

CHAPTER 6

STORMWATER

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600.3 Exemptions

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(e) Fee in Lieu

(1) The Department may grant a request for a fee in lieu of on-site or off-site stormwater management practices under the following conditions:

(A) The Applicant has conclusively demonstrated the infeasibility of on-site stormwater management; and the Department, in its sole discretion, has determined that: (i) off-site stormwater management, pursuant to Section 600.3(d) of its regulations, is also infeasible and (ii) granting the fee in lieu of onsite stormwater management will not adversely affect flooding, stream protection, neighboring properties or be inconsistent with its requirements under its stormwater program, combined sewer overflow program, National Pollutant Discharge Elimination System permits, or any other federal or state law;

or

(B) The Applicant has conclusively demonstrated the feasibility of directing stormwater from the Development Site to an existing off-site SMP owned by the City and maintained by PWD; and the

Department, in its sole discretion, has determined that: (i) the existing City-owned SMP has sufficient capacity to manage the additional stormwater and (ii) granting the fee in lieu of onsite stormwater management will not adversely affect flooding, stream protection, neighboring properties or be inconsistent with its requirements under its stormwater program, combined sewer overflow program, National Pollutant Discharge Elimination System permits, or any other federal or state law.

(2) An applicant requesting approval to direct stormwater from the Development Site to an existing SMP owned by the City and maintained by PWD will be responsible for all costs associated with connection to the City-owned SMP.

(3) The amount of the fee in lieu charge is set forth in Section 8.2 of the Department's Rates and Charges.

(4) Application Requirements. The Applicant for fee in lieu must follow the requirements outlined in the Manual.

(5) Nothing herein shall require the Department to grant an Applicant its request for fee in lieu of onsite or off-site stormwater management.

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600.7 PCSMP Requirements

(a) General Requirements

For any activities regulated by these Regulations and the Philadelphia Code Section §14-704(3):

(1) No zoning permit may be issued until the Water Department has approved a Conceptual Stormwater Management Plan.

(2) No Earth Disturbance may commence and no building permit may be issued until the Department has approved a PCSMP. The City may issue a Stop Work Order for projects that disturb earth without an approved PCSMP.

(b) Conceptual Approval

To initiate the conceptual review phase and obtain approval from the Department, the Applicant must evaluate nonstructural stormwater management alternatives, develop a Conceptual Stormwater Management Plan, and submit an online Existing Resources and Site Analysis (ERSA) application as outlined in the Manual.

(c) PCSMP Approval

(1) To initiate the PCSMP review phase and obtain PCSMP Approval from the Department, the Applicant must prepare and submit a PCSMP. A list of required contents of the PCSMP submittal can be found in the Manual.

(2) For any activities that require state or federal permits, proof of application or approval of those permit(s) shall be included as part of the PCSMP.

(3) All PCSMP materials shall be submitted to the Department in accordance with submittal procedures as outlined in the Manual.

(d) Project Expirations

Conceptual Stormwater Management Plan approval will expire after one year from the date of issuance. PCSMP approval will expire after two years from the date of issuance. An applicant may apply for extensions based on the procedures found in the Manual.

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600.9 Construction and Inspection

(a) No regulated Earth Disturbance activities shall commence until the Department has approved a PCSMP in accordance with the procedures set forth in these Regulations and the Manual.

(b) Erosion and Sediment Control measures shall be implemented at the start of and maintained throughout Earth Disturbance activities.

(c) All SMPs shall be constructed in accordance with the approved PCSMP.

(d) The Department or its designee may inspect during any stage of Development construction to ensure, at minimum, the ongoing maintenance of Erosion and Sediment Control measures and the proper installation of the SMPs.

(e) An onsite meeting between the Department and the Applicant is required prior to the start of Development.

(f) During any stage of the Development construction, if the Department or its designee determines that any component of the PCSMP is not being installed as approved by the Department, the City

may issue a Stop Work Order preventing other on-site construction from proceeding until the deficiencies are corrected.

- (g) A final inspection of all PCSMP components shall be conducted by the Department or its designee to confirm compliance with the approved PCSMP prior to the issuance of Certificate of Occupancy, or other equivalent issuance, or use of the Development Site.
- (h) Record Drawings for all PCSMP components must be submitted to the Department within 90 days of the conclusion of the final inspection.

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DEPARTMENT OF
ENVIRONMENTAL
QUALITY

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(d) Miscellaneous Stormwater Management Charges

~~Applicability and requirements for Stormwater Plan Review Fees and Stormwater Management Fee in Lieu are described in Section 8.2 of the Department's Rates and Charges.~~

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