

BUFFALO TOWNSHIP  
NOVEMBER 10, 2021  
PUBLIC MEETING  
PADEP – MS4 MUNICIPAL SEPARATE STORM SEWER SYSTEM  
EDUCATIONAL REPORT AND SOLICITATION FOR PARTICIPATION

PRESENTATION OF PADEP FINDINGS AND TOWNSHIP RESPONSES TO  
PADEP MS4 DATA AUDIT INSPECTION REPORT OF JUNE 30, 2020 ANNUAL REPORT  
DATED SEPTEMBER 17, 2021

DEP Comments/Questions are *bold/italicized*, and Buffalo Township Responses follow.

**FACILITY DETAILS SECTION**

***QUESTION 01:***        *Is a Copy of the permit(s) on-site?*

RESPONSE:            The Township has a copy of the permit posted in the public meeting room at the Township building.

**ANNUAL STATUS REPORT**

***QUESTION ASR-6:***    *Is the Annual Status Report made available for public review by the Permittee?*

RESPONSE:            The Township has a copy of the Annual Status Report posted in the public meeting room and is available for public review.

**POLLUTION REDUCTION PLAN (PRP) & TOTAL MAXIMUM DAILY LOAD (TMDL) PLAN**

***QUESTION PRP-5:***    *Describe steps taken by Permittee to implement PRP?*

RESPONSE:            DEP has not formally approved the PRP as of this date. The Township will begin to implement the PRP once DEP issues approval.

**MCM 1 - PUBLIC EDUCATION AND OUTREACH PROGRAM (PEOP)**

***QUESTION***

***MCM1-10:***            *Does the publication include a description of permittee's SWMP?*

RESPONSE:            The publication and public presentation present an overview of the permittee's SWMP. The SWMP includes written descriptions for MCM#1, MCM#2, MCM#3 and MCM#6 included herein. For MCM#4 and MCM#5, Buffalo Township relies on the PA statewide program for stormwater associated construction activities.

***QUESTION***

***MCM1-11:***            *Does the publication include information about permittee's stormwater management activities?*

RESPONSE:            The publication and public presentations present an overview of the permittee's stormwater management activities.

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***QUESTION***

***MCM1-13:*** *Is the list of published material made available to the public?*

RESPONSE: The published materials are available at the Township building for the public to view and obtain copies. The published materials are mailed to all parties on the Target Audience List and distributed as handouts at the public meetings.

**MCM 2 - PUBLIC INVOLVEMENT AND PARTICIPATION PROGRAM (PIPP)**

***QUESTION***

***MCM2-4:*** *Does the PIPP include opportunities for public participation?*

RESPONSE: The PIPP includes opportunities for public participation. The Township requests and solicits participation in the written documents distributed each year. The Township also requests and solicits participation at the public meetings.

***QUESTION***

***MCM2-5:*** *Does the PIPP include methods of routine conversation with shareholders?*

RESPONSE: The Township solicits responses and conversation with shareholders in the written publications distributed and at the public meetings.

***QUESTION***

***MCM2-8:*** *For Ordinances and SOPs, has the permittee provided notice to the public, opportunities for public comment, documented and evaluated the public comments, and documented the permittee responses to comments prior to finalizing the documents?*

RESPONSE: The Stormwater Management Ordinance and Pollutant Reduction Plan were publicly advertised, and public input was solicited at public meetings. The Township received input at the public meetings, and the input was taken into consideration prior to finalizing the documents. Direct mailings soliciting input and participation were sent to the property owners where Pollutant Reduction Plan projects are being proposed. On-site meetings were held with these property owners to review the PRP projects and to solicit acquisition of easements and resolution of questions and to gather input. Prior to finalizing the PRP, the input received was evaluated, and adjustments were made to the PRP by the Township and Engineer.

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**QUESTION**

**MCM2-11:**

***Does the permittee solicit public reporting of illicit discharges?***

RESPONSE:

The permittee requests public reporting of illicit discharges through the publications mailed out, and requests are made at the public meetings.

**QUESTION**

**MCM2-12:**

***Does the permittee assist the public in their efforts to help implement SWMP?***

RESPONSE:

The permittee does assist the public implement the SWMP. The Township provides assistance with all stormwater questions and issues that arise by performing field investigations and recommending guidance regarding resident stormwater issue concerns. A great deal of one-on-one contact is also implemented with the Township Engineer during the grading permit and stormwater management designs for new construction.

**MCM 3 - ILLICIT DISCHARGE DETECTION & ELIMINATION (IDD&E)**

**QUESTION**

**MCM3-2:**

***Does the IDD&E program include procedures for identifying priority areas?***

RESPONSE:

Buffalo Township will field screen 20% of its outfalls annually. Priority areas will be established with a higher likelihood of illicit discharges to be screened yearly or more frequently depending on varying seasonal or meteorological conditions. During the yearly field screening process an assessment is done to determine if additional outfalls will be inspected. If complaints or stormwater issues are presented to the Township, typically inspections are performed within a few days of the complaint.

**QUESTION**

**MCM3-3:**

***Does the IDD&E program include procedures for screening outfalls in priority areas?***

RESPONSE:

The Township procedure for screening outfalls in a priority area is to inspect the outfalls immediately upon indication of an illicit discharge.

**QUESTION**

**MCM3-4:**

***Does the IDD&E program include procedures for identifying the source of an illicit discharge when a contaminated flow is detected?***

RESPONSE:

The Township procedure to identify the source of an illicit discharge is upon indication of an illicit discharge to immediately investigate and trace the upstream watershed to identify the source of an illicit discharge.

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***QUESTION***

***MCM3-5: Does the IDD&E program include procedures for eliminating an illicit discharge?***

RESPONSE: The Township procedure to eliminate an illicit discharge is to notify the landowner or occupant of an illicit discharge and to require remedial action as per the ordinance.

***QUESTION***

***MCM3-6: Does the IDD&E program include procedures for assessing the potential for illicit discharges caused by the interaction of sewage disposal systems (e.g., on-lot septic systems, sanitary piping) with storm drain systems?***

RESPONSE: The procedure for assessing the potential for illicit discharges caused by sewage disposal systems is the same procedure stated in MCM3-4 and MCM3-5 answers, which is to immediately investigate and trace the upstream watershed to identify the source of an illicit discharge. Notice would be given to the landowner or occupant of an illicit discharge. Notice would also be given to the Municipal Code Association Butler County SEO for the Township.

***QUESTION***

***MCM3-7: Does the IDD&E program include mechanisms for gaining access to private property to inspect outfalls?***

RESPONSE: Section 902 – Right of Entry of the Buffalo Township Stormwater Management Ordinance Number 134-2018 provides authorization to access private property to implement the SWMP.

***QUESTION***

***MCM3-8: Does the IDD&E program include procedures for program documentation, evaluation and assessment?***

RESPONSE: The Township’s written procedure for program documentation, evaluation and assessment is as follows: Records and documentation will be kept of all activities related to the IDD&E program. Inspection reports, complaints, assessments and follow-up are to be tracked. Copies of the reports are included in the annual MS4 Report.

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**QUESTION**

**MCM3-9:**

***Does the IDD&E program include procedures for addressing information or complaints received from the public?***

RESPONSE:

The Township procedure for addressing information or complaints received from the public is as follows: Upon indication or upon a complaint being filed, the Township will immediately inspect, investigate and trace the upstream watershed to identify the source of an illicit discharge. Typically, the Township Engineer is requested to perform the inspections.

**QUESTION**

**MCM3-16:**

***Do the maps include components of the storm sewer collection system including but not limited to roads, inlets, piping, swales, catch basins, channels?***

RESPONSE:

The MS4 storm water system maps include components of the storm sewer collection system including roads, inlets, piping, swales, catch basins and channels.

**QUESTION**

**MCM3-17:**

***Do the maps include privately-owned components of the collection system where conveyances or best management practices (BMPs) on private property receive stormwater flows from upstream publicly-owned components?***

RESPONSE:

The MS4 storm water system maps contain dedicated stormwater BMP facilities, many of which are privately-owned components of the storm sewer collection system.

**QUESTION**

**MCM3-21:**

***Does the dry weather screening program include identification of illicit discharge sources?***

RESPONSE:

Yes, the dry weather screening program includes identification of illicit discharge sources.

**QUESTION**

**MCM3-22:**

***Does the dry weather screening program include actions to remove or correct any illicit discharges?***

RESPONSE:

The dry weather screening program includes actions to contact the owner of the facility with a directive to eliminate an illicit discharge.

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***QUESTION***

***MCM3-23:***

***Does the dry weather screening program include responses to reports received from the public or other agencies of suspected or confirmed illicit discharges?***

RESPONSE:

The dry weather screening program includes responding to reports or concerns expressed by the public. Typically, the Township Engineer will inspect and investigate issues that arise.

***QUESTION***

***MCM3-24:***

***Does the dry weather screening program include implementation of enforcement actions if necessary?***

RESPONSE:

The dry weather screening program and Stormwater Management Ordinance includes provisions for enforcement actions if necessary. To date, no legal enforcement actions have been needed.

***QUESTION***

***MCM3-25:***

***Does the dry weather screening program include reporting to DEP when necessary?***

RESPONSE:

The dry weather screening program will be modified to include reporting to DEP if illicit discharge is discovered.

***QUESTION***

***MCM3-28:***

***Does the permittee keep records of outfall observations each time an outfall is screened, regardless of the presence of dry weather flow, for 5 years?***

RESPONSE:

The permittee keeps copies of all outfall observations since the inception of the NPDES MS4 Permit in 2003.

***QUESTION***

***MCM3-29:***

***Is a summary submitted with the Annual MS4 Status Reports that contains the results of outfall inspections and actions taken to remove or correct illicit discharges?***

RESPONSE:

A summary of outfall inspections will be prepared and included with all future Annual MS4 Status Reports.

***QUESTION***

***MCM3-30:***

***Are observation points used if any outfall is inaccessible?***

RESPONSE:

Observation points are used for outfalls that are inaccessible.

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**MCM 4 (CONSTRUCTION)**

***QUESTION***

***MCM4-5: Is the permittee implementing and enforcing the ordinance or requiring the implementation of erosion and sediment control BMPs?***

RESPONSE: The permittee is implementing and enforcing the Stormwater Management Ordinance which requires utilization of erosion and sedimentation control BMPs. Projects with earth disturbance are required to obtain a grading permit including stormwater management and E&S control BMPs.

**MCM 5 – POST-CONSTRUCTION STORMWATER MANAGEMENT (PCSM)**

***QUESTION***

***MCM5-2: Is the permittee implementing and enforcing an ordinance or SOP to require the implementation and maintenance of post-construction stormwater management (PCSM) BMPs?***

RESPONSE: Buffalo Township is implementing and enforcing the Stormwater Management Ordinance number 135.

***QUESTION***

***MCM5-4: Do the measures encourage retrofitting LID into existing development?***

RESPONSE: The Buffalo Township Stormwater Management Ordinance #134 of 2018 encourages use of Low Impact Development (LID) practices in Section 301R. The draft Pollutant Reduction Plan includes retrofitting of existing stormwater management facilities.

***QUESTION***

***MCM5-5: Does the ordinance conflict with LID practices?***

RESPONSE: The Stormwater Management Ordinance does not conflict with but encourages LID practices.

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**QUESTION**  
**MCM5-6:**

***Does the permittee have a program in place to ensure adequate operation and maintenance (O&M) of all PCSM BMPs that have been installed at development or redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale?***

RESPONSE:

Buffalo Township requires developers who disturb one acre or greater to execute and record a Stormwater Operations and Maintenance Agreement which obligates the developer to perform the necessary O&M. Developers who disturb less than one acre are required to obtain a grading permit which includes Stormwater Management BMPs for newly created impervious surfaces greater than 500 square feet. The grading permit documents obligate the developer to perform O&M.

**QUESTION**  
**MCM5-8:**

***Is the PCSM BMP inventory regularly updated and maintained annually?***

RESPONSE:

The PCSM BMP inventory is updated annually when the MS4 Annual Report is prepared.

**QUESTION**  
**MCM5-9:**

***Date of last PCSM BMP inventory update?***

RESPONSE:

The most recent PCSM BMP inventory update is June 2021.

**QUESTION**  
**MCM5-11:**

***Does the inventory include the exact location of the PCSM BMP (e.g., latitude and longitude, with street address)?***

RESPONSE:

The PCSM BMP inventory includes a listing of the project and BMP. Future inventories will include latitudes, longitudes and addresses of BMPs.

**QUESTION**  
**MCM5-12:**

***Does the inventory include information (e.g., name, address, phone number(s)) for BMP owners and entities responsible for BMP O&M, if different from BMP owners?***

RESPONSE:

The PCSM BMP inventory includes a listing of the project and BMP. Future inventories will include name, address and phone number for BMP owners and entities responsible for maintenance.



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**QUESTION**

**MCM5-13:**

***Does the inventory include the type of BMP and the year it was installed?***

RESPONSE:

The PCSM BMP inventory includes a listing of the project and BMP. Future inventories will include the type of BMP and the date it was installed.

**QUESTION**

**MCM5-14:**

***Does the inventory include maintenance required for the BMP type according to the Pennsylvania Stormwater BMP Manual or other manuals and resources?***

RESPONSE:

The PCSM BMP inventory does not include the maintenance required, but the develop plans and PCSM plans which are typically recorded include the required maintenance.

**QUESTION**

**MCM5-15:**

***Does the inventory include the actual inspection/maintenance activities conducted for each BMP?***

RESPONSE:

The PCSM BMP inventory does not include the inspection/maintenance activities conducted.

**QUESTION**

**MCM5-16:**

***Does the inventory include an assessment by the permittee if proper O&M has occurred during the year and if not, what actions the permittee has taken, or shall take, to address compliance with O&M requirements?***

RESPONSE:

The PCSM BMP inventory does not include an assessment by the permittee if proper O&M has occurred. No actions have been taken to address compliance as of this date.

**MCM 6 (HOUSEKEEPING)**

**QUESTION**

**MCM6-5:**

***Does the O&M program include management practices, policies, and procedures to reduce or prevent the discharge of pollutants to the MS4?***

RESPONSE:

The O&M program includes practices and procedures to reduce and prevent the discharge of pollutants.

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**QUESTION**

**MCM6-6:**

***Does the O&M program include maintenance activities, maintenance schedules, and inspection procedures to reduce the potential for pollutants to reach the MS4?***

RESPONSE:

The O&M program includes maintenance activities, schedules and inspection procedures to reduce the potential of pollutants reaching the MS4.

**QUESTION**

**MCM6-7:**

***Does the O&M program include controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, salt/sand (anti-skid) storage locations and snow disposal areas?***

RESPONSE:

The O&M programs includes policies and procedures to control and reduce discharge of pollutants from Township owned facilities.

**QUESTION**

**MCM6-8:**

***Does the O&M program include procedures for the proper disposal of waste, including dredge spoil, accumulated sediments, trash, household hazardous waste, used motor oil, street sweepings, and other debris?***

RESPONSE:

The O&M program states disposal of water is to be done in a proper manner and that waste oil recycling is recommended. Additional procedures will be added to the O&M program to address disposal methods.