

Montgomery County Conservation District

143 Level Road

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www.montgomeryconservation.org

For District Use Only

Entry #	_____
NPDES Permit#	_____
Chapter 102 Review Fee:	_____ Check# _____
NPDES Fee:	_____ Check# _____
Disturbed Acre Fee:	_____ Check# _____
Expedited Fee:	_____ Check # _____

The Montgomery County Conservation District and DEP recommends a pre-application meeting with the District prior to submitting the application for a NPDES permit. The Applicant is required to attend the pre-application meeting.

APPLICATION FOR CHAPTER 102 and/or NPDES PERMIT REVIEW

PROJECT INFORMATION:

Application Type:

___ New ___ 1st Revision ___ 2nd + Revision ___ Renewal ___ Modification ___ Corrective Action Plan

PROJECT NAME: _____ MUNICIPALITY: _____

SITE LOCATION: _____ CITY: _____ ZIP CODE: _____

PROJECT ACRES: _____ CUMULATIVE DISTURBED ACRES: _____

(Project Acres is the total acreage of the planned project including support areas such as staging, borrow, or spoil areas).

Watershed: _____ Receiving Stream: _____ Chapter 93 Classification: _____

APPLICANT INFORMATION (Print or Type)

PLAN PREPARER (Print or Type)

NAME: _____

NAME: _____

FIRM: _____

FIRM: _____

ADDRESS: _____

ADDRESS: _____

CITY: _____ STATE: _____

CITY: _____ STATE: _____

ZIP CODE: _____ PHONE: _____

ZIP CODE: _____ PHONE: _____

EMAIL: _____

EMAIL: _____

Please indicate how you would like to receive correspondence regarding this project:

The District will email all correspondence unless another option is chosen. Original permit documents will always be sent via first class mail unless arrangements are made to pick up the package.

Applicant: ___ Email ___ Standard Mail Plan Preparer: ___ Email ___ Standard Mail

Type of earth disturbance activity: ___ Single Family Residential ___ Residential Subdivision ___ Industrial/Commercial
___ Utility ___ Government ___ Pond/Stream ___ Public Road ___ Agriculture Other: _____

FEES: (See pages 2-3 for explanation of applicable fees)

1. Chapter 102 Plan Review Fee payable to: "Montgomery County Conservation District" \$ _____
2. NPDES Permit Administrative Filing Fee payable to: "MCCD - Clean Water Fund" \$ _____
3. Disturbed Acre Fee payable to: "Commonwealth of Pennsylvania Clean Water Fund" \$ _____

The Applicant agrees to comply with all requirements of TITLE 25, CHAPTER 102, EROSION AND SEDIMENT CONTROL RULES AND REGULATIONS as set forth by the Pennsylvania Department of Environmental Protection, and further agrees to obtain all necessary federal, state, county and local permits associated with the above project.

Date: _____

GENERAL INFORMATION

Note: Applications are date stamped upon receipt. Applications received after 3:00P.M. will be stamped as received the next business day. The last business day of each month will have applications received after 2:00P.M. stamped for the next business day. The application will be reviewed following the Department of Environmental Protection’s current Standard Operating Procedures.

The review process will not begin until the applicant has provided the correct fees required for the submitted plan review.

The fee schedule will apply when an earth disturbance activity is required to be submitted for an adequacy review of the Chapter 102 regulations.

The fee charged for adequacy review will cover the initial review. A cover letter based on the initial review letter, which details the corrections made item by item, must be included with the revised plan. All changes (revisions) made on the resubmitted drawing sets must be highlighted. Additional fees for subsequent reviews will be required (see Revisions section on page 3).

For larger projects to be developed as separate phases, each resubmission of a different project area (different phases) on the same tract of land will be charged an additional fee for the earth disturbance in that phase.

ADJUSTMENT OF FEES for the Chapter 102 adequacy review of Project Plans

Only PennDOT is exempt from the Chapter 102 Plan Review fee, NPDES Permit Application fee and the Disturbed Acre Fee. PennDOT must be the applicant for fees to be waived.

FEES:

AN NPDES PERMIT FOR EARTH DISTURBANCE ASSOCIATED WITH CONSTRUCTION ACTIVITIES IS REQUIRED FOR EARTH DISTURBANCE ACTIVITY OF ONE (1) ACRE OR MORE OVER THE LIFE OF THE PROJECT:

1. All submissions will require a Chapter 102 Plan Review Fee payable to “Montgomery County Conservation District” (See below). **Please note that NPDES Permitted projects will also require two additional checks for the NPDES Permit Administrative Filing Fee and a Disturbed Acre Fee.**
2. All new and renewal submissions require a NPDES Permit Administrative Filing Fee payable to “MCCD - Clean Water Fund” for **\$500.00** for a General NPDES Permit or **\$1,500.00** for an Individual NPDES Permit.
3. A Disturbed Acre Fee payable to “Commonwealth of Pennsylvania Clean Water Fund”, which is equal to the number of disturbed acres, rounded to the nearest whole acre, at **\$100** per disturbed acre.
4. Requests for an additional set of “adequate stamped” plans will be charged a \$95 processing fee. The plans to be stamped must be the exact set of plans that were originally stamped. Modifications to the plan sets do not qualify for this fee.

Chapter 102 Plan Review Fee Schedule:

<u>DISTURBED ACRES</u>	<u>FEE FOR SERVICE</u>
0.1 to .99	\$455.00
1 to 4.99	\$1,950.00
5 to 9.99	\$3,095.00
10 to 19.99	\$4,510.00
20+	\$4,510.00 plus \$100.00 per acre over 20 (round to nearest whole acre)

Single Residential Lot:

A fee of **\$200.00** will be charged for a single residential lot with minimal earth disturbance (½ ac. or less), on less than 3% slope.

Agriculture Construction:

The above fee schedule will apply for agricultural earth disturbance other than agricultural “plowing or tilling” and animal heavy use areas. The NPDES permit requirement may also apply depending on acres to be disturbed.

Chapter 105 or other Water Quality Permit:

Chapter 102 Plan review for a Chapter 105 Permit will be charged **\$200.00** per encroachment unless the application is part of a larger project plan being reviewed by the Conservation District.

Timber Harvesting:

- A. Select Cutting: A fee of **\$95.00** for Select Timber Harvesting will be charged.
- B. Clear Cutting: A fee based on 10% of the entire timber sale project area in acres will be assumed to be the disturbed area. The fee would then be based on this calculated 10% of the project. Example: 25-acre timber harvest fee would be 10% of 25 acres or 2.5 acres, which equals \$1,950.00 (1 to 4.99 ac.).
- C. Clear cutting for the purpose of land development does not qualify as Timber Harvesting; this is considered earth disturbance associated with construction activity.

Corrective Action Plan:

A Corrective Action Plan (CAP) fee based on the BMP tributary area in acres will be assumed to be the disturbed area. The fee would then be based on this calculated tributary drainage area. Example: A CAP for a BMP having a tributary drainage area of 3.0 acres would have a CAP review fee of \$1,950.00.

Revisions:

District Inadequate Letter: Applications determined to be inadequate to meet compliance with Title 25 – Chapter 102, Erosion & Sediment Control, which may require a second review and have more than minor or “verbal” review comments, will be subject to a review fee of 50% of the review fee in effect at the time of submission. Minor or “verbal” comments are those comments where the planned or implemented BMPs are adequate to minimize accelerated erosion and sedimentation, and/or will not require verifying calculations or other in-depth review. Minor or “verbal” comments may include, but are not limited to: a CAD file layer not turned on, a missing scale, failure to include required notes and/or details, minor design revisions, etc. This is at the discretion of the reviewer.

District Adequate Letter: Applications which receive a letter of adequacy and are resubmitted with amendments will be processed as either a minor amendment or a major amendment following PA DEP’s current guidance on minor v. major amendments. For purposes of determining the Chapter 102 Plan Review Fee for an amendment, plans with insignificant changes (such as where the planned or implemented BMPs are adequate to minimize accelerated erosion and sedimentation, and/or will not require verifying calculations or other in-depth review & approval) will be subject to a \$95.00 processing fee, and plans which are resubmitted as a minor or major amendment will be subject to a review fee of 50% of the review fee in effect at the time of resubmittal to the District. The District reserves the right to charge a full fee if the changes are deemed significant. A full fee will be charged on all additional acreage.

Renewals:

For NPDES permitted projects that are being submitted for renewal with no changes to the originally permitted application and meet the current regulations of Chapter 102, a fee of **\$250** will apply. NPDES permitted projects submitted for permit renewal, which require and/or propose changes, will be charged a fee of 50% of the review fee in effect at the time of re-submittal to the District. When renewing NPDES permitted projects, an NPDES Permit Administrative Filing Fee (**\$500.00** for a General NPDES Permit or **\$1,500.00** for an Individual NPDES Permit) must be paid. The Disturbed Acre Fee does not need to be paid if there are no additional acres of disturbance. A Disturbed Acre Fee would be needed for any additional proposed disturbance.

Cancelled Projects:

The application fee for the NPDES permit and/or adequacy review of the Chapter 102 Plans will be returned upon receipt of a written correspondence from the applicant requesting withdraw of the application. The correspondence must be received prior to the District initiating the completeness review and/or technical review, respectively.

E & S Plan Information: (Please use the E & S Pollution Control Technical Review Checklist located in the E & S Pollution Control Manual pages 355-356). All plans must be folded. Rolled plans will not be accepted without prior approval.

Non-Permit Application: (Earth disturbance activity of less than one (1) acre)

Typically, this refers to E & S Plans submitted for review per municipal ordinance, compliance, or E & S plans submitted as a requirement or condition of other state or federal water quality permits. Two (2) sets of all documents (application, drawings/designs, narrative, and calculations) are required.

The District adequate letter for the Erosion & Sediment Control plan for less than one acre of earth disturbance is valid for three years from the date of the District adequate letter.

NPDES Permit Information: (Please use the Completeness Checklist form located in the N.O.I. Application)

1. For NPDES Permit application; all information as indicated on the Notice of Intent form must be included with this application form:

GENERAL NPDES:	(2) sets of all documents.
INDIVIDUAL NPDES:	(3) sets of all documents.
2. The NPDES permit application should not be submitted without a previously executed PNHP (Penna. Natural Heritage Program) search form and proof of resolved conflicts. Applications submitted without the PNHP information will be returned to the plan preparer. Applicants requesting the District to conduct the PNHP search will be subject to a \$500 fee.
3. All NPDES permit applications must contain a Post-Construction Stormwater Management (PCSM) Plan as a separate narrative and separate drawings labeled as PCSM Plan. The (PCSM) Plan must address all items listed in the permit application checklist.
4. Applications which receive a letter of adequacy are valid until the NPDES permit expiration date or the Notice of Termination has been acknowledged, provided no changes to the plan or implementation of the plan have occurred which alter the effectiveness of the BMPs.
5. If the NPDES application is not administratively complete, the first resubmission of requested information will be handled at no additional fee. If additional resubmissions are deemed appropriate, each resubmission will be subject to a **\$500.00** fee.

ADDITIONAL INFORMATION/ DEFINITIONS

1. **Total Project Area:** The entire parcel of land controlled by the Landowner/Developer will represent the total project area for the proposed improvements. Open space areas are to be included in the total project area.
2. **Disturbed Area:** That portion of the total project area which will be disturbed for any reason throughout the life of the construction project until final stabilization has been achieved.
3. **Off-Site Earth Disturbance:** Off-site areas of earth disturbance associated with the project require a written Erosion & Sediment Control plan (>5,000 sq. ft), and implementation of the plan. NPDES permit requirements may also apply.
4. **Single Residential Lot:** Single family home built on individual lot, including driveways/roads
5. **Commercial, Industrial:** Includes office buildings, retail stores, restaurants, hotels/motels, manufacturing, warehouses, parking lot, athletic fields, golf courses, etc.
6. **Utility Lines:** Review fee is based on the total disturbed area (length x width) converted to acres.
7. **Agriculture Construction Activity:** Review fee is based on the total earth disturbance.
8. **General NPDES Permit:** For earth disturbance activity of 1 acre or more not draining into a special protection watershed.
9. **Individual NPDES Permit:**
 - a. For earth disturbance activity of 1 acre or more in a Special Protection Watershed (High Quality or Exceptional Value).
 - b. If the project has the potential to discharge toxic pollutants.
 - c. Where the requirements of Chapter 102 are not able to be met and the proposed application has the potential to cause significant adverse environmental impact.
10. **Corrective Action Plan:** There are two main types of PCSM compliance situations that may lead to the development of a corrective Action Plan (CAP). The first scenario deals with Earth Disturbance activities that are done without a required permit, and the second deals with situations where there is a permit, but the permittee has either not followed the approved plan or there are enough failures and issues that cannot be addressed through normal operation and maintenance that a new one needs to be developed. For additional information, please see the DEP Bureau of Clean Water Standard Operating Procedure (SOP) - Compliance Strategy for Post Construction Stormwater Management, BCW-ENF-005, July 2018.