

## DEP Seeking Comments on Next General Permit

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After recently finishing off the public comment period for one National Pollutant Discharge Elimination System (NPDES) general permit, the Pennsylvania Department of Environmental Protection is looking for comments on another.

Real estate developers and construction professionals have until October 28 to supply the DEP with comments on a proposed [NPDES General Permit for Stormwater Discharges Associated with Small Construction Activities \(PAG-01\)](#).

If approved, the new permit can be used for projects involving:

- 5 acres or less of earth disturbance
- Impervious surface areas no greater than 30,000 square feet within the area of disturbance
- Impervious surface areas no greater than 12% of the project site area

DEP recently [solicited comments on its PAG-02 permit](#), which is intended to be used for projects involving 1 acre or less of earth disturbance.

An eligible PAG-01 applicant may not begin a new discharge under the general permit until:

- A pre-application meeting has been held
- A complete notice of intent package has been submitted
- The applicant receives a written approval
- All other necessary permits have been obtained
- A pre-construction meeting has been held

Applicants must submit a \$500 filing fee as well as \$100 for each disturbed acre. The notice of intent will be reviewed either by a delegated county conservation district or by DEP if the project is located in a county without a delegated county conservation district.

If a project is ineligible for coverage under the new proposal, the project must obtain an individual NPDES permit, which requires considerably more time and expense to prepare and for the DEP to review.

Comments on the draft PAG-01 General Permit can be submitted using the [DEP's online eComment tool](#) or [by email](#).

If you have any questions about the draft proposal or how it could affect your business, please [contact me](#) or anyone in the [Barley Snyder Environment & Energy Industry Group](#).

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**Martin R. Siegel**

Counsel

Tel: (717) 718-7581

Email: [msiegel@barley.com](mailto:msiegel@barley.com)