

STORMWATER – NPDES PHASE II

PAG-2 and NPDES Phase II Requirements For Construction Activities

Disturbed Area	Written E & S Plan	E & S Plan Approved	NPDES SW Construction Permit	PCSMP Submitted	PCSMP Approval
0-5000 Sq. ft	Not required unless in HQ, EV, or other DEP permit requirement (i.e. Ch. 105)	Not required but may be a municipal requirement**	No	Not required but may be a municipal requirement	Not required but may be a municipal requirement
5000 Sq. ft to less than 1 acre	Yes	Not required but may be a municipal requirement**	No	Not required but may be a municipal requirement	Not required but may be a municipal requirement
1 to <5 acres w/o point source to surface waters	Yes	Not required but may be a municipal requirement**	No	Not required but may be a municipal requirement	Not required but may be a municipal requirement
1 to <5 acres with point source to surface waters	Yes	Required	Yes	Yes	Individual YES General NO*
5 or more acres	Yes	Required	Yes	Yes	Individual YES General NO*

***Note:** If the permitted activity is in an MS4 municipality, the municipality must ensure the approval of the PCSM plan. The applicant should send the PCSM plan to the MS4 municipality along with the municipal notification. Even where the approval of the PCSM plan is not required, the permittee must develop and implement the PCSM and certify that the BMPS were implemented in accordance with the PCSM plan when the NOT is submitted.

**Although E&S plan approval is not required under Chapter 102 for these activities, E&S approval may be required by municipal ordinance or if other DEP permits are required, Le., Ch. 105 Joint Permit or GPs.