum, along with correspondence indicating that no changes to the Erosion and Sediment Control (E&S) and Post-Construction Stormwater Management (PCSM) Plans are planned. In addition, a new Administrative Filing Fee is required. If any changes to the E&S and/or PCSM Plans are proposed, the applicant must check the box on the PAG-01 NOI for a Major or Minor Amendment. If the timing of the amendment coincides with the timing of a renewal NOI, both the Renewal and Major or Minor Amendment boxes should be checked. The PAG-01 Fact Sheet (Attachment B) is optional for renewal NOIs.

NOTE 11 – With renewal NOI submissions, the permittee must demonstrate that they remain eligible for coverage under the PAG-01 and the Application Manager must confirm they remain eligible. For example, the original authorization under PAG-01 was for discharges to a receiving surface water with a designated use of Cold Water Fishes (CWF), but after the original authorization DEP determined that the receiving surface water has an existing use of HQ-CWF. The activity would no longer be eligible for coverage under the PAG-01, and the permittee would have to submit an application for an Individual NPDES Permit. Upon issuance of the Individual NPDES Permit, the previous coverage under the PAG-01 would be terminated (a Notice of Termination is not required to be submitted).

3. **Amendment NOIs** – The contents of a complete and technically adequate PAG-01 NOI for an existing permittee seeking a Major or Minor Amendment must include 1) a complete NOI (3800-PM-BCW0404b) with any change to the original information highlighted, and 2) other information to be determined by DEP/CCD in consultation with the permittee and following the guidelines in DEP’s [Frequently Asked Questions \(FAQ\) for Chapter 102 Permit Amendments](#). The PAG-01 Fact Sheet (Attachment B) is optional for amendment NOIs.

NOTE 12 – The Compliance History section of the NOI should contain at a minimum all violations that have been the subject of a DEP/CCD enforcement action. The applicant is expected to report all such violations of a regulation, permit, order, or schedule of compliance in a truthful and accurate manner. If an Application Manager has concerns with the information in this section, the DEP Application Manager can query the internal version of eFACTS and the CCD Application Manager can query the public version of eFACTS following the guidelines contained in Section 12 of the E&S and NPDES Administrative Manual.

If the Application Manager has questions concerning eligibility for PAG-01, the Application Manager should communicate with the DEP regional office (where a CCD is the permitting authority) or applicant to obtain clarification as necessary and/or issue an **Incompleteness Letter** as described in Section III.E, below.

B. Determination – Project is Ineligible for PAG-01.

1. If the applicant’s project is determined to be ineligible for PAG-01 coverage, and the NOI is for a new project, the Application Manager will prepare and send the **General Permit Ineligibility Letter** (ineligibility letter), signed by the CCD Manager or DEP Program Manager/Permits Chief, along with one copy of the NOI package. The letter will identify specifically why stormwater discharges associated with the project are ineligible for coverage under PAG-01, with regulatory citations under 25 Pa. Code Chapter 92a, as applicable, and provide the applicant with options to 1) submit a new NOI for coverage under PAG-01 if the issue causing ineligibility can be resolved; 2) submit a new NOI for PAG-02 coverage, if eligible; or 3) submit an application for an Individual NPDES Permit.
2. If the NOI is for renewal of existing coverage, the ineligibility letter will 1) identify the reasons for ineligibility; 2) specify that within 90 calendar days the applicant must submit a PAG-02 NOI

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(if eligible) or Individual NPDES Permit Application; and 3) explain that failure to submit the NOI or application will result in automatic termination of coverage.

3. If the NOI is for an amendment to existing coverage, the ineligibility letter will 1) identify the reasons for ineligibility and 2) specify that the applicant must submit a PAG-02 NOI or Individual NPDES Permit Application to cover the entire project site if the applicant wishes to proceed with the changes to earth disturbance activities that triggered the need for an amendment, otherwise earth disturbance activities previously authorized may continue.
4. The Application Manager will check the appropriate box for “Return” and record the date the ineligibility letter is sent by DEP in “DEP/CCD Use Only” box on page 1 of the NOI.
5. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date the NOI was returned.
6. Where DEP is the permitting authority, DEP administrative staff will dispose the authorization in eFACTS by:
 - a. Closing out the “COMPL” task and subtask using a Begin Date of when the NOI was received and the End Date as the date of the ineligibility letter.
 - b. The NOI will be disposed of by selecting “Returned” for the disposition code and entering the date of the ineligibility letter in the field for date disposed.
7. DEP/CCD will retain one copy of the NOI package and the ineligibility letter in its official files for a period no less than 90 calendar days.

NOTE 13 – If an NOI is returned, no *Pennsylvania Bulletin* notice is required.

NOTE 14 – If an NOI is returned, the Base Administrative Filing Fee (\$500) and Disturbed Acreage Fee will not be refunded. However, the Disturbed Acreage Fee does not have to be re-paid upon submission of a new NOI or application for the exact same project. The applicant is responsible for providing evidence that the Disturbed Acreage Fee was previously paid. A new Base Administrative Filing Fee must however be paid for a new NOI or application.

NOTE 15 – If the Application Manager determines that all eligibility criteria have been met but the proposed PCSM BMPs do not conform with the PCSM BMP design specifications of the PAG-01 General Permit, it may be considered an incompleteness item and the NOI does not need to be immediately returned. If design specifications are not met, the Incompleteness Letter should notify the applicant of the corrections that must be made, if possible, and offer the opportunity to withdraw the NOI.

Examples:

- An applicant proposes the use of a Managed Release Concept (MRC) BMP, an alternative PCSM BMP, or any other BMP not identified in the general permit.
- An applicant is proposing a 400-foot overland flow path following a vegetated filter strip when 500 feet is required by the general permit. A retentive grading berm can be installed to meet design specifications.

C. Determination – Project is Eligible and NOI is Complete.

If none of the criteria in the PAG-01 Fact Sheet (NOI Completeness Review Checklist) are found to be deficient or technically inadequate, and the applicant’s project is eligible for PAG-01 coverage,

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the Application Manager or DEP/CCD administrative staff will complete the steps below and proceed to Section IV.

1. Check the boxes next to “Project Eligible” and “NOI Complete” in the “DEP/CCD Use Only” box on page 1 of the NOI.
2. Enter the date the NOI was determined to be complete in the “DEP/CCD Use Only” box on page 1 of the NOI.
3. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date the NOI was determined to be complete.
4. Where DEP is the permitting authority, the Application Manager will update eFACTS as follows:
 - a. Close out the “COMPL” task and subtask using a Begin Date of when the NOI was received and the End Date as the date the NOI was deemed to be complete.
 - b. Enter the Begin Date of the Technical Review Standard Task as the date the NOI was deemed to be complete.
 - c. Enter the Begin Date of the “DR” and “ER” subtasks as the date the NOI was deemed to be complete and the Due Date as the end of the 30- or 60-day review period.

At the discretion of the Application Manager, the Application Manager or DEP/CCD administrative staff may prepare and send a **Completeness Notification Letter** to the applicant or otherwise transmit a notification email to the applicant.

D. Determination – Project is Eligible and NOI Contains Minor Deficiencies.

1. If the NOI contains deficiencies that are determined to be minor (i.e., an item that in the Application Manager’s judgment can be corrected within two (2) business days), the Application Manager will not consider the NOI incomplete, but will contact the applicant (or the applicant’s authorized representative) by phone to explain the deficiency and offer the opportunity to submit the necessary materials informally by the end of the second business day to make the NOI complete. The Application Manager may or may not (at the Application Manager’s discretion) follow up the phone call with an email to the applicant and/or consultant.

NOTE 16 – The Application Manager should attempt to communicate with the applicant directly. Where this fails, the Application Manager may attempt to communicate with the consultant, if any. This contact can include an email to the applicant, with the consultant copied, which identifies the deficiencies and the deadline to respond.

- a. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date of the contact with either the applicant or their consultant.
 - b. Where DEP is the permitting authority, the Application Manager will enter the subtask “PPC” into eFACTS to identify the phone call. The Begin Date will be the date of the phone call and the Due Date will be the date that the information is to be submitted. The End Date will either be the date the response is received or the date of the **Incompleteness Letter** (as described in Section III.E).
2. A phone log will be kept that details the name of the person contacted, the day and time of the conversation, and notes for all communications regarding the NOI review. All phone logs will be retained with the application file during and following final action on the NOI, or otherwise a

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database or spreadsheet will be used and made accessible to allow others to check latest correspondence on an NOI if the Application Manager is out of the office.

3. In the event the Application Manager is unable to contact the applicant or consultant by phone after two attempts, or if a phone message is not returned after two business days, the Application Manager will proceed to Section III.E.
4. After the necessary materials have been received, and assuming the NOI can then be considered complete, the Application Manager will follow the steps in Section III.C, above.
5. If a submission is not received or if a submission is received but does not correct the original minor deficiencies, the Application Manager will proceed to Section III.E.

E. Determination – Project is Eligible and NOI is Incomplete.

1. If the NOI is incomplete and the deficiencies are determined to be significant or if the applicant does not respond to or correct insignificant deficiencies, the Application Manager will officially deem the NOI to be incomplete. The Application Manager will prepare and send an **Incompleteness Letter**, which will be signed by the CCD Manager or DEP Program Manager/Permits Chief.

NOTE 17 – Only one (1) incompleteness letter will be sent by the Application Manager.

- a. The incompleteness letter will cite the statutory or regulatory requirement(s) that were not met.
 - b. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date the incompleteness letter is transmitted.
 - c. Where DEP is the permitting authority, the Application Manager will update eFACTS as follows:
 - i. Enter the “COMPL” task and subtask using a Begin Date of when the NOI was received and the Due Date of 15 business days from the date of completion of Step II.
 - ii. Enter the “SDN” subtask, with the Begin Date set to the date of the incompleteness letter and the Due Date set to 60 calendar days after the Begin Date. The End Date will either be the date the response is received or the date of the withdrawal.
 - d. The applicant will be given 60 calendar days to respond. This 60-calendar day period is referred to as the deficiency correction period. If the applicant does not respond within the 60 calendar days, DEP/CCD will consider the NOI to be withdrawn by the applicant (per 25 Pa. Code § 102.6(c)(2)).
 - e. No extension beyond 60 calendar days may be granted for the applicant to complete the NOI under PAG-01.
2. If a submission is received within the deficiency correction period, the Application Manager will review the submission within 15 business days. If it is determined that the submission corrected the deficiencies, the Application Manager will consider the NOI complete and follow the steps in Section III.C, above. In addition, the Application Manager will record the date the response submission was received in the Date Resubmission Received field within the “DEP/CCD Use Only” box on page 1 of the NOI.
 3. If no submission is received by the end of the deficiency correction period, or if the applicant voluntarily elects to withdraw the NOI in writing, the Application Manager will prepare and send

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the ***Withdrawal of Incomplete Application letter*** or the ***Withdrawal by Applicant letter*** (withdrawal letter), respectively, which will be signed by the CCD Manager or DEP Program Manager/Permits Chief. The Application Manager will check the appropriate box for “Withdrawal” and identify the date of the withdrawal letter in the “DEP/CCD Use Only” box on page 1 of the NOI.

- a. The CCD Manager or DEP Program Manager/Permits Chief will sign the PAG-01 Fact Sheet.
- b. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date the withdrawal letter is transmitted.
- c. Where DEP is the permitting authority, DEP administrative staff will close the COMPL task and subtask by entering the End Date as the date the deficiency correction period ended, dispose the authorization in eFACTS by selecting “Withdrawn” for the disposition code, and enter the date of the withdrawal letter in the field for date disposed.
- d. DEP/CCD will retain one copy of the NOI package and the withdrawal letter in its official files for a period no less than 90 calendar days.

NOTE 18 – If an NOI is withdrawn, no *Pennsylvania Bulletin* notice is required.

NOTE 19 – If an NOI is withdrawn, the Base Administrative Filing Fee (\$500) and Disturbed Acreage Fee will not be refunded. However, the Disturbed Acreage Fee does not have to be re-paid upon submission of a new NOI or application for the exact same project. The applicant is responsible for providing evidence that the Disturbed Acreage Fee was previously paid. A new Base Administrative Filing Fee (\$500 or \$1,500) must however be paid for a new NOI or application.

4. If a submission is received by the end of the deficiency correction period that does not correct the significant deficiencies, the Application Manager will prepare and send the withdrawal letter after the end of the deficiency correction period, which will be signed by the CCD Manager or DEP Program Manager. The Application Manager will check the appropriate box for “Withdrawal” and record the date of the denial letter in the “DEP/CCD Use Only” box on page 1 of the NOI.

NOTE 20 – The permitting authority has no obligation to inform the applicant that their response was inadequate to make the NOI complete. However, if there are only minor deficiencies, as described above, the Application Manager can proceed as described in Section III.D above to try and resolve the minor deficiencies.

- a. The CCD Manager or DEP Program Manager/Permits Chief will sign the PAG-01 Fact Sheet.
- b. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date the withdrawal letter is transmitted.
- c. Where DEP is the permitting authority, DEP administrative staff will close the COMPL task and subtask by entering the End Date as the date the deficiency correction period ended, dispose the authorization in eFACTS by selecting “Withdrawn” for the disposition code, and enter the date of the withdrawal letter in the field for date disposed.
- d. DEP/CCD will retain one copy of the NOI package and withdrawal letter in its official files for a period no less than 90 calendar days.

NOTE 21 – See Notes 18 and 19.

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IV. Technical Review of E&S Plan (Application Manager)

NOIs will be reviewed in order of priority as determined under the PRP/PDG Policy; in the event of a conflict, the matter will be resolved by the DEP Program Manager. After the NOI has been deemed complete (Section III.C), the Application Manager will conduct a Technical Review of the E&S Plan in accordance with Section IV.A below. Technical Review of PAG-01 NOIs will be documented on the Fact Sheet.

NOTE 22 – A Technical Review for the PCSM Plan is unnecessary for PAG-01 NOIs, as the NOI Completeness Review Checklist contained in the PAG-01 Fact Sheet (Attachment B) addresses the technical adequacy of the selected BMPs for the PCSM Plan, and the submission of PCSM Module 2, stormwater analysis calculations and BMP design calculations is unnecessary under PAG-01.

A. First Technical Review of E&S Plan.

The Technical Review will be performed within the remainder of the previously determined Review Period (30 or 60 calendar days) where an incompleteness letter was not sent. If an incompleteness letter was sent, the Technical Review will be completed within 17 business days.

1. **New NOIs** – Application Managers will conduct a technical review of all new NOIs utilizing either the Standard E&S Control Plan Technical Review Checklist or the Expanded E&S Control Plan Technical Review Checklist as contained on pages 357 or 360 (depending on the reviewer’s knowledge and experience), respectively, of the [Erosion and Sediment Pollution Control Program Manual](#) (E&S Manual). Documentation of the use of the checklist should be identified in the PAG-01 Fact Sheet and the completed checklist should be attached to the PAG-01 Fact Sheet.
2. **Renewal NOIs** – Because the E&S Plan cannot be revised through a renewal (unless there is an amendment), there is no need for a Technical Review to be performed on the E&S Plans.
3. **Amendment NOIs** – If necessary, the Application Manager will perform the Technical Review on the amended E&S Plan in accordance with Section IV.A.1, above.

B. Determination – The E&S Plan does not contain technical deficiencies.

If the E&S Plan does not contain technical deficiencies, the Application Manager or DEP/CCD administrative staff will complete the steps below and proceed to Section VI.

1. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date when the technical review was completed.
2. Where DEP is the permitting authority, the Application Manager will enter the End Date for the open “ER” subtask as the date that the initial technical review was completed.

C. Determination – The E&S Plan contains minor technical deficiencies.

1. If the E&S Plan contains technical deficiencies that are determined to be insignificant (i.e., an item that in the Application Manager’s judgment can be corrected within two (2) business days), the Application Manager will contact the applicant (or the applicant’s authorized representative) by phone to explain the technical deficiency and offer the opportunity to submit the necessary materials informally by the end of the second business day. The Application Manager may or may not (at the Application Manager’s discretion) follow up the phone call with an email to the applicant and/or consultant.

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NOTE 23 – The Application Manager should attempt to communicate with the applicant directly. Where this fails, the Application Manager may attempt to communicate with the consultant, if any.

- a. Where a CCD is the permitting authority, the CCD will update a record of the review in an electronic system to include the date of the contact with either the applicant or their consultant.
 - b. Where DEP is the permitting authority, the Application Manager will enter the subtask “PPC” into eFACTS to identify the phone call. The Begin Date will be the date of the phone call and the Due Date will be the date that the information is to be submitted. The End Date will either be the date the response is received or the date of the technical deficiency letter (as described in Section IV.D).
2. A phone log will be kept that details the name of the person contacted, the day and time of the conversation, and notes for all communications regarding the technical review. All phone logs will be retained with the application file during and following final action on the NOI, or otherwise a database or spreadsheet will be used and made accessible to allow others to check latest correspondence for a case if the Application Manager is out of the office.
 3. In the event the Application Manager is unable to contact the applicant or consultant by phone after two attempts, or if a phone message is not returned after two business days, the Application Manager will proceed to Section IV.D.
 4. After the necessary materials have been received (receipt by email or fax is acceptable except when original signatures, plans or seals are needed), and assuming the minor technical deficiencies have been addressed, the Application Manager will follow the steps in Section IV.B, above.
 5. If a submission is not received or if a submission is received but does not correct the original minor technical deficiencies, the Application Manager will proceed to Section IV.D.
- D. Determination – The E&S Plan contains technical deficiencies.
1. If the E&S Plan contains technical deficiencies that are not determined to be minor or if the applicant does not respond to or correct minor technical deficiencies, the Application Manager will prepare and send a **Technical Deficiency Letter**, which will be signed by the CCD Manager or DEP Program Manager/Permits Chief.

NOTE 24 – Only one (1) technical deficiency letter will be sent by the Application Manager.

- a. The technical deficiency letter will cite the statutory or regulatory requirement(s) that were not met.
- b. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date the technical deficiency letter is transmitted.
- c. Where DEP is the permitting authority, the Application Manager will enter the subtask “SDN” into eFACTS. The Begin Date will be the date of the technical deficiency letter and the Due Date will be the date that the response to the letter is to be submitted. The End Date will either be the date the response is received, the date of the withdrawal or the date the NOI enters the Elevated Review.
- d. The applicant will be given 15 calendar days to respond. This 15 calendar-day period is referred to as the deficiency correction period. If the applicant does not respond within the 15 calendar days, DEP/CCD will consider the NOI to be withdrawn by the applicant.

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- e. The applicant may request, in writing, to extend the time to respond beyond the 15 calendar days. The request must identify the additional amount of time to respond and the justification/reason for the extension. If a request is submitted, the Application Manager will coordinate with the DEP Permits Chief or Program Manager to decide whether to grant the extension. The Application Manager will prepare and send the **Extension Request Letter**, which will be signed by the CCD Manager or DEP Program Manager/Permits Chief. Unless otherwise warranted based on consultation with the DEP Program Manager/Permits Chief, the time to respond will not exceed an additional 15 calendar days.

NOTE 25 – In order for the extension request to be considered, the justification must relate to the technical deficiencies identified and not related to another approving agency (e.g., municipality, PennDOT, etc.).

- i. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date of the extension request letter, whether the extension was granted or not, and the new date of when the response is due.
 - ii. Where DEP is the permitting authority, create the “SREL” subtask in eFACTS. The Begin Date will be the of the requested extension, the Due Date will be the response date the response is due and the End Date will be the date of extension request letter. A comment will be added to the “SREL” subtask identifying if the requested was granted or not. If the request is granted, the “SDN” Due Date will be updated to the new due date of the response.
- 2. If a submission is received (receipt by email or fax is acceptable except when original signatures, plans or seals are needed) within the deficiency correction period the Application Manager will follow the steps in Section IV.E, below.
 - 3. If the applicant voluntarily elects to withdraw the NOI in writing, the Application Manager will prepare and send the **Withdrawal by Applicant letter** (self-withdrawal letter), which will be signed by the CCD Manager or DEP Program Manager/Permits Chief.
 - a. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date the withdrawal letter is transmitted.
 - b. Where DEP is the permitting authority, DEP administrative staff will close the COMPL task and subtask by entering the End Date as the date the deficiency correction period ended, dispose the authorization in eFACTS by selecting “Withdrawn” for the disposition code, and enter the date of the withdrawal letter in the field for date disposed.
 - c. DEP/CCD will retain one copy of the NOI package and the withdrawal letter in its official files for a period no less than 90 calendar days.

NOTE 26 – See Notes 18 and 19.

- 4. If the applicant does not respond to the technical deficiency letter by the deadline provided, the Application Manager will proceed to Section V.

If DEP is the permitting authority, the DEP Application Manager will enter the “ELEV” subtask in eFACTS. The Begin Date will be the date of when the DEP Application Manager identifies the elevated review to the DEP Program Manager and the Due Date will be 10 business days after the Begin Date. The End Date will be the date of when a decision is made on the NOI.

E. Second Technical Review of E&S Plan.

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If a submission is received by the end of the deficiency correction period, the Second Technical Review process will begin. The review period objective for the Second Technical Review is 17 business days.

NOTE 27 – Resubmissions by an applicant that, in the opinion of DEP/CCD, significantly modify the original development intent, the extent of impervious surfaces, and/or BMPs, such that DEP/CCD would effectively need to re-review the project in its entirety, DEP/CCD may elect to withdraw the NOI following the procedures in Section III.E.3 above.

1. If DEP is the permitting authority, the Application Manager will enter a new “ER” subtask, with the Begin Date of when the response submission was received and the Due Date will be 17 business days from the receipt of the response submission (or remaining Review Period). The End Date will be when the second technical review has been completed.
2. The Application Manager will conduct a technical review of the revised E&S Plan in accordance with Section IV.A, above.
3. If the revised E&S Plan does not contain technical deficiencies, the Application Manager or DEP/CCD administrative staff will follow the steps in Section IV.B, above.
4. If the revised E&S Plan contains technical deficiencies that are determined to be minor (i.e., an item that in the Application Manager’s judgment can be corrected within two business days), the Application Manager will follow the steps in Section IV.C, above.
5. If the revised E&S and/or PCSM Plans contain technical deficiencies or if the applicant does not respond to or correct the minor technical deficiencies, the Application Manager will proceed to Section V.

If DEP is the permitting authority, the Application Manager will enter the “ELEV” subtask in eFACTS. The Begin Date will be the date of when the Application Manager identifies the elevated review to the DEP Program Manager and the Due Date will be 10 business days after the Begin Date. The End Date will be the date of when a decision is made on the NOI.

V. Elevated Review Process (Application Manager and DEP Program Manager)

If the response to a technical deficiency letter does not correct the technical deficiencies, the NOI will move to the Elevated Review Process. The applicant can also request the Elevated Review Process at any time during review of the NOI. The Elevated Review Process will be as follows:

- A. The Application Manager will coordinate with the DEP Program Manager by preparing and transmitting the **Notice of Elevated Review Memo**. The notice of elevated review memo will identify and continued or new technical deficiencies and will cite the statutory or regulatory requirement(s) that were not met.
- B. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date when the notice of elevated review memo was sent to DEP.
- C. DEP/CCD staff will discuss and agree on next steps, which may include making a permit decision, scheduling a meeting or call with the applicant and their consultant, and/or providing an additional opportunity to correct technical deficiencies through the transmission of a **Notification of Elevated Review letter**.
 1. If a permit decision will be made, the Application Manager will proceed to Section VI.
 2. If a meeting will be held, the Application Manager will proceed to Section V.D.

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3. If a notification of elevated review letter will be sent without scheduling a meeting, the Application Manager will proceed to Section V.E.
- D. If a meeting will be held, the Application Manager will send a **Notice of Elevated Review Meeting Letter**, signed by the CCD Manager or DEP Program Manager/Permits Chief, to the applicant as early as possible before the meeting.
 1. The applicant and their consultant should review the notice of elevated review meeting letter and come to the meeting prepared to discuss resolution of the technical deficiencies. A response submission is not expected or encouraged for the meeting.
 2. The attendees at the meeting should include the DEP Program Manager and/or Permits Chief, the Application Manager, the CCD Manager (if the CCD is the permitting authority), the applicant, and the applicant's consultant, at a minimum.
 3. If the meeting results in an agreement to resolve the technical deficiencies, the applicant will be given 10 business days from the date of the meeting to provide a response. The DEP Regional Director may provide the applicant with up to an additional 10 business days to respond upon receipt of a written request from the applicant.
 4. If the meeting results in no agreement to resolve the technical deficiencies, DEP's Program Manager will consult with the Bureau of Clean Water Director and, as necessary, the Deputy Secretaries of Water Programs and Field Operations, to arrive at a decision on the NOI. Once the decision is communicated to the Application Manager, the Application Manager will proceed to Section VI or otherwise conduct additional steps at the direction of DEP's Program Manager.
- E. If a notification of elevated review letter will be sent, it will be signed by the CCD Manager or DEP Program Manager/Permits Chief.
 1. The notification of elevated review letter will cite the statutory or regulatory requirement(s) that were not met.
 2. The applicant will be given 10 business days to respond. If the applicant does not respond within the 10 business days, the Application Manager will proceed to Section VI. If the applicant responds within 10 business days, the Application Manager will consult with the DEP Program Manager and Permits Chief on the response and proceed to Section VI.
- F. If a submission is received and all technical deficiencies have been corrected, the Application Manager will proceed to Section VI. The Application Manager will (in the "DEP/CCD Use Only" box on the first page of the NOI) identify the Date of Resubmission Received.

VI. Permit Decision and Final Processing (Application Manager and DEP/CCD Manager)

- A. Decision – Approve Coverage.
 1. The Application Manager will prepare the PAG-01 Authorization Letter and the PAG-01 Authorization to Discharge page. Both of these documents will be signed by the DEP/CCD Manager. The Application Manager may stamp the approved E&S Plans. The Application Manager or DEP/CCD administrative staff will transmit permit documentation as follows:
 - a. Permittee (if there is more than one permittee, each permittee will receive the information):
 - Original, signed PAG-01 Authorization Letter;

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- Original, signed Authorization to Discharge page (page 1) and the complete PAG-01 General NPDES Permit (the Effective Date of Coverage will be the date of the PAG-01 Authorization Letter);
 - One (1) set of the approved E&S Plan Drawing(s) and E&S Module 1, if paper-based documents were submitted;
 - One (1) set of the approved PCSM Plan Drawing(s), if paper-based documents were submitted;
 - The [Chapter 102 Visual Site Inspection Report](#) form (DEP Document No. 3800-FM-BCW0271d);
 - The Co-Permittee Acknowledgement Form for Chapter 102 Permits (DEP Document No. 3800-FM-BCW0271a) and Instructions; and
 - The [Notice of Termination for a General \(PAG-02\) or Individual NPDES Permit, ESCP, or ESCGP for Stormwater Discharges Associated with Construction Activities](#) (DEP Document No. 3800-FM-BCW0229b).
- b. Permittee's Consultant and Municipalities (if there is more than one municipality, each municipality will receive the information): Copy of the PAG-01 Authorization Letter and copy of the Authorization to Discharge page.
- c. DEP Regional Office: Copy of the approved NOI, copy of the PAG-01 Authorization Letter, and copy of the Authorization to Discharge page (may be submitted electronically). In addition, the weekly permit activity report should be transmitted either with each permit or on a weekly basis.
- d. DEP Bureau of Clean Water (via RA-102PermitForms@pa.gov): electronic copies of the approved NOI, the PAG-01 Authorization Letter, and the Authorization to Discharge page.
2. The Application Manager will record the Issuance Date, Coverage Effective Date and the Coverage Expiration Date in the "DEP/CCD Use Only" box on the first page of the NOI. The Issuance Date and Coverage Effective Date will be the same for PAG-01 NOIs, which is the Effective Date of Coverage from the completed PAG-01 Authorization to Discharge page. The Coverage Expiration Date will be February 28, 2027.
3. If a CCD is the permitting authority, the CCD will:
- a. Record the coverage approval date, effective date and expiration date into an electronic data system within 5 business days of the final action.
 - b. Prepare and transmit a notice of the approval for publication in the *Pennsylvania Bulletin* to DEP administrative staff within 5 business days of the final action.
 - c. Record the NOI approval in EPA's ICIS database within 15 business days of the final action.
4. If DEP is the permitting authority, DEP administrative staff will:
- a. Close all tasks and subtasks in eFACTS using End Dates corresponding to the date of the final decision to approve coverage.
 - b. Dispose the authorization in eFACTS by entering the approval of coverage date in the "Date Disposed" and "Effective" fields and the expiration date of coverage in the "Expires" field, and selecting "ISSUE" for the disposition.
 - c. Record the NOI approval in EPA's ICIS database within 15 business days of the final action.

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- d. Prepare notice of the approval for publication in the *Pennsylvania Bulletin*.
 5. The NOI file (including all supporting documentation such as the PAG-01 Fact Sheet) will be retained at the permitting authority's office in accordance with DEP's record retention schedule for Chapter 102 permits.
- B. Decision – Deny Coverage.
1. The Application Manager will prepare the Denial of NOI letter. The letter will be sent to and signed by the DEP Program Manager. The letter will identify the statutory and regulatory requirement(s) that have not been met.
 2. The Application Manager will check the appropriate box for “Denied” and record the date of the denial letter in the “DEP/CCD Use Only” box on page 1 of the NOI.
 3. Where a CCD is the permitting authority, the CCD will update a record of the NOI in an electronic system to include the date the denial letter is transmitted, and transmit a *Pennsylvania Bulletin* notice of the denial to the DEP regional office.
 4. Where DEP is the permitting authority, DEP administrative staff or Application Manager will prepare a *Pennsylvania Bulletin* notice of the denial and update eFACTS as follows:
 - a. Complete the “COMPL” subtask, by entering the End Date as the date of the denial letter.
 - b. Enter a “DENC” subtask, with Begin, Due and End Dates as the date of the denial letter.
 - c. Dispose the authorization in eFACTS by selecting “Denied” for the disposition code and enter the date of the denial letter in the field for date disposed.
 5. DEP/CCD will retain one copy of the NOI package and denial letter in its official files for a period consistent with the records retention schedule for Chapter 102 permits.

NOTE 28 – If an NOI is denied, a *Pennsylvania Bulletin* notice is required, which should be published in the special notices section of the *Pennsylvania Bulletin* or as otherwise determined by the DEP regional office.

NOTE 29 – If an application is denied, the Base Administrative Filing Fee (\$500) and Disturbed Acreage Fee will not be refunded. Both fees must be included in any resubmission, even for the exact same project.

ATTACHMENT A

**CHAPTER 102 PRE-APPLICATION
MEETING RECORD FORM**



CHAPTER 102 PRE-APPLICATION MEETING RECORD FORM

Project Site Name:		Permit Type:
Applicant Name:		Applicant Phone:
Meeting Date:	Time:	Applicant Email:
Meeting Location:		<input type="checkbox"/> Conference Call
Application Manager Name (if known):		
Meeting Attendees:		
Name		Company / Organization
_____		_____
<p>Recommended Agenda:</p> <ul style="list-style-type: none"> I. Introductions II. Overview of Permit Review Process (DEP/CCD) III. DEP/CCD expectations IV. Overview of Permit Decision Guarantee (DEP/CCD, if applicable) V. Project overview (Applicant/Consultant) <ul style="list-style-type: none"> a. Brief description of project b. Identification on unique site features on the Project Site 		

- c. Identification of status of design; including potential E&S and PCSM BMPs
- d. Status of PNDI Search

VI. Identification of required Chapter 102 Permit (DEP/CCD)

VII. Review NOI/Application forms and Instructions (DEP/CCD)

VIII. Discussion of common completeness and technical deficiencies (DEP/CCD)

IX. Questions and answers

X. Next steps (DEP/CCD)

Meeting Notes:

Handouts Provided by DEP During Meeting:

Name of DEP/CCD Representative Recording Notes:

Date Record Form Provided to Applicant:

ATTACHMENT B
PAG-01 FACT SHEET

**NPDES PAG-01 GENERAL PERMIT
FACT SHEET**

The checklists contained in this fact sheet are intended to provide guidance to staff reviewing the NOI but are not intended to be inclusive of all administrative and technical considerations; staff may supplement the information on this checklist with additional factors prescribed under regulations.

Applicant and Project Information			
Applicant Name: _____	Project Name: _____		
Applicant Address: _____ _____	Project Address: _____ _____		
Municipality: _____	County: _____		
Receiving Water(s): _____	Ch. 93 Class: _____		
Date Application Received: _____	Earth Disturbance: _____ acres		
NOI Type: _____	Review Period: _____ days		
Project Description: _____			

NOI Completeness Review Checklist				
	COMPLETENESS ITEM	TRUE	FALSE	N/A
1.	102.6(a)(1) – The PAG-01 NOI package was submitted in a manner in which receipt by DEP/CCD can be confirmed (e.g., Certified Mail).	<input type="checkbox"/>	<input type="checkbox"/>	
2.	102.6(a)(1) – The applicant requested a pre-application meeting.	<input type="checkbox"/>	<input type="checkbox"/>	
3.	102.6(a)(1) – One original and one copy of the complete NOI form (3800-PM-BCW0404b) were submitted and were completed as instructed in the PAG-01 NOI Instructions.	<input type="checkbox"/>	<input type="checkbox"/>	
a.	The total earth disturbance area is less than 5 acres.	<input type="checkbox"/>	<input type="checkbox"/>	
b.	The total impervious proposed within the <u>earth disturbance area</u> is ≤ 30,000 sf.	<input type="checkbox"/>	<input type="checkbox"/>	
c.	The total impervious following construction is ≤ 12% of the <u>project site area</u> .	<input type="checkbox"/>	<input type="checkbox"/>	
d.	Stormwater discharges from the site will not discharge to HQ/EV surface waters.	<input type="checkbox"/>	<input type="checkbox"/>	
e.	All other eligibility requirements of PAG-01 as specified in Sections II, III and IV of the General Permit appear to be met.	<input type="checkbox"/>	<input type="checkbox"/>	
4.	102.6(a)(1) – Two copies of County and Municipal Notification Forms (3800-FM-BCW0271b and 3800-FM-BCW0271c, respectively) with county and municipal signatures or proof that the county and municipality received the forms were submitted.	<input type="checkbox"/>	<input type="checkbox"/>	
5.	102.6(a)(2) – Two copies of the PNDI receipt (draft receipts not acceptable), which will not expire prior to anticipated authorization of permit coverage, were submitted. ¹	<input type="checkbox"/>	<input type="checkbox"/>	
6.	102.6(a)(2) – If applicable, two copies of PNDI clearance letters from the appropriate agencies if 1) the PNDI receipt indicates “Potential Impact” or 2) the PNDI receipt indicates “Avoidance Measures” and the applicant has not signed the PNDI receipt indicating that the applicant will fulfill those Avoidance Measures were submitted. ^{1,2}	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approve	Deny	Signature	Date
<input type="checkbox"/>	<input type="checkbox"/>	Application Manager Name	
<input type="checkbox"/>	<input type="checkbox"/>	CCD Manager / DEP Permits Chief or Program Manager Name	

NOI Completeness Review Checklist (Continued)

COMPLETENESS ITEM		TRUE	FALSE	N/A
7.	102.6(a)(1) – Two copies of NRCS Soil Survey Map reflecting soil types at the project site (check box for TRUE if soil map boundaries are included in the E&S and/or PCSM Plan Drawings).	<input type="checkbox"/>	<input type="checkbox"/>	
8.	102.6(a)(1) – Two copies of the complete E&S Module 1 (3800-PM-BCW0406a) were submitted and were completed as instructed in the PAG-01 NOI Instructions. ^{3,4}	<input type="checkbox"/>	<input type="checkbox"/>	
a.	102.4(b)(5)(ix) – Details were provided for all E&S BMPs (can be reported in Table 1 of E&S Module 1 as a Standard Figure or Detail in the E&S Manual or can be shown on E&S Plan Drawings).	<input type="checkbox"/>	<input type="checkbox"/>	
b.	102.4(b)(5)(vi) – Table 1 of E&S Module 1 was completed (Standard E&S Worksheets are not required but may be requested if the reviewer has questions during technical review).	<input type="checkbox"/>	<input type="checkbox"/>	
c.	102.4(c) – An Off-site Discharge Analysis was provided, if applicable (if question 5 of the Stormwater Discharge Information section of NOI is checked, an Off-Site Discharge Analysis is required) (not required for post-filter strip overland flow paths ≥ 500 ft).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	102.4(b)(5)(v) – If hydric soils are present, a wetland determination was submitted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	102.4(b)(5)(xii) – If contaminated soils are present, documentation was provided that pollutant levels do not exceed residential MSCs for soil in Chapter 250 (Appendix A, Tables 3 and 4). ⁵	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	102.4(b)(5)(ix) – Two sets or copies of E&S Plan Drawing(s) were submitted.	<input type="checkbox"/>	<input type="checkbox"/>	
a.	102.4(b)(5)(i) – The Drawing(s) include existing and proposed topography with appropriate contour labels.	<input type="checkbox"/>	<input type="checkbox"/>	
b.	102.4(b)(5)(iii) – The Drawing(s) include the project site boundary.	<input type="checkbox"/>	<input type="checkbox"/>	
c.	102.4(b)(5)(iii) – The Drawing(s) include the limit of earth disturbance within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	
d.	102.4(b)(5)(v) – The Drawing(s) show receiving surface water(s) or other waters of the Commonwealth and the floodway or floodplain within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	102.4(b)(5)(ix) – The Drawing(s) identify all discharge points during construction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	102.4(b)(5)(vi) – The Drawing(s) show the location of all BMPs and drainage areas to the BMPs as applicable.	<input type="checkbox"/>	<input type="checkbox"/>	
g.	102.4(b)(5)(iii) – The Drawing(s) show existing and proposed utilities and site improvements.	<input type="checkbox"/>	<input type="checkbox"/>	
h.	102.4(b)(5)(xv) – The Drawing(s) show existing and proposed riparian buffer(s), if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i.	102.4(b)(5)(iii) – The Drawing(s) show proposed off-site support activities, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j.	102.4(b)(5)(iii) – The Drawing(s) show the location(s) of known sinkholes, surface depressions and wetlands, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k.	102.4(b)(5)(xii) – The Drawing(s) show the extent of known contaminated soils (exceeding Chapter 250 MSCs for residential use) in relation to the limit of disturbance, if applicable. ⁵	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l.	102.4(b)(5)(ix) – The Drawing(s) provide E&S BMP details OR standard figures or details from the E&S Manual will be used (as reported in Table 1 of E&S Module 1) ^{3,4}	<input type="checkbox"/>	<input type="checkbox"/>	
m.	102.4(c) – The Drawing(s) show the Avoidance Measures specified on the signed PNDI receipt, if applicable. ⁶	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n.	102.4(b)(5)(vii) – The Drawing(s) provide for protection of infiltration PCSM BMPs until drainage areas are completely stabilized, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOI Completeness Review Checklist (Continued)

COMPLETENESS ITEM		TRUE	FALSE	N/A
o.	102.4(b)(5)(vii) & 102.4(b)(5)(xii) – The Drawing(s) show the sequence of construction, an operation and maintenance (O&M) program, and procedures for recycling or disposing of materials (not necessary if a separate narrative is attached).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
p.	102.4(b)(5)(vi) – The proposed E&S BMPs do not include sediment basin or sediment trap (note – compost filter sock sediment traps are acceptable).	<input type="checkbox"/>	<input type="checkbox"/>	
10.	102.8(f)(9) – Two sets or copies of PCSM Plan Drawing(s) were submitted.	<input type="checkbox"/>	<input type="checkbox"/>	
a.	102.8(f)(1) – The Drawing(s) include existing and proposed topography with appropriate contour labels.	<input type="checkbox"/>	<input type="checkbox"/>	
b.	102.8(f)(3) – The Drawing(s) include the project site boundary.	<input type="checkbox"/>	<input type="checkbox"/>	
c.	102.8(f)(3) – The Drawing(s) include the limit of earth disturbance within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	
d.	102.8(f)(5) – The Drawing(s) show receiving surface water(s) or other waters of the Commonwealth and the floodway or floodplain within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	102.8(f)(9) – The Drawing(s) identify all post-construction discharge points.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	102.8(f)(6) – The Drawing(s) show the location of all BMPs and impervious areas with Area Identifiers cross-referenced to the NOI.	<input type="checkbox"/>	<input type="checkbox"/>	
g.	102.8(f)(3) – The Drawing(s) show existing and proposed utilities and site improvements.	<input type="checkbox"/>	<input type="checkbox"/>	
h.	102.8(f)(14) – The Drawing(s) show existing and proposed riparian buffer(s), if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i.	102.8(f)(3) – The Drawing(s) show proposed off-site support activities, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j.	102.8(f)(12) – The Drawing(s) show the location(s) of known sinkholes, surface depressions and wetlands, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k.	102.8(f)(12) – The Drawing(s) show the extent of known contaminated soils (exceeding Chapter 250 MSCs for residential use) in relation to the PCSM BMPs, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l.	102.8(f)(6) – The Drawing(s) provide PCSM BMP details if rain gardens, dry wells and/or berms are proposed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m.	102.8(c) – The Drawing(s) show the Avoidance Measures specified on the signed PNDI receipt, if applicable. ⁶	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n.	102.8(f)(1) – The Drawing(s) show how off-site stormwater will be diverted around PCSM BMPs, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o.	102.8(f)(7), (10) and (11) – The Drawing(s) show the sequence of PCSM BMP implementation, a long-term O&M schedule, and procedures for recycling or disposing of materials (not necessary if a separate narrative is attached).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
p.	102.8(f)(6) – The Drawing(s) (or separate narrative) provide information on the methods for completing soil amendments, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
q.	102.8(f)(7) – The Drawing(s) (or a separate narrative) identify critical stages for implementation of PCSM BMPs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
r.	102.8(f)(1) – The Drawing(s) show the overland flow path following vegetated filter strips, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	102.8(f)(15) – PCSM BMPs are consistent with design standards in the PAG-01 General Permit and BMP Manual.	<input type="checkbox"/>	<input type="checkbox"/>	
a.	The project meets one or more of the PAG-01 criteria for a site restoration project and areas to be restored are shown on the PCSM Plan Drawing(s).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	All impervious areas treated by Concentrated Flow Standard BMPs are ≤ 2,000 sf and all impervious areas treated by Sheet Flow Standard BMPs are ≤ 1,000 sf.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Concentrated Flow Standard, Dry Wells – If a dry well(s) is proposed, 1) the dry well credit is calculated consistent with the PAG-01 General Permit; 2) leaf filter guards are provided on all gutters; and 3) an overflow with level spreader is provided to a downstream vegetated filter strip.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOI Completeness Review Checklist (Continued)

COMPLETENESS ITEM	TRUE	FALSE	N/A
d. Concentrated Flow Standard, Pre-Filter Strip – All concentrated rooftop flows are routed to a level spreader or similar device.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Concentrated Flow Standard, Filter Strip Slope – All vegetated filter strips have an average slope of 2% or less, or calculations have been provided demonstrating that a slope > 2% will withstand velocities up to the 100-year/24-hour storm (with or without enhancements such as check dams), not exceeding 4%.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Concentrated Flow Standard, Filter Strip Length – Where the impervious area treated is up to 1,000 sf, the length of the filter strip(s) is at least 5% of the contributing impervious area (minimum of 12 feet). Where the impervious area treated is between 1,000 sf and 2,000 sf: the length of the filter strip(s) is at least 10% of the area of the rain garden (sized at 12.5% of impervious area).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Concentrated Flow Standard, Filter Strip Width – The width of the filter strip(s) is at least 50% of the filter strip length.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Concentrated Flow Standard, Post-Filter Strip – Where the impervious area treated is ≤ 500 sf, following the filter strip(s) either 500 ft of pervious area to the property line, surface waters or conduits to surface waters at ≤ 5% slope or a berm with height of 2% of filter strip length spanning the downstream width of the filter strip(s) is provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Concentrated Flow Standard, Post-Filter Strip – Where the impervious area treated is > 500 sf and ≤ 1,000 sf, following the filter strip(s) a berm with a minimum height of 6 inches spanning the downstream width of the filter strip(s) is provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Concentrated Flow Standard, Post-Filter Strip – Where the impervious area treated is > 1,000 sf and ≤ 2,000 sf, a rain garden with an area of at least 12.5% of the contributing impervious area is provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. Concentrated Flow Standard, Rain Garden – If a rain garden is proposed, the rain garden has a ≥ 10-inch berm at its terminus and a ponding depth no greater than 10 inches.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Concentrated Flow Standard, Rain Garden – For HSG Type A/B soils, no underdrain should be proposed. For HSG Type C/D soils, an underdrain may be included but it should be capped or valved and O&M specifications should identify that it may be opened only when there is insufficient drawdown at the 2-year/24-hour storm.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. Sheet Flow Standard, Pre-Filter Strip – a 12-inch gravel verge with a minimum 2-inch drop from the pavement edge is proposed for all sections of impervious.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n. Sheet Flow Standard, Filter Strip Slope – All filter strips have an average slope of 2% or less, or calculations have been provided demonstrating that a slope > 2% will withstand velocities up to the 100-year/24-hour storm (with or without enhancements such as check dams), not exceeding 4%.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o. Sheet Flow Standard, Filter Strip Length – Where the impervious area treated is up to 500 sf, the length of the filter strip(s) is at least 5% of the contributing impervious area (minimum of 12 feet). Where the impervious area treated is between 500 sf and 1,000 sf, the length of the filter strip(s) is at least 30 feet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
p. Sheet Flow Standard, Filter Strip Width – The width of the filter strip(s) is the span of the roadway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
q. Sheet Flow Standard, Post-Filter Strip – Where the impervious area treated is ≤ 500 sf, following the filter strip(s) either 500 ft of pervious area to the property line, surface waters or conduits to surface waters at ≤ 5% slope or a berm with a height of 2% of filter strip length spanning the downstream width of the filter strip(s) is provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
r. Sheet Flow Standard, Post-Filter Strip – Where the impervious area treated is > 500 sf and ≤ 1,000 sf, following the filter strip(s) either 800 ft of pervious area to the property line, surface waters or conduits to surface waters at ≤ 5% slope or a berm with a height of ≥ 6 in is provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
s. If soil types are HSG C or D, plans contain specifications for amendment of soils for all PCSM BMPs up to 8 inches (for C soils) or 20 inches (for D soils).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOI Completeness Review Checklist (Continued)

COMPLETENESS ITEM	TRUE	FALSE	N/A
t. The media specified for soil amendment is silica sand meeting the specifications in the PAG-01 General Permit or an approved alternative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
u. If new vegetation will be established in filter strip(s) and/or rain garden(s), specifications for the vegetation and/or a planting plan are provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v. The area of undetained (untreated) impervious surface does not exceed 5% of the total new impervious area.	<input type="checkbox"/>	<input type="checkbox"/>	

Footnotes

- 1** PNDI receipts and clearance letters (if applicable) should be verified prior to the Completeness Review but is included in the Completeness Checklist for verification. If these are missing the NOI should be returned instead of considered incomplete (if applicable). Concurrent review of PAG-01 NOIs while an applicant obtains clearance letters is not authorized.
- 2** Clearance applies to threatened and endangered species only (i.e., not species of special concern).
- 3** If Table 1 is completed in E&S Module 1, Standard Worksheets from the E&S Manual are not required for completeness. If the Application Manager has technical concerns with E&S BMPs or design, the Application Manager may request a copy of the worksheets as part of the Technical Review.
- 4** Supporting E&S calculations are not required for completeness. If the Application Manager has technical concerns over the E&S BMPs or design, the Application Manager may request a copy of the calculations as part of the Technical Review.
- 5** If there is no known soil contamination on the site, both 8.e and 9.k would be marked as "Not Applicable." If there is known contamination, the applicant should submit documentation on soil pollutant concentrations and compare those concentrations with Chapter 250 residential MSCs. If documentation is not submitted, the response to 8.e should be "False" and the NOI would be considered incomplete. If documentation is submitted and shows that pollutant levels on-site do not exceed residential MSCs, the answer to 8.e will be "True." If documentation is submitted and shows pollutant levels on-site do exceed residential MSCs, the answer to 8.e will be "False." An answer of False in this context could render the project ineligible, subject to the answer in 9.k, but would not be considered an incompleteness item. If the answer to 8.e is Not Applicable or True, the answer to 9.k should be Not Applicable. If the answer to 8.e is False because documentation reveals pollutant levels exceeding Chapter 250 residential MSCs, the Drawings must show the extent of contaminated soils. If the Drawings do not show this extent, the answer is False and the NOI is incomplete.
- 6** If the PNDI receipt indicates "Avoidance Measures," the applicant must have signed the PNDI receipt and included the avoidance measures on the E&S and PCSM Plans; otherwise clearance letters must be included with the NOI.

Completeness Review Comments:

E&S Technical Review Checklist

TECHNICAL REVIEW ITEM	TRUE	FALSE	N/A
1. The Standard E&S Control Plan Technical Review Checklist is attached.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. The Expanded E&S Control Plan Technical Review Checklist is attached.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. E&S BMPs have been designed in accordance with the E&S Manual or approved alternatives.	<input type="checkbox"/>	<input type="checkbox"/>	

Technical Review Comments:

Public Comments:

- Public comments were received and considered during the review of the NOI.
- No public comments were received during the review of the NOI.

**SOP – Review of PAG-01 General NPDES Permit NOIs
Final, February 11, 2022**

Version History

Date	Version	Revision Reason
2/11/2022	1.0	Original. Note – DEP RPCO changed to DEP Major Projects Permitting Division on 1/30/2026.