

August 26, 2015

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JACK LEVY CHAIRMAN
BUFFALO TOWNSHIP
400 BUFFALO CENTER LN
WASHINGTON PA 15301-8506

Dear Municipal Officials:

According to the 2010 Census conducted by the U.S. Census Bureau, all or a portion of your municipality lies within an urbanized area (UA). The Department of Environmental Protection (DEP) is writing to advise you that stormwater discharges from your Municipal Separate Storm Sewer System (MS4) within this UA may be regulated as a small MS4 under the U.S. Environmental Protection Agency's (EPA) regulations (see 40 CFR § 122.32(a)(1)). Unless you qualify for a waiver, your MS4 will need coverage under a National Pollutant Discharge Elimination System (NPDES) permit.

MS4s are conveyances or systems of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains that are owned or operated by a public entity, are designed or used for collecting or conveying stormwater, and are not a combined sewer or part of a publicly owned treatment works.

DEP expects that its reissued NPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (PAG-13) will become effective on March 16, 2018. All newly designated small MS4s, as a result of the 2010 Census, must apply for permit coverage by September 17, 2017 (i.e., at least 180 days prior to the effective date of the PAG-13 General Permit). This letter is being sent in advance of a formal notification that you must apply for permit coverage. DEP anticipates that the formal notification will occur on or about March 21, 2017, in which you will be given 180 days to apply for permit coverage.

There are two options for permit coverage:

1. If eligible, you may submit a Notice of Intent (NOI) for coverage under the PAG-13 General Permit. A draft PAG-13 General Permit package is available through DEP's website at www.depweb.state.pa.us/MS4. You are invited to review this information and contact DEP with any questions you may have. DEP expects to finalize and reissue the PAG-13 General Permit in the near future, with an effective date of March 16, 2018.
2. If your MS4 is ineligible for PAG-13 General Permit coverage, you will need to submit an application for an individual NPDES permit. DEP anticipates that the individual permit will be similar to the PAG-13 General Permit. There are several reasons why an

MS4 may be ineligible for PAG-13 General Permit coverage including, but not limited to, stormwater discharges to special protection (High Quality/Exceptional Value) waters and/or discharges subject to Total Maximum Daily Load (TMDL)-based pollutant reduction requirements.

You may also submit an application for a waiver of permit coverage along with an NOI or individual permit application; the proposed criteria for waiver eligibility are contained within the draft PAG-13 General Permit package available through DEP's website.

You may be required to develop and submit a Pollutant Reduction Plan (PRP) and/or a TMDL Plan with your NOI or application. DEP's website (www.depweb.state.pa.us/MS4) contains a link to a "Draft MS4 Requirements Table." You are encouraged to find your municipality in this table to identify the tentative expectations for PRP and/or TMDL Plan development for specific water bodies. You are also encouraged to provide DEP with any comments you may have on the table.

DEP will be conducting outreach and training on MS4 responsibilities in 2016 and 2017 in preparation for implementation of the 2018 PAG-13 General Permit. The dates and times will be announced on DEP's website and through municipal organizations such as PMAA, PSATS, etc. DEP encourages your participation at these events.

Questions regarding this letter can be directed to Mike Hickman (717.787.0129), Leif Rowles (717.783.2290) or DEP's MS4 e-mail account, RA-EPPAMS4@pa.gov. Upon request, DEP may be able to meet with you or a group of municipalities to discuss the MS4 program.

Sincerely,



Lee A. McDonnell, P.E.
Director
Office of Water Management