

**From:** Estelle T. Eberhardt [etepe@comcast.net]  
**Sent:** Tuesday, June 15, 2010 3:20 PM  
**To:** IRRC  
**Subject:** Docket #2783

Per 102.8 (a) of the 5/17/10 Chapter 102.

IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION. A PERSON CONDUCTING EARTH DISTURBANCE ACTIVITIES PURSUANT TO A PERMIT ISSUED BEFORE THE EFFECTIVE DATE OF THIS CHAPTER AND RENEWED PRIOR TO JANUARY 1, 2013, SHALL IMPLEMENT, OPERATE AND MAINTAIN THE PCSM REQUIREMENTS IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE EXISTING PERMIT. AFTER JANUARY 1, 2013, THE RENEWAL OF ANY PERMIT ISSUED BEFORE THE EFFECTIVE DATE OF THIS CHAPTER, SHALL COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

I would offer that "CONDUCTING EARTH DISTURBANCE ACTIVITIES..." be further clarified so the assumption cannot be made that there must be actual construction activities occurring for this to be the case in regards to permit renewal. That is, for a NPDES permit issued in 2007 and valid until 2012, can the permittee renew that permit under the old regulations even if they have not started actual physical site construction under that permit prior to it expiring and requiring a renewal prior to January 1, 2013.

Perhaps "CONDUCTING OR INTENDING TO CONDUCT EARTH DISTURBANCE ACTIVITIES..."

Estelle T. Eberhardt, P.E.  
Irick, Eberhardt & Mientus, Inc.  
Suite 3  
2771 Geryville Pike  
Pennsburg, PA 18073  
215-541-4626 x11  
215-541-4023 (fax)

