

MCM #5 Post-Construction Stormwater Management (PCSM) in New Development and Redevelopment

MCM Requirement – Permittees with coverage under the PAG-13 General Permit must rely on DEP’s program for issuing NPDES permits for stormwater discharges associated with construction activities to satisfy MCM #5. In addition to relying on the state NPDES permit program for stormwater discharges associated with construction activities, the permittee must implement the following BMPs.

BMP #1: Stormwater Management Ordinance Requiring Post-Construction Stormwater Management (PCSM)

1. Enact, implement, and enforce an ordinance or SOP requiring post-construction stormwater management from new development and redevelopment projects, including sanctions for non-compliance.
 - a. Municipal Permittees - All municipal permittees must submit a copy of an ordinance that is consistent with DEP’s 2022 Model Stormwater Management Ordinance (3800-PM-BCW0100j) as an attachment to an Annual MS4 Status Report by September 30, 2022 (existing permittees) or the fourth Annual MS4 Status Report following approval of coverage under the MS4 General Permit (new permittees).
 - b. Non-municipal Permittees - Permittees that lack the authority to enact ordinances shall develop, implement and enforce an SOP to require the implementation and maintenance of PCSM BMPs and submit the SOP to DEP by September 30, 2022 (existing permittees) or the fourth Annual MS4 Status Report

BMP #2: Encourage Low Impact Development (LID)

1. Develop and implement measures to encourage and expand the use of LID in new development and redevelopment. Measures should also be included to encourage retrofitting LID into existing development. Guidance on implementing LID practices may be found on DEP’s MS4 website, www.dep.pa.gov/MS4.
 - a. Submission of an ordinance that is consistent with DEP’s 2022 Model Stormwater Management Ordinance will satisfy this BMP.

BMP #3: PCSM Operation and Maintenance (O&M)

1. Ensure adequate O&M of all PCSM BMPs installed at development or redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale.
2. PCSM BMP Inventory
 - a. New Permittees - New permittees must develop an inventory of PCSM BMPs by the end of the first year of General Permit coverage and continually update the inventory during the permit term as development projects are reviewed, approved, and constructed.
 - b. Existing permittees - Existing permittees must update and maintain their current inventory during the permit term.
 - c. Permittee must track the following information in the PCSM BMP inventory:
 - ✓ All PCSM BMPs installed to meet requirements in NPDES Permits for Stormwater Discharges Associated with Construction Activities approved since March 10, 2003.
 - ✓ The exact location of the PCSM BMP (e.g., latitude and longitude, with street address).
 - ✓ Information (e.g., name, address, phone numbers) for BMP owners and entities responsible for BMP O&M, if different from BMP owners.
 - ✓ The type of BMP and the year it was installed.
 - ✓ Maintenance required for the BMP type according to the Pennsylvania Stormwater BMP Manual or other manuals and resources.
 - ✓ The actual inspection/maintenance activities conducted for each BMP.
 - ✓ An assessment by the permittee if proper O&M has occurred during the year and if not, what actions the permittee has taken, or shall take, to address compliance with O&M requirements.