

MCM #4 Construction Site Stormwater Runoff Control

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 this MCM. In addition to relying on the state NPDES permit program for stormwater discharges associated with construction activities, the permittee must implement the BMPs identified below.

BMP #1: Building Permits

1. Permittees may not issue a building or other permit, or final approval to those proposing or conducting earth disturbance activities requiring an NPDES permit unless the party proposing the earth disturbance has valid NPDES Permit coverage (i.e., not expired) under 25 Pa. Code Chapter 102.

BMP #2: DEP and County Conservation District Notification

1. A municipality or county which issues building or other permits must notify DEP or the applicable county conservation district (CCD) within 5 days of the receipt of an application for a permit involving an earth disturbance activity consisting of one acre or more, in accordance with 25 Pa. Code §102.42.

BMP #3: Ordinance or SOP Requiring E&S Control BMPs

1. Enact, implement and enforce an ordinance or SOP to require the implementation and maintenance of E&S control BMPs, including sanctions for non-compliance, as applicable.
 - a. Municipal permittees shall enact, implement, and enforce an ordinance to require the implementation of E&S control BMPs, including sanctions for non-compliance. All municipal permittees shall 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 (4th) Annual MS4 Status Report following approval of coverage under this General Permit (new permittees).
 - b. Permittees that lack the authority to enact ordinances shall develop, implement and enforce an SOP to require the implementation and maintenance of E&S control BMPs by September 30, 2022 (existing permittees) or the first Annual MS4 Status Report following approval of coverage under this General Permit (new permittees).