

Williamsport Sanitary Authority
Stormwater Program Manual

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- Appendix A Stormwater Charge Credit Application Form
- Appendix B New Owner Credit Continuation Application
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- Appendix D Stormwater Charge Appeal Form

1. Introduction

The purpose of this Stormwater Program Manual is to present policies and procedures for the Williamsport Sanitary Authority (WSA) Stormwater Charge and its associated Credits. In addition, this Manual presents information on stormwater and groundwater interactions, as well as procedures available to appeal the stormwater charge and associated credits.

The enabling legislation for the establishment of the Stormwater Charge is Chapter 56, § 5607, (18) of the Municipal Authorities Act. The following is a brief overview of the key questions and answers that helped the WSA identify the need for the Stormwater Charge. In addition, the City and WSA must comply with the requirement of the stormwater permit from the Department of Environmental Protection – Municipal Separate Storm Sewer System (MS4) Permit. Stormwater management activities shall comply with the City of Williamsport Stormwater Management Ordinance and the WSA Rules and Regulations.

What is stormwater?

Stormwater includes runoff from rain and snowmelt that flows over the ground and into the stormwater system or directly into waterways. In undeveloped areas the flow of water is slowed by vegetation, allowing much of the water to seep into the ground. The flow from impervious areas such as paving, roads, parking lots and buildings, does not soak into the ground, resulting in a higher quantity and faster flow of runoff. Stormwater runoff picks up pollutants such as oil, sediment, chemicals, and lawn fertilizers and carries them untreated into the local waterways. Proper management of the stormwater system is necessary to reduce threats to public health and safety, localized flooding and associated property damage, erosion, and water quality degradation.

What is the stormwater system?

The Stormwater System includes Stormwater pipes, drains, curbs, inlets, manholes, ditches, channels, outfalls, BMPs (e.g. basins, detention ponds, and infiltration and filtration facilities), and other infrastructure to collect, convey, detain, infiltrate, treat and manage Stormwater in the City of Williamsport, excluding facilities on private property. A properly functioning stormwater system helps keep stormwater from entering the sanitary sewer system where it overwhelms the treatment plants and adds unnecessary costs. In addition, proper management of the stormwater system is necessary to reduce threats to public health and safety, localized flooding and associated property damage, erosion, and water quality degradation.

Why develop a Stormwater Program?

Stormwater management is an important service to our community. Accordingly, the WSA has developed a comprehensive Stormwater Program that enhances and preserves the local

streams and reduces pollution by effectively managing polluted runoff through infrastructure improvements and Best Management Practices (BMPs) that improve quality and reduce the quantity and rate of stormwater runoff. The Stormwater Program has the following goals:

- Maintain and operate the stormwater system and facilities
- Comply with regulatory requirements
- Reduce localized flooding
- Develop and implement a prioritized capital program
- Increase public awareness through education and outreach

Benefits of an effective Stormwater Program include:

- Reduced local flooding property damage and basement backups
- Cleaner/healthier streams and improved water quality
- Improved environmental, recreational, and aesthetic values
- Protect property values

Why fund a Stormwater Program?

A Stormwater Charge was established to adequately address the costs of stormwater management in order to protect the public health, property, infrastructure, and waterways from the adverse effects of polluted stormwater runoff and intense storm events that cause flooding. Establishing a stormwater charge will provide:

- A stable long-term revenue source
- A dedicated fund for stormwater activities that cannot be used for other purposes
- A fair and equitable distribution of costs among users
- An incentive for non-residential users to reduce the quantity and/or improve the quality of stormwater
- Comply with regulatory requirements including the Chesapeake Bay Pollution Reduction Plan (CBPRP).

How to Fund the Stormwater Program?

To effectively fund the Stormwater Program, the WSA assesses a Stormwater Charge on each developed property in the City of Williamsport based on the amount of impervious surface area on a property. This method fairly distributes the costs of the stormwater services across all properties based on the impact stormwater runoff from those properties has on the system, as well as the benefits received from the stormwater system and the program.

Credit Policy

As part of the equitable and uniform assessment of Stormwater Charges and in order to encourage implementation of stormwater management facilities within private property, a credit policy is available for Non-residential Stormwater Property Owners who choose to

implement and maintain stormwater BMPs that reduce the contribution of stormwater and pollutants to the stormwater system.

This program manual is the guide for all program elements related to stormwater management including policies and procedures for charge calculation, billing, credits, and appeals.

2. Definitions

For the purposes of this Stormwater Program Manual, certain terms and words used herein shall be interpreted as follows:

- 2.1 **Appeal Form.** The Appeal Form that is attached hereto as Appendix D that property Owners must file if they believe that the Stormwater Charge for their property has been calculated incorrectly.
- 2.2 **Best Management Practices (BMPs).** The methods, procedures and analyses specified in the Pennsylvania Stormwater Best Management Practices Manual to reduce flooding potential and control the volume, flow rate and water quality of stormwater.
- 2.3 **City.** City of Williamsport.
- 2.4 **Credit Application.** The WSA Stormwater Charge Credit Application that is attached hereto as Appendix A and must be used to apply for the Credits described in this Stormwater Program Manual.
- 2.5 **Credit.** A Stormwater Charge reduction that a Non-residential Stormwater Property Owner receives for implementing and complying with the approved practices and policies contained in this Stormwater Program Manual.
- 2.6 **Developed Property.** A property within the City limits altered from a natural state that contains Impervious Surface equal to or greater than 300 square feet. Developed Properties do not include public roads or land under initial development prior to issuance of a certificate of occupancy; however, a property undergoing initial development that does not receive a certificate of occupancy within three years from start of construction will be considered a Developed Property.
- 2.7 **Equivalent Residential Unit (ERU).** The measure of impervious ground cover for a typical Residential Stormwater Property in the City used in assessing the charges for each Developed Property, and which has been determined specifically for the WSA system to be 2,711 square feet.
- 2.8 **ERU Rate.** The dollar value of the charge assigned to one ERU.
- 2.9 **Flat Administrative Fee.** A flat charge assessed to each property by the WSA to recover certain administrative costs. This fee will be included for Developed Properties that do not receive a sewer bill from the WSA.

- 2.10 Impervious Surface.** A surface that prevents or impedes the infiltration of water into the ground and result in an increased stormwater runoff volume. For the purpose of the ERU calculation, Impervious Surfaces include, but are not limited to: sidewalks, pavements, driveway areas, swimming pools, and roofs. Any surface areas designed to be compacted gravel or crushed stone, including stone ballast, shall be regarded as Impervious Surfaces.
- 2.11 Non-Residential Stormwater Properties.** All Developed Properties other than Residential Stormwater Properties, including Developed Properties containing: (a) structures used primarily for non-residential purposes, (b) mobile homes located within mobile home parks, (c) multi-family properties such as apartment buildings, (d) agricultural properties (Lycoming County Land Use Code 112), or (e) mixed use properties (i.e., properties with both residential and commercial use).
- 2.12 NPDES.** National Pollutant Discharge Elimination System, an EPA program and associated permits developed to regulate the discharge of pollutants to waters of the United States.
- 2.13 Operation and Maintenance Agreement.** An agreement pertaining to the operation and maintenance of stormwater management BMPs as described in Section 1395.02 of the City's Stormwater Management Ordinance. A template for the Operation and Maintenance Agreement is included in Appendix C.
- 2.14 Owner.** Any person, firm, corporation, individual, partnership, company, association, organization, society or group owning real property in the City.
- 2.15 PADEP or DEP.** Pennsylvania Department of Environmental Protection.
- 2.16 Pennsylvania Stormwater Best Practices Manual.** The most recent version of the PADEP Pennsylvania Stormwater Best Management Practices Manual.
- 2.17 Property.** A parcel as defined by the Lycoming County Tax Parcel Land Use Code.
- 2.18 Residential Stormwater Properties.** Developed Properties containing single family or two-unit residential homes. Developed Properties may be classified as Residential Stormwater Properties despite the presence of incidental structures associated with residential uses such as garages, carports or small storage buildings.
- A Developed Property which does not contain a dwelling unit (e.g. it contains a garage, shed, driveway, parking area or other Impervious Surface used primarily for residential purposes) will be classified as a Residential Stormwater Property if the property is classified as a residential property by the Lycoming County Land Use Code.
- 2.19 Stormwater.** Runoff from precipitation, snow melt runoff, and surface runoff and drainage.

- 2.20 Stormwater Charges.** Stormwater Charges assessed, imposed and to be collected from each developed property in the City of Williamsport. The Stormwater Charge shall be adjusted for any credits approved in accordance with this Stormwater Program Manual.
- 2.21 Stormwater System.** The system of Stormwater pipes, drains, curbs, inlets, manholes, ditches, channels, outfalls, BMPs (e.g. basins, detention ponds, and infiltration and filtration facilities), and other infrastructure to collect, convey, detain, infiltrate, treat and manage Stormwater in the City of Williamsport, excluding facilities on private property.
- 2.22 Stormwater Management Ordinance.** The City of Williamsport Stormwater Management Ordinance.
- 2.23 Structural BMPs.** Structural BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale retention ponds and constructed wetlands to small-scale underground treatment systems, infiltration facilities, filter strips, low impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices. Structural Stormwater BMPs are permanent appurtenances and include volume and rate controls.

3. Stormwater Charge Policy

3.1 Applicability

All Developed Properties within the City of Williamsport will be assessed a Stormwater Charge. A Developed Property is defined as a property within the City of Williamsport altered from a natural state that contains Impervious Surface equal to or greater than 300 square feet. Developed Properties do not include public roads or land under initial development prior to issuance of a certificate of occupancy; however, a property undergoing initial development that does not receive a certificate of occupancy within three years from start of construction will be considered a Developed Property.

3.2 Stormwater Charge Responsibility

Stormwater Charges shall be the responsibility of the owner of the property.

3.3 Basis of Calculation

Stormwater Charges shall be based on an equivalent residential unit (ERU). An ERU is the measure of impervious ground cover for a typical residential stormwater property. All calculations will be performed by the WSA and will be available for review by the owner upon request. The WSA reserves the right to review and recalculate ERUs for parcels at its discretion.

3.3.1 Residential Stormwater Property ERU Calculation

All Residential Stormwater Properties will be assigned one (1) ERU. The stormwater ERU Rate is provided in the WSA Rules and Regulations Schedule of Rates.

3.3.2 Non-Residential Stormwater Property ERU Calculation

The impervious area (square feet) of each Non-residential Stormwater Property will be determined by the WSA and divided by the base ERU (2,711 square feet) to determine the number of ERUs (rounded to the nearest 0.5 ERU) to charge the property. After application of any credits for which the property is approved, the number of ERUs will be rounded to the nearest tenth (0.1) of an ERU.

3.4 Billing and Collection

Whenever possible or practical, charges for stormwater service shall be included with the bills of the Williamsport Municipal Water Authority (WMWA) and/or Williamsport Sanitary Authority (WSA). The stormwater bill will include the stormwater charge which is based on the assigned or calculated ERU times the current charge per ERU.

Stormwater Charge Calculation:

$$\text{Stormwater Charge} = \text{Number of ERUs} * \text{ERU Rate}$$

For customers that do not receive a sewer bill from the WSA, the stormwater bill will include an administrative flat fee in accordance with the WSA Schedule of Rates.

Please refer to the WSA Rules and Regulations for additional information on billing and collection.

4. Stormwater Charge Credit Policy

Non-Residential Stormwater property owners are eligible to receive a Stormwater Charge Credit for implementing and complying with the WSA approved practices and policies contained in this Stormwater Program Manual. Non-Residential Stormwater Property owners are encouraged to install and maintain stormwater BMPs to reduce stormwater runoff volume and/or pollutant levels from their property. Generally, the amount of credit earned for a property is determined by the number and type of stormwater BMP(s) installed. The credit amount varies based on the specific qualifying conditions. In no case shall the total credit exceed 50% of the Stormwater Charge for the property.

4.1 Eligibility

A credit for an applicable Stormwater Charge is available to eligible Non-Residential Stormwater Property owners who:

- Submit a Credit Application (Appendix A) including all required documentation,
- Receive approval for the credit from the WSA,
- Demonstrate continued compliance with the credit approval, and
- Comply with the requirements of the Stormwater Program.

Properties are not eligible for credits if they contain unauthorized/illegal stormwater drains, downspouts, or sump pumps connected directly to the WSA stormwater system or the WSA sanitary system.

4.2 Credit Application Process

Property owners with existing BMPs or those interested in installing new BMPs or retrofitting existing BMPs shall schedule a pre-application meeting with the WSA engineering department by calling the WSA office at (570) 323-6140 prior to preparing and submitting a Credit Application.

Credit approvals will not be issued retroactively, except for credit applications submitted by November 1, 2022 and approved by December 31, 2022.

Stormwater Charge Credit Applications must be submitted by the property owner to the WSA no later than sixty (60) days prior to the start of the first billing to which the credit will be applied. There is no fee associated with submitting a Credit Application.

A complete Credit Application Form, found in Appendix A, including all required documentation must be submitted to the WSA. The WSA or its designee will review all plans, materials, and documentation related to the Credit Application for completeness. If, after review, the Credit Application and/or accompanying documentation is found to be incomplete, the applicant will be notified in writing within thirty (30) days upon receipt of the deficient Credit Application and/or accompanying documents. The applicant may resubmit a complete Credit Application at any time.

The WSA or its designee will provide written notification of the credit application determination within 60 (sixty) days upon receipt of a complete Credit Application and all required documentation. The written notification shall state the conditions of the issuance of the credit and the effective date of the credit. If the WSA or its designee does not approve the Credit Application in whole or in part, the applicant shall receive a written notice which includes the reason(s) for the decision.

4.3 Credit Billing Calculation

Eligible properties may be approved for multiple credits; however, the maximum aggregated credit for each eligible property is fifty percent (50%) of the original number of ERUs charged to the property regardless of how many qualifying individual Credits are approved for the property. In no event may a Credit reduce the number of ERUs charged to the property to less than one (1) ERU.

The approved stormwater credit will be applied to the charged ERUs to the property using the formula:

$$\text{Charged ERUs} = \text{Original calculated ERUs} * [1 - \text{Total Approved Credit Rate}]$$

(rounded to nearest tenth of ERU)

Example 1: A property owner submits a Credit Application that is approved for a total credit rate of 25%. The original calculated ERUs was 500. The calculation is:

$$\text{Charged ERUs} = 500 * [1 - 0.25] = 375$$

Example 2: A property owner submits a Credit Application that is approved for a total credit rate of 33%. The original calculated ERUs was 45. The calculation is:

$$\text{Charged ERUs} = 45 * [1 - 0.33] = 30.15 = 30.2$$

4.4 Credit Approval Process

Approval of Credits will be granted in writing by the WSA. Each BMP credit approval will include specific requirements for BMPs such as inspection frequency, Operation and Maintenance Agreement, and report forms, the effective date of the credit, and implementation schedules if necessary.

4.5 Credit Renewal, Expiration, and Transfer

Credits will automatically renew and be applied to a property's Stormwater Charge, except when the terms of an approved Credit specifies otherwise.

All approved Credits expire automatically when the property changes ownership. In order to transfer an existing approved credit to a new property owner, the new owner must submit a completed New Owner Credit Continuation Application (Appendix B) which includes verification that the Credit is still applicable to the property and that the new owner assumes and will comply with the terms of the Credit approval including requirements of the Operation and Maintenance Agreement.

4.6 Credit Termination/Modification

Upon written notice, the WSA may terminate or modify a Credit for good reason, including failure to meet credit conditions, failure to meet Operation and Maintenance Agreement requirements, or changes to the property that increase or decrease the impervious area of the property.

The WSA reserves the right to review for accuracy all plans, materials, and documentation related to a credit application and accompanying documentation at any time. If, after review, the Credit Application or accompanying documentation is found to be inaccurate or the BMP is not installed or functioning properly, the property owner will be notified in writing and given sixty (60) days to correct the deficiency. The property owner must provide written documentation to the WSA or its designee within sixty (60) days of the original notice that the deficiency has been corrected. If, in the opinion of the WSA or its designee, the deficiency is not satisfactorily corrected, the Credit currently applied to the property will be terminated effective the following billing cycle.

4.7 BMP Inspection Report

For approved Credits, a periodic inspection report must be submitted by the property owner to the WSA or its designee in accordance with the terms of the Credit approval and according to the following frequencies, at a minimum, to ensure the BMPs, facilities and/or structures continue to function as intended:

1. Annually for the first 5 years.
2. Once every 3 years thereafter.
3. During or immediately after the cessation of a 10-year or greater storm, in accordance with the National Oceanic and Atmospheric Administration (NOAA) Atlas 14 for Williamsport, PA.

Inspections should be conducted during or immediately following precipitation events. A written inspection report shall be created to document each inspection. The inspection report shall contain the date and time of the inspection, the individual(s) who completed the inspection, the location of the BMP, facility or structure inspected, observations on performance, and recommendations for improving performance, if applicable. Inspection reports shall be submitted to the WSA within 30 days following completion of the inspection.

The Inspection Report must show or document compliance with the terms of the WSA's Credit approval for the period of time specified. If the Inspection Report is incomplete or is not submitted to the WSA or its designee by the deadline for reporting as established in the Credit approval, the property shall be considered to be in non-compliance with the Stormwater Program Manual requirements, and the Credit will be

suspended. The Credit will not be reinstated until the completed Inspection Report is submitted to the WSA or its designee with documentation, showing that the program for which the Credit is approved is being implemented as intended. The Credit will not be retroactively applied for failure to submit a required Inspection Report. There is no fee associated with submitting an Inspection Report.

4.8 WSA Inspection

In order to maintain eligibility for credits, the property must have an O&M Agreement in place (Appendix C) authorizing the WSA or its designee to enter the property at reasonable times to inspect the condition or operation of BMPs. If the property does not have an existing O&M Agreement, the applicant should submit a signed O&M Agreement with the Credit Application. If the property already has an O&M Agreement with the City of Williamsport or Lycoming County, submit a copy of the O&M Agreement to the WSA. If as a result of the WSA Inspection, the WSA or its designee finds the Credit Application or any Inspection Report to be inaccurate or any BMPs to not be in compliance with the Credit approval, including required O&M, the property Owner will be notified in writing and given sixty (60) days to correct the inaccuracy or non-compliance (Notice of Non-Compliance).

Within sixty (60) days following the property owner's receipt of the Notice of Non-Compliance, the property Owner must provide to the WSA or its designee written documentation and evidence satisfactory to the WSA or its designee that the issues described in the Notice of Non-Compliance have been corrected and/or that the BMP is in compliance with the Credit approval and all applicable program requirements. If the deficiencies in the Notice of Non-Compliance have not been corrected or the BMP is not in compliance as required by the Notice of Non-Compliance, or if the property Owner fails to provide a response to the WSA or its designee within the sixty (60) day period, the Credit will be suspended effective the following billing cycle.

The Credit will be reinstated on the next billing cycle following the WSA's receipt of evidence satisfactory to the WSA or its designee that the deficiencies stated in the Notice of Non-Compliance have been corrected.

4.9 Design Standards and Certification

All structural BMPs, including those that control rate, volume and water quality of stormwater runoff from a property must comply with applicable design standards in the Pennsylvania Stormwater Best Management Practices Manual and the City of Williamsport Stormwater Management Ordinance. BMPs eligible for Credits can be existing installations, new installations, or retrofitted existing BMPs.

To receive Credits for structural BMPs, applicants must submit a complete Stormwater Charge Credit Application (Appendix A) including documentation from a Professional Engineer licensed in Pennsylvania that, based on a visual inspection, the BMP has been properly designed and constructed to meet its intended function, with any necessary maintenance and repairs identified to allow it to operate as intended.

4.10 Available Credits

Credits will be approved for Non-residential Stormwater Properties based on the matrix presented in Table 4-1. Credits can be combined or aggregated for a maximum credit amount of 50% of a property’s original Stormwater Charge as indicated in Section 4.3.

Table 4-1 Stormwater Management BMP Maximum Credits

Credit Description	Applicable Maximum Credit
Wet Ponds	30%
Constructed Wetlands	30%
Hydrodynamic Devices	20%
Dry Extended Detention Basins	30%
Infiltration Basin or Trench	40%
Constructed Filter	40%
Vegetated Filter Strip with level spreader	25%
Bioretention / Raingarden	
with underdrain	30%
without underdrain	40%
Vegetated Swale	25%
Vegetated Roof	35%
Pervious Pavement with Infiltration Bed	25%
Other BMPs	
Separate MS4 Permittee Compliance	
With Pollutant Reduction Plan	50%
Without Pollutant Reduction Plan	20%
NPDES Industrial Stormwater Permit Compliance	10%
Innovation Credit	50%

4.11 Credit Determinations

Credits are cumulative up to a maximum of 50% credit of the original property Stormwater ERU Charge, as indicated in Section 4.3, and only apply to the impervious area controlled by the private BMPs installed on the property.

Unless otherwise described below, structural BMPs that control the rate, volume, and water quality of stormwater generated on the impervious area of a property are eligible for the credits rates in Table 4-1 based on the impervious area of the property controlled by the BMP as shown below.

$$\text{Approved Credit Amount} = (\text{BMP Credit percentage from Table 4-1}) * \text{Percentage (\%)} \text{ of Impervious Surface Area of the property Captured}$$

Examples:

A property has 8 ERUs of impervious surface and a wet pond that complies with applicable design standards in the Pennsylvania Stormwater Best Management Practices Manual and the City of Williamsport Stormwater Management Ordinance. The property owner applies for a stormwater credit and it is approved by the WSA. The wet pond controls runoff from 75% of the impervious area of the property. The credit rate for a wet pond is 30% (per Table 4-1).

$$\text{Credit} = 0.75 \times 0.30 = 0.225 \text{ or } 22.5\%$$

$$\text{Charged ERUs} = 8 * (1 - 0.225) = 6.2 \text{ ERUs}$$

If the above property owner also installs a raingarden without an underdrain (40% credit per Table 4-1) that controls an additional 20% of the impervious area of the property, the credit and charged ERUs would be as follows:

$$\text{Credit} = 0.75 \times 0.3 + 0.20 \times 0.4 = 0.305 \text{ or } 30.5\%$$

$$\text{Charged ERUs} = 8 * (1 - 0.305) = 5.6 \text{ ERUs}$$

4.11.1 Separate MS4 Permit Compliance Credit

A Separate MS4 Permit Compliance Credit rate is applicable to properties that are identified by DEP as being required to obtain and comply with the terms of a Municipal Separate Storm Sewer System (MS4) permit. Eligible properties with a pollutant reduction plan may receive a 50% Credit that will be applied to the portions of the property required to comply with the separate MS4 permit. Eligible properties without a pollutant reduction plan may receive a 20% Credit that will be applied to the portions of the property required to comply with the separate MS4 permit. Portions of the property with impervious surface area runoff that is not regulated by the MS4 permit are not eligible for the MS4 Credit but may be eligible for Credits in accordance with this policy. MS4 Credit applicants must be in and maintain full compliance with the MS4 permit and provide the following documents with their Credit

Application: the MS4's most recent Notice of Intent for coverage, a copy of the MS4's most recent annual report, and a copy of the most recent DEP inspection report.

Examples:

A property has 100 ERUs of impervious surface with a separate MS4 permit (with pollutant reduction plan) that covers 75% of the property. The credit rate for the separate MS4 permit with a pollutant reduction plan is 50%.

$$\text{Credit} = 0.75 \times 0.50 = 0.375 \text{ or } 37.5\%$$

$$\text{Charged ERUs} = 100 * (1 - 0.375) = 62.5 \text{ ERUs}$$

A property has 80 ERUs of impervious surface with a separate MS4 permit (without pollutant reduction plan) that covers 100% of the property. The credit rate for the separate MS4 permit with a pollutant reduction plan is 20%.

$$\text{Credit} = 1.00 \times 0.20 = 0.2 \text{ or } 20.0\%$$

$$\text{Charged ERUs} = 80 * (1 - 0.2) = 64.0 \text{ ERUs}$$

4.11.2 NPDES Industrial Stormwater Permit Compliance Credit

A 10% credit rate (10% reduction of the original calculated Stormwater ERUs) may be approved for properties which are subject to Individual NPDES Stormwater Permits through DEP or an Individual NPDES permit that contains stormwater management requirements. The credit rate is applicable to the portions of the property covered by the permit. In order for a property owner to receive this Credit, it must be individually permitted and maintain full compliance with the permit. NPDES Industrial Stormwater Permit credit applicants must be in and maintain full compliance with the NPDES Industrial Stormwater permit and provide the following documents with their Credit Application: a copy of the valid permit and copies of the most recent discharge monitoring report, annual reports, and DEP inspection report.

Example:

A property has 120 ERUs of impervious surface. The industrial user is in compliance with a DEP Individual NPDES Stormwater permit which qualifies for a 10% credit per Table 4-1.

Credit = 0.1 or 10%

Charged ERUs = $120 * (1 - 0.1) = 108.0$ ERUs

4.11.3 Innovation Credit

A maximum Innovation Credit rate of 50% of the original Stormwater ERU Charge may be approved to property owners who propose, construct, implement, and maintain a BMP that meets the spirit of the Stormwater Program and reduces the effects of stormwater leaving their property. The WSA supports the use of innovative ideas and/or technology and encourages owners to submit ideas for projects that are worthy of granting stormwater credits. The amount of approved credit rate is dependent upon specific site conditions including contributing impervious area. In order to obtain this credit, the Property owner must submit a conceptual plan and description of the BMP for initial consideration. The WSA will respond to indicate if the BMP is potentially eligible for a credit. If the BMP is considered potentially eligible for a credit, the WSA will request detailed information and a credit application prior to making a final credit determination. Either the applicant or the WSA may request a pre-application meeting to discuss the details of the proposed BMP and potential amount of the credit.

5. Appeal Processes

5.1 Stormwater Charge Appeal Process

All property owners may, at any time, commence an appeal process with the WSA, if the property owner believes that the Stormwater Charge for the property has been calculated incorrectly or changes to the property have resulted in a change of the appropriate Stormwater Charge. The property owner shall submit a fully completed Appeal Form (Appendix D) to the WSA or its designee. When submitting an Appeal Form, property owners must include a detailed statement of the basis for such appeal and documents supporting the property owner's assertions. The WSA or its designee will review the Appeal Form and supporting materials within sixty (60) days; and, if the appeal is approved, adjust the Stormwater Charge accordingly.

If the property owner's request of an adjustment is approved, the property owner will be credited any amount paid in excess of the adjusted Stormwater Charge from the date that the Appeal Form was first filed. The adjustment will apply to all subsequent billing period(s). Adjusted charges will be applied retroactively only to the date the appeal was first filed.

If the property owner's appeal for an adjustment is not approved, the property owner may appeal the determination and request that the WSA's Board of Directors review the Appeal Form. The WSA or its designee will notify the property owner in writing of the WSA Board of Directors' final decision.

The appeal process does not relieve the property owner of its obligations to make payments of Stormwater Charges that are assessed during the review process.

Example: (i) A Non-residential Stormwater Property Owner believes that the real amount of impervious surface area on the site is less than the property is being billed for; (ii) the property is a Residential Stormwater Property, but is being billed as a Non-residential Stormwater Property; or (iii) recent construction has removed a portion of the impervious surface on site, and the Stormwater Charge has not been adjusted accordingly.

If impervious structures are replaced with pervious structures (e.g. an asphalt parking lot is replaced with pervious pavement, etc.), this is considered a BMP. In these situations, the property Owner should apply for a Credit, not file an appeal for reduction of impervious surface area related to construction.

5.2 Credit Appeal Process

If the applicant disagrees with the WSA or its designee's credit determination decision, the applicant may submit a request in writing to the WSA for a meeting with WSA staff to discuss such decision. The WSA or its designee will notify the applicant as to the date and time of the meeting when the Credit Application will be reconsidered. If the applicant disagrees with the decision of the WSA staff, the applicant may appeal the determination to the WSA Board of Directors by contacting the Executive Director of the WSA. The WSA or its designee will notify the applicant in writing of the WSA Board of Director's final decision.

Appendix A – Stormwater Charge Credit Application Form



Williamsport Sanitary Authority

Stormwater Charge Credit Application Form

Owner's Name: _____ E-mail: _____

Phone Number: _____ Alt. Phone Number: _____

Property Address: _____

Mailing Address (if different from above): _____

Account Number: _____

Select the credit(s) being applied for (check all applicable boxes):

Applicable?	Credit Description	Applicable Maximum Credit
Structural Best Management Practices (BMPs)		
<input type="checkbox"/>	Wet Ponds	30%
<input type="checkbox"/>	Constructed Wetlands	30%
<input type="checkbox"/>	Hydrodynamic Devices	20%
<input type="checkbox"/>	Dry Extended Detention Basins	30%
<input type="checkbox"/>	Infiltration Basin or Trench	40%
<input type="checkbox"/>	Constructed Filter	40%
<input type="checkbox"/>	Vegetated Filter Strip with level spreader	25%
<input type="checkbox"/>	Bioretention / Raingarden with underdrain	30%
<input type="checkbox"/>	without underdrain	40%
<input type="checkbox"/>	Vegetated Swale	25%
<input type="checkbox"/>	Vegetated Roof	35%
<input type="checkbox"/>	Pervious Pavement with Infiltration Bed	25%
Other BMPs		
<input type="checkbox"/>	Separate MS4 Permittee Compliance With Pollutant Reduction Plan	50%
<input type="checkbox"/>	Without Pollutant Reduction Plan	20%
<input type="checkbox"/>	NPDES Industrial Stormwater Permit Compliance	10%
<input type="checkbox"/>	Innovation Credit	50%

Attach Documentation

For Structural BMPs attach:

- Site plan and details
- Supporting narrative/calculations

- Documentation from a Professional Engineer licensed in Pennsylvania that, based on a visual inspection, the BMP has been properly designed and constructed to meet its intended function, with any necessary maintenance and repairs identified to allow it to operate as intended.
- O&M Agreement with City of Williamsport or Lycoming County (or new signed O&M Agreement – see Appendix C)

For Other (Non-Structural) BMPs provide a detailed description of the activities to be performed, technologies utilized and record keeping practices for the proposed credit. For MS4 and NPDES credits, include copies of permits and annual reports.

Please note that:

- 1) The maximum combined credit available is fifty percent (50%) of the Stormwater Charge, regardless of the number of credits for which the property is eligible.

Certification

I certify that the information contained in the application is, to the best of my knowledge, correct and represents a complete and accurate statement. By signing below, I agree that the WSA may at reasonable times enter my property to inspect the property or condition or operation of BMPs.

Signature

Print Name and Date

Send completed form to:
Engineering Department
Williamsport Sanitary Authority
253 West Fourth St.
Williamsport, PA 17701
(570) 323-6140

Appendix B – New Owner Credit Continuation Application



Williamsport Sanitary Authority

New Owner Credit Continuation Application

Owner's Name: _____ E-mail: _____

Phone Number: _____ Alt. Phone Number: _____

Property Address: _____

Mailing Address (if different from above): _____

Account Number: _____

Please mark all credits that apply:

Applicable?	Credit Description
Structural Best Management Practices (BMPs)	
<input type="checkbox"/>	Wet Ponds
<input type="checkbox"/>	Constructed Wetlands
<input type="checkbox"/>	Hydrodynamic Devices
<input type="checkbox"/>	Dry Extended Detention Basins
<input type="checkbox"/>	Infiltration Basin or Trench
<input type="checkbox"/>	Constructed Filter
<input type="checkbox"/>	Vegetated Filter Strip with level spreader
<input type="checkbox"/>	Bioretention / Raingarden with underdrain
<input type="checkbox"/>	without underdrain
<input type="checkbox"/>	Vegetated Open Swale
<input type="checkbox"/>	Vegetated Roof
<input type="checkbox"/>	Pervious Pavement with Infiltration Bed
Other BMPs	
<input type="checkbox"/>	Separate MS4 Permittee Compliance With Pollutant Reduction Plan
<input type="checkbox"/>	Without Pollutant Reduction Plan
<input type="checkbox"/>	NPDES Industrial Stormwater Permit Compliance
<input type="checkbox"/>	Innovation Credit

Certification

I agree to all conditions of the Credits associated with the above referenced property as outlined in the Williamsport Sanitary Authority (WSA) Stormwater Program Manual. Additionally, I agree that the WSA may at reasonable times enter my property to inspect the property or condition or operation of BMPs. I also understand my obligations to any conditions listed in any Operation and Maintenance Agreements that are in existence for this property with the WSA.

Signature

Print Name and Date

Send completed form to:
Engineering Department
Williamsport Sanitary Authority
253 West Fourth St.
Williamsport, PA 17701
(570) 323-6140

Appendix C – Operation and Maintenance Agreement

**OPERATION AND MAINTENANCE (O&M) AGREEMENT STORMWATER
MANAGEMENT BEST MANAGEMENT PRACTICES (SWM BMPs)**

THIS AGREEMENT, made and entered into this day of _____, 20_____, by and between _____(hereinafter the “Property Owner”), and the Williamsport Sanitary Authority, Lycoming County, Pennsylvania (hereinafter “WSA”);

WITNESSETH

WHEREAS, the Property Owner is the owner of certain real property as recorded by deed in the land records of Lycoming County, Pennsylvania, Deed Book _____at page __, (hereinafter “Property”).

WHEREAS, the SWM BMP Operation and Maintenance (O&M) Plan approved by WSA (hereinafter referred to as the “O&M Plan”) for the property identified herein, which is attached hereto as Appendix A and made part hereof, as approved by the WSA, provides for management of stormwater within the confines of the Property through the use of BMPs; and

WHEREAS, the WSA, and the Property Owner, his successors and assigns, agree that the health, safety, and welfare of the residents of the City of Williamsport and the protection and maintenance of water quality require that on-site SWM BMPs be maintained on the Property; and

WHEREAS, the WSA requires, through the implementation of the SWM Site Plan, that SWM BMPs as required by said SWM Site Plan be adequately operated and maintained by the Property Owner, successors, and assigns.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The Property Owner shall operate and maintain the BMPs as shown on the SWM Site Plan in good working order in accordance with the specific operation and maintenance requirements noted on the approved O&M Plan.
2. The Property Owner hereby grants permission to the WSA, its authorized agents and employees, to enter upon the property, at reasonable times and upon presentation of proper credentials, to inspect the BMPs whenever necessary. Whenever possible, the WSA shall notify the Property Owner prior to entering the property.
3. In the event the Property Owner fails to operate and maintain the BMPs per paragraph 1, the WSA or its representatives may enter upon the Property and take whatever action is deemed necessary to maintain said BMP(s). It is expressly understood and agreed that the WSA is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the WSA.
4. In the event the WSA, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Property Owner shall reimburse the WSA for all expenses (direct and indirect) incurred within 10 days of receipt of invoice from the WSA.
5. The intent and purpose of this Agreement is to ensure the proper maintenance of the on-site BMPs by the Property Owner; provided, however, that this Agreement shall not be deemed to create any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.
6. The Property Owner, its executors, administrators, assigns, and other successors in interests, shall release the WSA from all damages, accidents, casualties, occurrences, or claims which might arise or be asserted against said employees and representatives from the construction, presence, existence, or maintenance of the BMP(s) by the Property Owner or WSA.

7. The WSA or its designee intends to inspect the BMPs periodically to ensure their continued functioning.

This Agreement shall be recorded at the Office of the Recorder of Deeds of Lycoming County, Pennsylvania, and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Property Owner, his administrators, executors, assigns, heirs, and any other successors in interests, in perpetuity.

ATTEST:

WITNESS the following signatures and seals:

(SEAL)

For the WSA:

For the Property Owner:

ATTEST:

_____(City, Borough, Township)

County of _____, Pennsylvania

I, _____, a Notary Public in and for the county and state aforesaid, whose commission expires on the ___day of _____, 20_____, do hereby certify that _____ whose name(s) is/are signed to the foregoing Agreement bearing date of the ___day _____, 20____, has acknowledged the same before me in my said county and state.

GIVEN UNDER MY HAND THIS _____ day of _____, 20_____.

NOTARY PUBLIC

(SEAL)

Appendix D – Stormwater Charge Appeal Form



Williamsport Sanitary Authority

Stormwater Charge Appeal Form

Owner's Name: _____ E-mail: _____

Phone Number: _____ Alt. Phone Number: _____

Property Address: _____

Mailing Address (if different from above): _____

Account Number: _____

Select your reason for filing an appeal (check one):

- My property has less impervious surface area than was originally calculated (only applicable to Non-residential Stormwater Properties)
- My property has recently undergone construction which reduced the on-site impervious surface area. (only applicable to Non-residential Stormwater Properties)
- My property has been improperly identified by parcel type (Residential vs Non-Residential)
- The property has been sold to a new owner (fill out the top section with your information and attach a separate sheet with contact information for the new owner).
- Other (please explain): _____

Please provide information relevant to your issue:

Impervious surface area calculated by Williamsport Sanitary Authority: _____

Corrected impervious surface area: _____

Date change took place (date of sale, date construction ended, etc.): _____

Location on property: _____

Attach Documentation

Attach as separate sheets any documents related to your appeal (drawings/sketches/plans, bill of sale, survey, etc.). All drawings/sketches/plans must be signed by an engineer or surveyor licensed in Pennsylvania.

Additional Comments: _____

Certification

I certify that the information contained in the application is, to the best of my knowledge, correct and represents a complete and accurate statement. By signing below, I agree to allow Authority staff or inspectors on site to review and verify the above information.

Property Owner Signature

Print Name and Date

Send completed form to:
Engineering Department
Williamsport Sanitary Authority
253 West Fourth St.
Williamsport, PA 17701
(570) 323-6140