



March 20, 2019

Steven Morus
Forest Hills Borough
2071 Ardmore Boulevard
Pittsburgh, PA 15221-4644

Re: PAG-13 General Permit Approval
Forest Hills Borough Sewer System
NPDES Permit No. PAG136239
Authorization ID No. 1199762
Forest Hills Borough, Allegheny County

Dear Mr. Morus:

The Department of Environmental Protection (DEP) has reviewed your Notice of Intent (NOI) to operate under the PAG-13 General NPDES Permit and has determined that you are eligible for coverage under the statewide General Permit. Your permit is enclosed.

The statewide General Permit expires on March 15, 2023. **However, your coverage under the General Permit does not expire unless your coverage is revoked by DEP. A Notice of Intent (NOI) to renew your coverage is no longer required.** When the statewide General Permit is renewed, the permit will be published in the Pennsylvania Bulletin. Following publication of the final renewed General Permit, you must comply with the terms and conditions of the renewed General Permit or otherwise submit an application for an individual NPDES permit. You may submit an application for a waiver to DEP anytime during the term of your General Permit coverage if, due to changing circumstances, you become eligible for a waiver.

The General Permit contains numerous scheduled requirements that may apply to you. Please review DEP's "Summary of Scheduled Requirements" document, available at www.elibrary.dep.state.pa.us (select "Permit and Authorization Packages", "Clean Water", and "PAG-13 MS4 General Permit").

The submission of Annual MS4 Status Reports is required by the General Permit. You must submit the annual reports to the DEP office that approved your General Permit coverage by September 30th of each year to describe activities conducted under the General Permit during the period of July 1 – June 30. You must also submit the annual installment payment of \$500 to DEP's Bureau of Clean Water by September 30th of each year.

You are required to comply with the Pollutant Control Measures (PCMs) contained in Appendices B and C for the surface waters identified in DEP's MS4 Requirements Table (see www.dep.pa.gov/MS4). You are required to submit to DEP the following: 1) a storm sewershed map for outfalls that discharge to the impaired surface waters; 2) an inventory of all suspected and known sources of the pollutant(s) of concern within the storm sewershed(s); and 3) a report

documenting an investigation of each suspected source. Deadlines for submission of this documentation as attachments to future Annual MS4 Status Reports are established in the Appendices. You must also enact an ordinance that requires proper management of animal wastes on property owned by the permittee. If an ordinance or SOP already exists that controls animal wastes, it must be attached to the first Annual MS4 Status Report due following the first year of coverage unless the ordinance or SOP was attached to the NOI for General Permit coverage). If a new ordinance or SOP is enacted or adopted, the new ordinance or SOP must be attached to the first Annual MS4 Status Report due following enactment or adoption, but no later than September 30, 2022.

DEP has reviewed your Pollutant Reduction Plan (PRP). Your PRP is hereby approved. The following elements of your PRP(s) will be evaluated by DEP during the permit term:

- **If considering stream restoration as a BMP for meeting the required pollutant reduction, the municipality must follow the guidelines set in DEP's document titled "Considerations of Stream Restoration Projects" to ensure that your proposal is an eligible MS4 Best Management Practice. A PDF of the guidance can be accessed via the following link: <http://www.dep.pa.gov/Business/Water/CleanWater/StormwaterMgmt/Stormwater/Pages/default.aspx>. You should also consult the "Expert Panel Report" from September 18, 2014 accessible at the link: http://chesapeakestormwater.net/wp-content/uploads/dlm_uploads/2013/05/stream-restoration-merged.pdf. Please note that failure to comply with the Department's Stream Restoration guidelines may disqualify your project as an acceptable pollutant reduction measure.**
- **A Stormwater Management Ordinance that is consistent with the 2022 DEP Model Ordinance must be enacted by September 30, 2022.**
- **Although the Borough is free to change which of the Best Management Practices (BMPs) they will install to achieve the required sediment reduction, the Borough must inform the Department which of the BMPs they initially plan to pursue. As such, please inform the Department, within 60 days from the date of this letter, which BMPs the Borough plans to initially pursue, their proposed locations, and provide updated calculations showing the amount of sediment removal achieved from each of these BMPs.**
- **If stormwater inlet filters or other solids removal is proposed, no more than 50% of total pollutant reduction requirements can be met through this BMP. The drainage area treated by this BMP may be no greater than 0.5 acre unless it can be demonstrated that the specific system proposed is capable of treating stormwater from larger drainage areas. For planning purposes, the sediment removal efficiency specified by the manufacturer may be assumed, but no higher than 80%. Calculations must include a reasonable estimate of the mass of solids collected**

through this BMP over time and must follow instructions in the BMP Effectiveness Values document. A clear maintenance schedule must be specified.

During the permit term, DEP will evaluate your progress in implementing the PRP(s). If progress is not satisfactory DEP may require you to obtain coverage under an individual permit.

You are required to implement the load reduction requirements established in Appendix E of the General Permit within five years, and you must submit a report demonstrating that you have met these requirements as an attachment to the first Annual MS4 Status Report that is due following completion of the 5th year of General Permit coverage.

We would like to bring DEP's eNOTICE service to your attention. eNOTICE is a subscription service that provides options to receive notifications of DEP's activities such as the receipt of permit applications, comment periods for guidance and regulations, and stream redesignation evaluations. To sign up for an account, visit DEP's website (www.dep.pa.gov) and select Data and Tools – Tools – eNOTICE.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE

SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions, please contact Mark Okrutny at 412.442.4049.

Sincerely,

/s/

Christopher Kriley, P.E.
Environmental Program Manager
Clean Water Program

Enclosures

cc: Glenn Engineering
Central Office, Division of Operations
Region
Operations