



Pennsylvania Turnpike Commission

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October 28, 2019

Mr. Patrick McDonnell
Secretary
Pennsylvania Department of Environmental Protection
Policy Office
Rachel Carson State Office Building
P. O. Box 2063
Harrisburg PA 17105-2063

Attention: Mr. Sean Furjanic

Dear Mr. McDonnell:

In response to the public notice of a Draft NPDES General Permit for Stormwater Discharge Associated with Small Construction Activities that was published in the September 28, 2019, edition of the *PA Bulletin*, we offer the following comments for consideration:

First, we applaud the Department's effort to provide the regulated community additional Permitting options available for construction activities. We would like to encourage the Department to continue to review existing Permit requirements and either amend or provide new options to the regulated community. Second, we are not sure how this proposed Permit will deal with the issue of naturally-occurring elements that are often encountered on projects that require earth disturbance.

PAG-01 NOI Instructions:

1. Page 11, Note 15, Fee Exemptions - Due to the Commission's recent Agreement with the DEP, we assume we also meet the requirements to be exempt from the fees.
2. Page 11, PNDI Receipt - We would suggest adding language to this Section stating the PNDI receipt is up-to-date and will not expire during the Permit review.
3. Page 12, 5th paragraph - Is there something missing from the part of the sentence that currently reads, "and the existing and existing (i.e. total)"
4. Page 18, Preparedness, Prevention and Contingency (PPC) Plan - We would suggest that when discussing a PPC Plan, it should be a "site specific" PPC Plan.
5. Page 18, Operators/Co-Permittees - We would suggest changing the heading to "Permittee/Co-Permittees".
6. Page 25, 7. Pre-Application Meeting/Call Date - We agree that in most cases, holding a Pre-Application Meeting is very useful and worth the effort. We would also suggest that applicants are encouraged to include Meeting Minutes of the Pre-Application Meeting with their Permit Application.
7. Many of the above comments would also be applicable to other sections of this Permit Application.

Permit:

- I. Definitions:
 1. Since the term Limit of Disturbance (LOD) is commonly used on the E&S/NPDES Plans, we would suggest that you add a definition for Limit of Disturbance.
 2. Earth disturbance activity - Land clearing to us can mean the cutting down of trees and other vegetation without the removal of their roots. However, "Grubbing" does involve the removal of roots, rock and so forth. Therefore, we suggest that a distinction be made between the two and be stated in your definition.
 3. Waters of the Commonwealth - We would suggest the definitions for Water Course and Submerged Lands, as found in 25 Pa. Code 105, be used instead of the term Waters of the Commonwealth.

If you or members of your staff have any questions on the above comments, or if we can assist your Office with other such Permit proposals and so forth, please do not hesitate to contact us. I can be reached by telephone at (717) 831-7247, or electronically at jsutor@paturnpike.com.

Sincerely,



Joseph W. Sutor, P.E.
Planning and Environmental Manager