



Erosion and Sediment Pollution Control Plan & NPDES Permit Submission Policy

The Conservation District has experienced time delays in processing Erosion and Sediment Control (E&SPC) plans & NPDES Permit Applications. While some of this may be due to learning a new application process for the recently implemented Phase II regulations, much of it is also due to either (1) not submitting an NPDES Permit Application in conjunction with an E&SPC plan it is known (or should be known) that one is required, or (2) submitting an incomplete permit application package, for example, unresolved PNDI hits and incomplete post-construction stormwater management plans. This causes numerous consultations and requests for more information among our administrative and technical staff, the DEP and the plan preparer, slows down the review process, and results in permit delays for all applicants. To help provide a more timely and efficient process, the District has applied the following conditions, effective since October 1, 2003.

1) An erosion and sediment control (E&SPC) plan submission with 5.0 acres or more of disturbance requires and National Pollution Discharge Elimination System (NPDES) Permit.

All initial E&SPC plan submissions with 5.0 acres or more of disturbance must include an application for an NPDES Permit.

2) An erosion and sediment pollution control (E&SPC) plan submission with 1 to 4.99 acres of disturbance with a point source discharge to surface waters of the commonwealth requires an National Pollution Discharge Elimination System (NPDES) Permit.

All initial E&SPC plan submissions with 1 to 4.99 acres or more of disturbance must include an application for an NPDES Permit.

“Point source discharge to surface waters of the commonwealth” applies only to projects between 1 and 4.99 acres. **The Conservation District will assume that all sites have a point source discharge. If the plan preparer believes a project does not meet this criterion and does not submit a NPDES permit application package, the written justification (can be included in the transmittal letter) must be submitted with the request for E&SPC plan review.** The Conservation District’s first review letter will address whether or not the request for permit exemption is accepted.

NOTE:

- a) If an NPDES application is not included with the initial E&SPC plan submission, the entire submission will be returned to the plan preparer.
- b) If the NPDES application is administratively incomplete, the entire submission including E&SPC plan will be returned to the plan preparer.
- c) If the NPDES application is submitted without previously executed PNDI search forms and proof of resolved conflicts, the entire submission will be returned to the plan preparer. PNDI search requests are to be submitted well in advance of NPDES permit application submittal.
- d) All NPDES Permit applications must clearly call out the Post Construction Stormwater Management BMP’s in a separate narrative labeled as such and in separate drawings labeled as such. Failure to do so will result in the submission being incomplete and the entire submission will be returned to the plan preparer.