

DAUPHIN COUNTY CONSERVATION DISTRICT
EROSION AND SEDIMENT POLLUTION CONTROL
PLAN REVIEW AND SITE INSPECTION/NPDES PERMIT
RULES AND GUIDELINES

I. Authority and Applicability of Review and Inspection Fee

- A. Authority – The Dauphin County Conservation District (District) is delegated certain responsibilities for the Erosion and Sediment Pollution Control (E&SPC) program and the National Pollutant Discharge Elimination System (NPDES) program for discharge of stormwater from construction activities. These programs implement the provisions of 25 Pa. Codes, Chapters 91, 92, 93, 96, 97, and 102; the Pennsylvania Clean Streams Law; the Conservation District Law; the Federal Clean Water Act; and applicable Federal regulations.
- B. Applicability – The Review and Inspection Fee shall apply to all plans that are submitted to the District requesting determination of E&SPC adequacy except as noted within these Rules and Guidelines.
- C. Application for NPDES permit for discharge of stormwater from construction activities, processed by the District, will require an E&SPC plan review and associated fee for the same.
- D. Applications for timber harvest or road maintenance E&SPC plan approval will require the associated fee for same.
- E. Applications for E&SPC plan approval for Chapter 105 permits not associated with a larger plan of development will require the associated fee for same. E&SPC plan approval for Chapter 105 permits that are a part of a larger construction activity are included in the review fees for the construction activity.

II. Administration

- A. A project will be considered administratively complete and eligible for review when the District receives a completed application form, a check or money order made payable to the **Dauphin County Conservation District** in the amount of the appropriate fee and the drawings, narrative, etc. as required to define the proposed activity. Project submissions shall be made directly to the District.
- B. The District will review the plan solely to determine whether it is adequate to satisfy the requirements of Title 25 PA Code subsection 102.1 et. seq., the erosion control regulations of the Department of Environmental Protection. By a determination that the plan is adequate to meet those requirements, neither the District nor Dauphin County assumes any responsibility for the implementation of the plan or the proper construction and operation of the facilities contained in the plan. The design, structure integrity and installation of the control measures are the responsibility of the landowner and/or the earthmover. Before any construction or earthmoving may begin, the appropriate and necessary local, state and federal permits must be secured from the agency having specific permitting authority.
- C. On large or difficult sites, the District encourages a pre-submission meeting with District Staff. There is no fee associated with this pre-submission meeting.
- D. Persons proposing certain earth disturbance activities which disturb five(5) or more acres, or an earth disturbance on any portion, part or during any stage of, a larger common plan of development or sale that involves five(5) or more acres of earth disturbance AND earth disturbance activities with a point source discharge to surface waters of this Commonwealth that disturb from one(1) to less than five(5) acres, or an earth disturbance on any portion, part or during any stage of, including earth disturbance activities of less than one acre that are part of a larger common plan of development or sale that involves one(1) to less than five(5) acres of disturbance with a point source discharge to surface

waters of this Commonwealth over the life of the project are required to obtain a National Pollutant Discharge Elimination System (NPDES) PAG-02 permit for discharge of storm water from construction activities. This permit does not apply to persons proposing earth disturbance activities associated with agricultural plowing and tilling, timber harvesting activities, road maintenance activities and oil and gas exploration, production, processing or treatment operations or transmission facilities. Earth disturbance activities associated with oil and gas distribution facilities are covered under this permit. A point source is defined as any discernible, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, well, discrete fissure or container from which pollutants are or may be discharged. Pennsylvania's NPDES regulations (Title 25, Chapter 92) provide for two types of permit: 1) A General NPDES Permit 2) An Individual NPDES Permit. The applicant should contact the District to determine which permit is applicable and to obtain an application package. Filing fees are: General NPDES Permit = \$500, Individual NPDES Permit = \$500. For these projects two checks shall be submitted with the application. The permit filing fee shall be made payable to: Dauphin County Conservation District – Clean Water Fund. The appropriate review fee shall be made payable to: Dauphin County Conservation District.

INCOMPLETE PERMIT APPLICATIONS: Persons submitting administratively incomplete permit applications will receive a letter of administrative incompleteness with the missing items noted. The applicant will then have 60 calendar days from the date of the letter to submit those items to the CD. A new administrative permit filing fee must accompany the resubmittal. If no response is received within the allotted timeframe, the permit application will be considered withdrawn and returned to the applicant, with the CD retaining the administrative filing fee. If the applicant then chooses to resubmit the permit application, a new administratively complete permit application would need to be submitted.

- E. Timber harvesting and road maintenance activities require a DEP Erosion and Sediment Control Permit when the disturbance exceeds 25 acres over the life of the project. Timber harvest and road maintenance activities that meet this criterion shall contact the District to obtain permit application forms and instructions. The DEP Erosion and Sediment Control Permit filing fee = \$500. For these projects two checks shall be submitted with the application. The permit filing fee shall be made payable to: **Dauphin County Conservation District – Clean Water Fund**. The appropriate review fee shall be made payable to: Dauphin County Conservation District.
- F. Waiver of Fees – Fees would not be charged for review and inspection of the following:
1. Projects submitted under the name of any city, borough, township, municipal sewer/water authority or school district located within Dauphin County. This exemption does not apply to any nonprofit organization or supersede DEP Title 25, Chapter 102 Erosion Control Rules and Regulations.
 2. Agricultural Operations – E&SPC fees will not be applicable to agricultural operations such as plowing and tilling and agricultural conservation practices completed in accordance with a conservation plan where NRCS and/or District staff are providing the technical assistance. When agricultural conservation practices are needed and no conservation plan has been prepared as required by Chapter 102 Regulations, an E&SPC plan must be prepared and the fees indicated in the guidelines are applicable. When site disturbance occurs that is not part of an agricultural plowing and tilling or conservation practice installation, such as earth disturbance for a large building, the fee schedule for plan review and site inspection is applicable.
 3. On minimum earth disturbance activities and on select special projects, the District Manager has the authority to waive fees on a case by case basis.
 4. Stream restorations

5. State Government Agencies are exempt from the NPDES permit filing fee as outlined in Chapter 92 Rules and Regulations for General and Individual Permits for stormwater discharge from construction activities.

- G. Withdrawal of Projects – Requests for withdrawal of project plans and refund of associated fees must be made in writing by the applicant or the applicant’s representative. E&SPC review fees are not refundable if the review process has begun. NPDES filing fees are not refundable.

III. Fees:

- A. Fee Schedule – the fee for review and inspection services in relation to the E&SPC Program will be based on the following:

Residential

1 Unit	= \$100 base fee
2-5 Units	= \$150 + (\$100 X # of Units)
6-25 Units	= \$500 + (\$50 X # of Units)
26-100 Units	= \$1000 + (\$30 X # of Units)
> 100 Units	= \$3000 + (\$20 X # of Units)

Industrial, Commercial, Other Land Development

0 – 1 Acre	= \$500
2 – 5 Acres	= \$500 + (\$150 X # of Acres)
6 – 25 Acres	= \$1,000 + (\$100 X # of Acres)
26-100 Acres	= \$3,000 + (\$50 X # of Acres)
> 100 Acres	= \$6,000 + (\$30 X # of Acres)

**Based on disturbed acres
Round to the nearest whole acre**

Timber Harvests and Road Maintenance

< 25 Acres	= \$25
26 – 100 Acres	= \$100 + (\$5 X # of Acres)
> 100 Acres	= \$ 500 + (\$5 X # of Acres)

**Based on project acres
Round to the nearest whole acre**

E&SPC Plans for Chapter 105 Permits

\$50 for plan review and inspection services relative to the E&SPC program (see Waivers)
Fee applies to E&SPC plan approval for Chapter 105 permits not associated with a larger plan of development. E&SPC plan approval for Chapter 105 permits that are a part of a larger construction activity are included in the review fee for the construction activity.

- B. Additional Fees – the District reserves the right to impose additional plan review fees of 25% of initial review fee for plan reviews in accordance with the conditions listed herein:
 1. Where the owner or owner’s agent fails to directly address and attempt to resolve concerns expressed by the District after review of the E&SPC plan and such negligence requires the District to conduct additional plan reviews, an additional plan review fee of 25% as indicated at III.B. will be imposed for the third submission and each submission thereafter.

2. When design of a plan that has been submitted and reviewed is revised to a point that the previous E&SPC plan is not applicable, an additional review fee of 25% as indicated at III.B. will be required.
3. When site construction and final site stabilization is not completed within three years from the date of plan adequacy determination, the District reserves the right to require a new plan and additional and upgraded controls if review standards for adequacy determination have been made more restrictive. A review fee as indicated at III.B. will be required for review of the revised E&SPC plan.

IV. Terms and Conditions – The terms and conditions under which the fee schedule as indicated in Item IIIA above would be applicable are as follows:

1. Residential – fees charged in this category shall be based on the total number of = units. A unit is defined as a dwelling designed to accommodate a single household. This would apply to single family homes, twin unit homes, clusters, condominiums, and apartments.
2. Industrial, commercial, and other land development – fees charged in this shall be based on the total disturbed project acres. Disturbed acres shall be rounded to the nearest whole acre. Disturbed area is defined as the area to be destabilized during the project including utility rights-of-way, staging areas, spoil/borrow areas, etc.
3. Timber harvesting and Road Maintenance - fees charged in this category shall be based on the total timber harvest area or road project area.
4. Submissions – in general, one fee is intended to cover the entire review and inspection process including the review of preliminary plans if requested. Exceptions to the one fee cost are as noted in Item IV.6. below.
5. Phased Development Projects – on phased projects, the fee may be based on either the total disturbed acres/units included in all phases of work or on the disturbed acres/units within the phase that is being reviewed for immediate development. Exceptions and conditions to this are as noted below.
 - a) On phased projects where an E&SPC adequacy determination has been granted for the entire project and the municipality or the owner requests review and adequacy determination of an individual phase or phases after the first phase, a fee of 25% of the original review fee will be charge for each such review.
 - b) On phased projects where an E&SPC adequacy determination has been granted for the entire project and all phases or construction are not completed and stabilized within three years from the date of adequacy determination, the District reserves the right to require a new plan and upgraded controls in accordance with Item III.B.
6. Special Conditions – the District reserves the right to adjust fees in accordance with the special conditions listed herein:
 - a) Change of project – each submission of a different project on the same site shall be considered as a new project and the fees and review and inspection process shall be as per a new project.
 - b) When municipal, county, Commonwealth or Federal Government requires the District to review subdivision and/or land development plans for compliance with regulations relating to stormwater management, flood plain management, flood control, water use, water management or other natural resource concern.