

MONTGOMERY COUNTY
CONSERVATION DISTRICT

143 Level Road • Collegeville, PA 19426-3313 • 610-489-4506 • Fax: 610-489-9795
www.montgomeryconservation.org

March 2, 2005

Heritage Building Group
2500 York Road
Jamison, PA 18929

RECEIVED 10:45

RE: Revision to existing NPDES permit
Gaugler Tract Residential
NPDES Permit Plan Revision # 01- Single Units
NPDES Permit # PAG2004604076
New Hanover Township, Montgomery County, PA

Acres: 24.55/23.57

Dear Applicant;

This letter is in reference to the Heritage Building Group requesting a review for adequacy of revisions to the erosion and sediment control plan for the above referenced NPDES Permit which authorized the discharges of stormwater from the Gaugler Tract - Residential site located in New Hanover Township, Montgomery County, Pennsylvania.

The requested erosion and sedimentation control plan revisions have been determined to be adequate to meet the requirements of Chapter 102, DEP Regulations on erosion and sediment control. The revisions will be added to NPDES Permit # PAG2004604076. Please add the enclosed narrative and drawings describing the revisions to the erosion and sediment control plan at the project site.

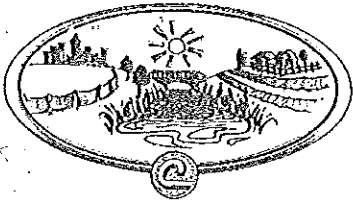
All conditions specified in the original permit remain in effect and are to be complied with as part of this erosion and sediment control plan revision. Please ensure that the erosion and sedimentation control plan is fully implemented and available at the construction site.

If you have any questions, please contact this office at the above listed number.

Sincerely,

Susan Greth
Erosion and Sediment Control Technician

cc: PA DEP Soil and Waterways Section, Northeast Regional Office
Montgomery County Planning Commission
Bohler Engineering, Inc
New Hanover Township
Permit File



MONTGOMERY COUNTY
CONSERVATION DISTRICT

143 Level Road • Collegeville, PA 19426-3313 • 610-489-4506 • Fax: 610-489-9795
www.montgomeryconservation.org

September 2, 2004

Clay Chandler
Heritage Building Group
2500 York Rd.
Jamison, PA 18929

RECEIVED
SEP 07 2004

Re: NPDES#PAG2004604076
Gaugler Townhomes
New Hanover Township, Montgomery County

Acres: 24/22.3

Dear Mr. Chandler;

Enclosed is the above referenced permit, which authorizes the discharge of storm water from the construction activity, described in the adequate erosion and sediment control plan of 4/05/2004, and the permit application. Please ensure that the erosion and sedimentation control plan that has been determined to be adequate is fully implemented and available at the construction site.

The Montgomery County Conservation District reviewed the erosion and sedimentation control plan to determine whether it is adequate to satisfy the requirements of Chapter 102, Erosion and Sediment Control Rules and Regulations. The Montgomery County Conservation District assumes no responsibility for the implementation of the plan, or the proper construction, operation, and maintenance of the facilities contained in the plan.

Please read carefully Parts A, B, and C of the permit which details the terms and conditions of this authorization. Conservation District staff and/or representatives of the Department of Environmental Protection may inspect this earth disturbance activity to determine compliance with applicable permit requirements, Chapters 92, 101, and 102 Rules and Regulations and the Clean Streams Law.

Permit requirements and federal regulations at 40 C.F.R. S122.21(b) require that "when a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit". Please be advised that once a contractor has been selected for the project, they must either be added on to the permit as a co-permittee or have the permit responsibility transferred to them. This office must receive the co-permittee/transferee form no later than 30 days prior to the co-permittee/transferee action-taking place. The enclosed form must be used to add the co-permittee/transferee.

Enclosed also is a Notice of Termination (NOT) form to be completed and filed with the Conservation District once construction activities have ceased and final stabilization has been achieved.

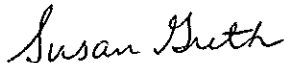
The Montgomery County Conservation District and/or the Southeast Regional Office of the Department of Environmental Protection Soils and Waterway Section must be notified by telephone or certified mail at least seven days prior to the start of construction.

Please be advised that a pre-construction meeting is requested. When the date of the meeting is selected, please contact the district representative whose signature appears below.

This authorization does not relieve the applicant from applying for and obtaining any and all additional permits or approvals from local, state, or federal agencies for the construction activity described in the permit application.

If you have any questions regarding this permit, please contact the Montgomery County Conservation District.

Sincerely,



Susan Greth
Erosion Control Technician

Enclosure: NPDES General Permit # PAG2004604076
(1) Form 3930-PM-WM0228: 06/03 Transferee/Co-Permittee form
(1) Form 3930-PM-WM0229: 10/02 Notice of Termination form

cc: Soil & waterways Section, Southeast Regional Office -- DEP
Montgomery County Planning Commission
New Hanover Township
Bohler Engineer, Inc.
Project File



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATERSHED MANAGEMENT

APPROVAL OF COVERAGE UNDER THE GENERAL NPDES
PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH
CONSTRUCTION ACTIVITIES
PAG-2 (2002 Amendment)

RECEIVED

SEP 09 2004

NPDES PERMIT: PAG2004604076

Project Name and Address	Permittee Name and Address
Gaugler Townshouses Layfield Road New Hanover Township	Clay Chandler Heritage Building Group 2500 York Road Jamison, PA 18929

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 et seq. (the "Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 et seq., the Department of Environmental Protection hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater to the following surface water(s):
TSF- Swamp Creek

from a: 1 to less than 5-acre project with a point source discharge 5 acres or larger project

subject to the Department's enclosed PAG-2 which incorporates all effluent limitations, monitoring and reporting requirements and other terms, conditions, criteria, and special requirements for the discharge of stormwater from point sources composed entirely of storm water associated, in whole or in part, with construction activity, as defined in this General Permit, to surface waters of the Commonwealth, including to municipal separate storm sewers and non-municipal separate storm sewer.

APPROVAL TO DISCHARGE IN ACCORDANCE WITH THE TERMS AND CONDITIONS HEREIN MAY COMMENCE ON THE DATE OF THE APPROVAL OF COVERAGE, AND IS VALID FOR A PERIOD OF FIVE YEARS WHEN CONDUCTED PURSUANT TO SUCH TERMS AND CONDITIONS. COVERAGE MAY BE EXTENDED BY THE DEPARTMENT IF A TIMELY ADMINISTRATIVELY COMPLETE AND ACCEPTABLE NOI RENEWAL IS SUBMITTED TO THE DEPARTMENT AT LEAST 90 DAYS PRIOR TO DATE OF COVERAGE TERMINATION, UNLESS PERMISSION FOR SUBMISSION AT A LATER DATE HAS BEEN GRANTED BY THE DEPARTMENT. THE PERMIT MAY BE TERMINATED PRIOR TO THE EXPIRATION DATE UPON NOTICE TO AND APPROVAL BY THE DEPARTMENT OR AUTHORIZED COUNTY CONSERVATION DISTRICT. NO CONDITION OF THIS PERMIT SHALL RELEASE THE PERMITTEE OR CO-PERMITTEE FROM ANY RESPONSIBILITY OR REQUIREMENT UNDER PENNSYLVANIA, OR FEDERAL ENVIRONMENTAL STATUTES, AND REGULATIONS OR LOCAL ORDINANCES.

COVERAGE APPROVAL DATE: 9/02/04 COVERAGE EXPIRATION DATE: 9/02/09

AUTHORIZED BY: Susan Greth TITLE: Erosion Control Technician
Susan Greth

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATERSHED MANAGEMENT

GENERAL NPDES
PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

PAG-2 (2002 Amendment)

This permit applies to earth disturbance activities, other than agricultural plowing and tilling, timber harvesting activities and road maintenance activities, that disturb five (5) or more acres, or an earth disturbance on any portion, part, or during any stage of, a larger common plan of development or sale that involves five (5) or more acres of earth disturbance, AND, earth disturbance activities with a point source discharging to surface waters of the Commonwealth that disturb from one (1) to less than five (5) acres, or an earth disturbance on any portion, part, or during any stage of, a larger common plan of development or sale that involves one (1) to less than five (5) acres of disturbance.

Notice of Intent (NOI) Submittal

1. GENERAL INFORMATION AND REQUIREMENTS

- a. Persons proposing to discharge stormwater associated with construction activities and eligible persons proposing to expand the scope of previously authorized construction activity which discharges stormwater, who wish to be covered by this general permit, must submit an administratively complete and acceptable Notice of Intent (NOI) to the Department or authorized County Conservation District at least 30 days prior to commencing the construction activity. The NOI shall be filed in accordance with the detailed instructions specified in the NOI instruction package.
- b. The Department or authorized County Conservation District may notify the permittee at any time that the activities pursuant to this permit are not being met. Upon plan review or site inspection the Department or authorized County Conservation District may require E & S Plan revisions or other appropriate action to ensure compliance with the conditions of this permit.
- c. Operators of all construction activities shall develop, implement, and maintain erosion and sediment and post construction stormwater best management practices (BMPs) and other pollution prevention measures required by this permit.
- d. Erosion and sediment control BMPs shall be designed and implemented to meet the standards and specifications identified in Chapters 91-105, any other applicable laws and regulations, and in the Department's Erosion and Sediment Pollution Control Manual, No. 363-2134-008, as amended and updated, or an approved alternative, when legally authorized.
- e. The Erosion and Sediment Control Plan (E&S Plan), Post Construction Stormwater Management Plan (PCSM Plan), and Preparedness, Prevention, and Contingency Plan (PPC Plan) shall identify appropriate BMPs that will be implemented to ensure that existing and designated uses of surface water are protected and maintained.
- f. The permittee or co-permittee shall have the E&S Plan, PPC Plan, PCSM Plan, and other documents required by this permit available at the site and available for review by the Department, Conservation District or other authorized local, state, or federal government official.

2. The following activities are not eligible for coverage under this permit:

- a. Discharges to waters with a designated or existing use of High Quality or Exceptional Value pursuant to 25 Pa. Code Chapter 93;
- b. Discharges which contain hazardous pollutants, toxics, or any other substance which - because of its quantity, concentration, or physical, chemical, or infectious characteristics - may cause or contribute to an increase in mortality or morbidity in either an individual or the total population, or pose a substantial present or future hazard to human health or the environment when discharged into surface waters of the Commonwealth;
- c. Discharges which individually or cumulatively have the potential to cause significant adverse environmental impact;

- d. Discharges to waters for which NPDES general permit coverage is prohibited under 25 Pa. Code Chapter 92;
 - e. Discharges which are not, or will not be in compliance with any of the terms or conditions of this general permit;
 - f. Discharges from a person who has failed and continues to fail to comply has shown a lack of ability or intention to comply with a regulation, permit, schedule of compliance or order issued by the Department.
 - g. Discharges subject to categorical point source effluent limitations promulgated by EPA;
 - h. Discharges which do not, or will not, result in compliance with applicable effluent limitations or water quality standards;
 - i. Discharges from construction activities for which the Department requires an Individual NPDES permit to ensure compliance with the Clean Water Act, the Clean Streams Law, or rules and regulations promulgated thereto; or where a change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
 - j. Discharges associated with coal mining or non-coal mining activities pursuant to the Department's regulations at 25 Pa. Code Chapters 77 and 86-90.
 - k. Discharges associated with a construction activity that may adversely affect a Pennsylvania or federal endangered or threatened species or its habitat;
 - l. Discharges from a site where other point source(s) require the issuance of an Individual NPDES permit.
3. The Department, or the authorized County Conservation District may require by written notice any person authorized by this permit to apply for an Individual NPDES permit. This notice shall include the following: (1) a brief statement of the reasons for the decision, (2) an application form for an Individual NPDES permit, and (3) a statement setting a 90 day deadline for the owner or operator to file the application.
 4. Persons requesting a renewal of coverage under this general permit must submit to the Department or authorized County Conservation District an administratively complete and acceptable NOI, at least 90 days prior to the expiration date of the coverage, unless permission has been granted by the Department or authorized County Conservation District for submission at a later date. In the event that a timely, administratively complete, and acceptable application for renewal of coverage has been submitted and the Department or authorized County Conservation District is unable, through no fault of the permittee, to reissue the approval for coverage before the expiration date of the approved coverage, the terms and conditions of the approved coverage will be automatically continued and will remain fully effective and enforceable pending the issuance or denial of the renewal of coverage, provided the permittee is, and has been, operating in compliance with the terms and conditions of the permit.
 5. No condition of this permit shall release any person from any responsibility or requirements under other federal or Pennsylvania environmental statutes or regulations or local ordinances.

The General NPDES Permit for Stormwater Discharges Associated with Construction Activities PAG-2 is issued December 7, 2002 and shall expire at midnight December 7, 2007 unless reissued on or before this date by the Department.

BY Stuart I. Gansell
STUART I. GANSELL
DIRECTOR
BUREAU OF WATERSHED MANAGEMENT

PART A

EFFLUENT LIMITATIONS, MONITORING AND REPORTING REQUIREMENTS

1. EFFLUENT LIMITATIONS

a. Best Management Practices (BMPs)

This permit establishes effluent limitations in the form of implemented BMPs identified in PPC Plans, PCSM Plans, and E&S Plans which restrict the rates and quantities of sediment, stormwater runoff and associated pollutants from being discharged into surface waters of the Commonwealth and which replicate preconstruction infiltration and runoff conditions to the maximum extent possible.

b. Applicable Effluent Limitations

All stormwater discharges associated with construction activities must comply with applicable effluent limitations established in 25 Pa. Code Chapters 91-105.

c. Water Quality Based Effluent Limitations

Water quality based effluent limitations shall be imposed under applicable state and federal law when necessary to ensure that the water quality standards of the receiving water are attained. Discharges of stormwater associated with a construction activity shall not result in a violation of the water quality standards.

2. MONITORING AND REPORTING REQUIREMENTS

a. Visual Inspections

The permittee and co-permittee must ensure that visual site inspections are conducted weekly, and after each measurable precipitation event by qualified personnel, trained and experienced in erosion and sediment control, to ascertain that the Erosion and Sediment Control (E&S) BMPs are operational and effective in preventing pollution to the waters of the Commonwealth. A written report of each inspection shall be kept, and include:

- (1) a summary of site conditions, E&S BMP's, and compliance; and
- (2) the date, time, and the name of the person conducting the inspection.

b. Non-compliance Reporting

Where E&S BMP's are found to be inoperative or ineffective during an inspection, or any other time, the permittee and co-permittee shall immediately contact the Department or authorized County Conservation District, by phone or personal contact, followed by the submission of a written report within 5 days of the initial contact. Non-compliance reports shall include the following information:

- (1) any condition on the project site which may endanger public health, safety, or the environment, or involve incidents which cause or threaten pollution;
- (2) the period of non-compliance, including exact dates and times and/or anticipated time when the activity will return to compliance;
- (3) steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance; and
- (4) the date or schedule of dates, and identifying remedies for correcting non-compliance conditions.

c. Supplemental Monitoring

The Department, and authorized County Conservation District, reserve the right to require additional monitoring where a danger of water pollution is present, or water pollution is suspected to be occurring from a construction activity subject to this general permit, or for any reason in accordance with, 25 Pa. Code Section 92.41. The permittee or co-permittee shall commence such monitoring upon notification from the Department, or authorized County Conservation District.

3. RECORD KEEPING

a. Retention of Records

The permittee and co-permittee shall retain records of all monitoring information including copies of all monitoring and inspection reports required by this permit, and records of data used to complete the Notice of Intent for this permit, for a period of three years from the date of the termination of coverage under this permit.

b. Reporting of Monitoring Reports

Monitoring results shall be submitted to the Department, or authorized County Conservation District upon request.

4. DISCHARGES CONSISTENT WITH TERMS AND CONDITIONS OF THE PERMIT

All discharges authorized by this NPDES permit shall be consistent with the terms and conditions of the permit.

PART B
STANDARD CONDITIONS

1. MANAGEMENT REQUIREMENTS

a. Permit Modification, Termination, or Revocation and Reissuance

- (1) This permit may be modified, suspended, revoked and reissued, or terminated during its term for any of the causes specified in 25 Pa. Code Chapter 92.

The Department may modify, revoke, suspend, or terminate previously issued coverage under this general NPDES permit, and require the stormwater discharger to apply for and obtain an Individual NPDES permit in accordance with 25 Pa. Code Chapter 92:

- (2) The filing of a request by the permittee or co-permittee for a permit or coverage modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated non-compliance, does not stay any permit condition.
- (3) Permit modification or revocation will be conducted according to 25 Pa. Code Chapter 92.

b. Duty to Provide Information

- (1) The permittee or co-permittee shall furnish to the Department, or authorized County Conservation District, within 30 days of the date of request, any information that the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or coverage approved under this permit, or to determine compliance with this permit.
- (2) The permittee or co-permittee shall furnish, upon request, to the Department, or authorized County Conservation District, copies of records required to be kept by this permit.
- (3) When the permittee or co-permittee becomes aware that he or she failed to submit any relevant facts submitted incorrect information in the NOI, PPC Plan, E&S Plan, PCSM Plan or in any other report to the Department, or authorized County Conservation District, the permittee or co-permittee shall promptly submit or correct such facts or information.
- (4) The permittee or co-permittee shall give seven calendar days advance notice to the Department, or authorized County Conservation District, of any planned physical alterations or additions to the permitted facility which could, in any way, substantially affect the quality and/or quantity of stormwater discharged from the activity.

c. Signatory Requirements

Documents required, submitted, or maintained under this permit shall be signed in accordance with the following:

- (1) Notices of Intent, Transferree/Co-permittee Form, and Notices of Termination.

- (a) Corporations: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production or operating facilities, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- (b) Partnerships or sole proprietorships: a general partner or the proprietor, respectively; or
- (c) Municipalities, State, Federal, or other public agencies: either a principal executive officer or ranking elected official; (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

- (2) All reports, plans, documents, and other information required by the permit or requested by the Department, or authorized County Conservation District, shall be signed by the permittee or co-permittee, or by a duly authorized representative of the permittee or co-permittee.
- (3) If there is a change in the duly authorized representative of the permittee or co-permittee; respectively, the permittee or co-permittee shall notify the Department or authorized County Conservation District within 30 days of the change.

d. Transfer of Ownership or Control

- (1) This permit is not transferable to any person except after notice to the Department, or authorized County Conservation District.
 - (a) In the event of any pending change in control or ownership of facilities from which the authorized discharges emanate, the permittee or co-permittee shall notify the Department, or authorized County Conservation District, using the form entitled "Transferee/Co-permittee Application" of such pending change at least 30 days prior to the change in ownership or control.
 - (b) The Transferee/Co-permittee Application form shall be accompanied by a written agreement between the existing permittee and the new owner or operator stating that the existing permittee shall be liable for violations of the permit up to and until the date of coverage transfer and that the new owner or operator shall be jointly and individually liable for permit violations under the permit from that date on.
 - (c) After receipt of the required documentation, the Department, or authorized County Conservation District, shall notify the existing permittee and the new owner or controller of its decision concerning approval of the transfer. Such requests shall be deemed approved unless the Department, or authorized County Conservation District, notifies the applicant otherwise within 30 days.
- (2) The Department or authorized County Conservation District may require the new owner or operator to apply for and obtain an Individual NPDES permit.
- (3) For purposes of this permit, operators shall include general contractors. If, prior to construction activities, the owner is the permittee and an operator/general contractor is later identified to become a co-permittee, the owner shall:
 - (a) Notify the Department, or authorized County Conservation District by submitting an administratively complete and acceptable Transferee/Co-permittee Application Form.
 - (b) After receipt of the documentation described in (a) above, the permit will be considered modified by the Department. For purposes of this permit, this modification is considered to be a minor permit modification.
 - (c) Monitoring reports and any other information requested under this permit shall reflect all changes to the permittee and the co-permittee name.

e. Removed Substances

Solids, sediments and other pollutants removed in the course of treatment or control of stormwater shall be disposed in accordance with federal and state law and regulations in order to prevent any pollutant in such materials from adversely affecting the environment.

f. Facilities Construction, Operation, and Maintenance

The permittee and co-permittee are responsible for the design and installation of the BMPs identified in the E & S Plan, PPC Plan and PCSM Plan, and for the operation and maintenance of the BMPs identified in the E & S and PPC Plans.

g. Adverse Impact

The permittee and co-permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

h. Reduction, Loss, or Failure of the BMPs

Upon reduction, loss or failure of the BMPs, the permittee and co-permittee shall take immediate action to restore the BMPs or provide an alternative method of treatment.

i. Termination of Coverage

Notice of Termination. Where all stormwater discharges associated with construction activity that are authorized by this permit are eliminated, and BMPs identified in the PCSM Plan have been installed, the permittee or co-permittee of the facility must submit a Notice of Termination (NOT) form that is signed in accordance with Part B.1.c. (Signatory Requirements) of this permit. All letters certifying discharge termination are to be sent to the Department, or the authorized County Conservation District.

2. COMPLIANCE RESPONSIBILITIES

a. Duty to Comply

The permittee and co-permittee must comply with all terms and conditions of this general permit. Any permit non-compliance constitutes a violation of the Pennsylvania Clean Streams Law and the federal Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit or permit renewal.

b. Penalties for Violations of Permit Conditions

The permittee and co-permittee may be subject to criminal and/or civil penalties for violations of the terms and conditions of this general permit under Section 602 and 605 of the Clean Streams Law, 35 P.S. Section 691.602 and 691.605, and under the Clean Water Act as specified in 40 C.F.R. Sections 122.41(a)(2) and (3), which are incorporated by reference.

c. Need to Halt or Reduce Activity Not a Defense

The permittee or co-permittee may not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

d. Penalties and Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee or co-permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA (33 U.S.C. §1321) or Section 106 of CERCLA.

e. Property Rights

This permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

f. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

g. Other Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee or co-permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

h. Right of Entry

Pursuant to Sections 5(b) and 305 of the Pennsylvania Clean Streams Law (35 P.S. §§691.5(b) and 691.305) and 25 Pa. Code Chapter 92, and §1917-A of the Administrative Code, the permittee and co-permittee shall allow the head of the Department, the EPA Regional Administrator, and/or an authorized representative of EPA, DEP, County Conservation District or, in the case of a facility which discharges to a municipal separate storm sewer, an authorized representative of the municipal operator or the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents, as may be required by law, to:

- (1) Enter upon the permittee's or co-permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
- (2) Have access to and copy at reasonable times, any records that must be kept under the terms and conditions of this permit;
- (3) Inspect any facilities or equipment (including monitoring and control equipment); and
- (4) Observe or sample any discharge of stormwater.

i. Availability of Reports.

Except for data determined to be confidential under Section 607 of the Clean Streams Law, (35 P.S. §691.607) all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department or authorized County Conservation District. As required by the Clean Water Act, the Clean Streams Laws, and 25 Pa. Code, Chapter 92 of the Department's regulations, permit applications, permits, and other documents related to this permit shall not be considered confidential.

j. Penalties for Falsification of Reports

Section 309(c)(4) of the Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both. In addition, criminal sanctions are set forth for false swearing and unsworn falsification at 18 Pa. C.S. §§4903-4904.

3. DEFINITIONS

Authorized County Conservation District – For purposes of this permit, shall generally mean the local County Conservation District that has entered into a delegation agreement with the Department to administer the NPDES Program for Stormwater Discharges Associated with Construction Activities. The Department retains program administration and enforcement if the local County Conservation District is not delegated.

Best Management Practices (BMPs) – Activities, facilities, measures, or procedures used to protect, maintain, reclaim and restore the quality of waters, and existing and designated uses within this Commonwealth. BMPs include PPC Plans, E&S Plans, PCSM Plans, Storm Water Management Act Plans, and other treatment requirements, operating procedures, and practices to control project site runoff, spillage or leaks, and other drainage from the construction activity.

Co-Permittee – A discharger of stormwater associated with construction activity who is jointly and individually responsible for compliance with all conditions of a permit and applicable laws with another entity for discharges to surface waters of the Commonwealth from their construction activity.

Department – The Department of Environmental Protection ("DEP") of the Commonwealth.

Director – The Director of the Bureau of Watershed Management, or any authorized employee thereof.

Erosion and Sediment Control Plan ("E&S Plan") – A site-specific plan identifying BMPs to minimize accelerated erosion and sedimentation and which meets the requirements of 25 Pa. Code Chapter 102 Rules and Regulations.

Municipality – Any county, city, borough, town, township, school district, institution or any authority created by one or more of the foregoing.

NOI – "The Notice of Intent for Coverage under the Pennsylvania General Permit for Discharges of Stormwater Associated with Construction Activities (PAG-2)."

Owner - A person who holds legal title to the land subject to construction activity. This term also includes the person(s) who held legal title to the land subject to construction activity at the time such activity was commenced on a site.

Permanent Stabilization – Long-term protection of soil and water resources from accelerated erosion.

Person – Any natural person, partnership, association, corporation, business organization, or any agency, instrumentality or entity of Federal or State Government. Whenever used in any clause prescribing and imposing a penalty, or imposing a fine or imprisonment or both, the term "person" shall not exclude the members of an association and the directors, officers, or agents of a corporation.

Point Source - Any discernable, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, CAFO, landfill leachate collection system, or vessel or other floating craft, from which pollutants are or may be discharged.

Preparedness, Prevention and Contingency Plan (PPC Plan) – A written plan that identifies an emergency response program, material and waste inventory, spill and leak prevention and response, inspection program, housekeeping program, security and external factors, developed and implemented at the construction site to control potential discharges of pollutants other than sediment into waters of the Commonwealth. Potential pollutants at construction activities can include, but are not limited to pesticides, fertilizers, lime, petrochemicals, construction-related chemicals and solvents, wastewater, wash water, core drilling wastewater, cement, sanitary wastes or hazardous wastes.

Post Construction Stormwater Management Plan (PCSM Plan) – A site specific plan identifying BMPs to manage stormwater runoff after construction activities have ended and the project site permanently stabilized to protect and maintain existing and designated uses. The PCSMP must contain a written narrative, including calculations or measurements, and justifications for each BMP. The BMPs should be designed to maximize infiltration technologies, minimize point source discharges to surface waters, preserve the integrity of stream channels, and protect the physical, biological and chemical qualities of the receiving water.

Runoff Coefficient – The fraction of total rainfall that will appear at the conveyance as runoff.

Stabilization – The proper placing, grading, constructing reinforcing, lining, and covering of soil, rock or earth to insure its resistance to erosion, sliding or other movement.

Stormwater – Stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Associated with Construction Activity – The discharge into surface waters of the Commonwealth, municipal separate storm sewers, or non-municipal separate storm sewers from any conveyance which is used for collecting and conveying stormwater and which is related to construction activities. Construction activities include clearing, grading, and excavation activities. The term does not include non-point source stormwater discharges from silvicultural activities.

Surface Waters of the Commonwealth – Any and all rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, ponds, springs, wetlands and all other bodies or channels of conveyance of surface water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

Wetlands – Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

PART C
OTHER CONDITIONS

1. PROHIBITION OF NON-STORMWATER DISCHARGES

All discharges covered by this permit shall be composed entirely of stormwater. Discharges of material other than stormwater must be in compliance with an NPDES permit (other than this permit) issued for the discharge. Discharge of sewage or industrial waste (other than sediment under this permit) to an erosion and sediment control BMP is not permitted.

The discharger may not discharge floating materials, oil grease, scum, foam, sheen and substances which produce odor, taste, turbidity, or settle to form deposits in concentrations or amounts sufficient to be, or create a danger of being, inimical to the water uses to be protected or to human, animal, plant or aquatic life.

2. EROSION AND SEDIMENT CONTROL PLANS

- a. An E&S Plan, must be prepared, developed, and implemented for each activity covered by this permit in accordance with the Department's Chapter 102 Rules and Regulations, and Department guidance. Each E & S plan must be submitted to the Department or authorized County Conservation District. The BMPs shall be designed to minimize the potential for accelerated erosion and sedimentation in order to protect, maintain, reclaim and restore water quality and existing and designated uses. Various BMPs and their design standards are listed in the Erosion and Sediment Pollution Control Program Manual (#363-2134-008). The manual is available from the Department or Authorized County Conservation District, or can be downloaded from the Department website www.dep.state.pa.us. E&S Plans, BMPs, and revisions thereto, which meet the requirements of 25 Pa Code Chapter 102, are conditions of this permit and incorporated by reference.
- b. E&S Plans required under this permit are considered reports that shall be available to the public under Section 607 of the Clean Streams Law, and 25 Pa. Code, Chapter 92 of the Department's regulations. The owner or operator of a facility with stormwater discharges covered by this permit shall make E & S plans available to the public upon request. E&S Plans must be made available at the site of the construction activity at all times.
- c. The staging of earth disturbance activities and maintenance requirements contained in the E&S Plan must be followed.

3. RECYCLING AND DISPOSAL OF BUILDING MATERIALS AND WASTES

All building materials and wastes must be removed from the site and recycled or disposed in accordance with the Department's Solid Waste Management Regulations at 25 Pa. Code §260.1 *et seq.*, §271.1 *et seq.*, and §287.1 *et seq.* No building material or wastes or unused building materials shall be burned, buried, dumped, or discharged at the site.

4. PREPAREDNESS, PREVENTION AND CONTINGENCY PLANS

If the potential exists for causing accidental pollution of air, land, or water, or for causing endangerment of public health and safety through accidental release of toxic, hazardous, or other polluting materials, the permittee or co-permittee must develop a Preparedness, Prevention, and Contingency (PPC) Plan. The PPC Plan shall be developed in accordance with Department regulations. The PPC Plan shall identify areas which may include, but are not limited to, waste management areas, raw material storage areas, temporary and permanent spoils storage areas, maintenance areas, and any other areas that may have the potential to cause non-compliance with the terms and conditions of this permit due to the storage, handling, or disposal of any toxic or hazardous substances such as oil, gasoline, pesticides, herbicides, solvents, etc. BMP's shall be developed and implemented for each identified area. The PPC Plan shall be maintained on site at all times and shall be made available for review at the Department's or authorized County Conservation Districts' request.

5. POST CONSTRUCTION STORMWATER MANAGEMENT PLANS

A PCSM Plan that identifies the BMPs to be installed to manage and treat the stormwater discharge to protect water quality after construction must be prepared and implemented. Such BMPs should be designed to maximize groundwater infiltration, to protect the structural integrity of the stream, and to protect and maintain existing and

designated uses. In addition, some counties have adopted Act 167 Stormwater Management Plans that incorporate measures to protect and maintain existing uses and protect and maintain water quality to maintain those existing uses. In areas where plans exist and are supported by local ordinances, the applicant must design the PCSM Plan in accordance with these ordinances. Permittees and co-permittees are responsible for proper installation of the PCSM Plan BMPs prior to the submission of the Notice of Termination of this Permit.

6. PRE-CONSTRUCTION CONFERENCES

The permittee or co-permittee shall contact the Department or authorized County Conservation District at least seven days before construction is to begin to determine if a pre-construction conference is required. The permittee, co-permittee and others undertaking the earth disturbance activity must attend a pre-construction conference when requested by the Department or authorized County Conservation District.

7. SPOIL OR BORROW AREA

An E&S Plan shall be submitted to the Department or authorized County Conservation District and implemented for all spoil and borrow areas, regardless of their location.

8. PHASED PROJECTS

Prior to the commencement of earth disturbance activities for subsequent phases of the project, the permittee or co-permittee shall submit an E&S Plan and PCSM Plan for each additional phase or portion of the project to the Department or authorized County Conservation District.

Coverage under this permit is only granted for those phases or portions of a project for which an E&S Plan and PCSM Plan has been submitted to the Department or authorized County Conservation District.

9. CLARIFICATION ASSISTANCE

The permittee or co-permittee shall contact the Department or authorized County Conservation District for clarification of any requirements contained in the E&S Plan, PCSM Plan, PPC Plan, or other documents related to this permit.

10. WETLAND PROTECTION

If hydric soils are present, a wetland determination must be conducted in accordance with Department procedures. All wetlands identified must be included on the E&S Plan and PCSM Plan.



COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF WATERSHED MANAGEMENT

OFFICIAL USE ONLY
 PA _____

**NOTICE OF TERMINATION
 OF A GENERAL OR INDIVIDUAL NPDES PERMIT
 FOR STORMWATER DISCHARGES ASSOCIATED WITH
 CONSTRUCTION ACTIVITIES**

- OR -

FOR AN EROSION AND SEDIMENT CONTROL PERMIT

1. PERMIT INFORMATION:
 Check the appropriate boxes.
 NPDES Stormwater Permit # _____ Erosion and Sediment Control Permit # _____
 Check one:
 I/we am/are no longer the Owner(s) or Operator(s) of the Construction Activity.
 Earth disturbance activity has ceased and the site is stabilized.

2. EARTH DISTURBANCE SITE LOCATION:
 Facility/Development Name: _____
 Municipality: _____ County: _____
 Latitude: ____° / ____' / ____" Longitude: ____° / ____' / ____"
 U.S.G.S. Quad Map Name: _____

3. PERMITTEE/CO-PERMITTEE SUBMITTING THIS NOTICE OF TERMINATION:

PERMITTEE	CO-PERMITTEE
Name: _____	Name: _____
Address: _____	Address: _____
City: _____	City: _____
State: _____ Zip Code: _____	State: _____ Zip Code: _____
Telephone Number: _____	Telephone Number: _____

4. PERMITTEE INFORMATION AND ACKNOWLEDGEMENT (IF APPLICABLE): (This Section must be completed by the permittee to acknowledge that a co-permittee is submitting this Notice. Leave this section blank if a Co-Permittee is not listed in Section 3.)

Name: _____
 Address: _____
 City: _____
 State: _____ Zip Code: _____
 Telephone Number: _____

I hereby acknowledge that the co-permittee submitting this Notice (identified in Section 3 above) is withdrawing as a permittee.

Name and Official Title of Permittee

Signature: _____
 Date Signed: _____, 20____

5. CERTIFICATION (To be completed by person(s) listed in Section 3):

I certify under penalty of law that (1) all discharges associated with earth disturbance activities at the site that are authorized by the NPDES permit or Erosion and Sediment Control Permit identified in Section 1 above have been eliminated, the site has been stabilized and Post Construction Stormwater Management BMPs have been installed or (2) I am no longer an owner or operator of the construction activity. I understand that by submitting this Notice of Termination, I am no longer authorized to conduct earth disturbance activities under the above referenced NPDES permit, or under the Erosion and Sediment Control Permit and that discharging stormwater from construction activities to waters of the Commonwealth is unlawful where the discharge is not authorized by an NPDES permit. I also understand that the submittal of the Notice of Termination does not release a permittee from liability for any violations of this permit or of the federal Clean Water Act, the Pennsylvania Clean Streams Law and the regulations promulgated pursuant thereto or from liability for any environmental damages occurring as a result of any earth disturbance activities conducted at the site. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name and Official Title of person listed under Section 3:

Signature: _____

Notarization:

Commonwealth of Pennsylvania

County of _____

Sworn to and Subscribed to Before Me This

_____ Day of _____, 20_____

NOTARY
SEAL

My Commission Expires: _____

Notary Public

Who may file a Notice of Termination (NOT) form:

Permittees or Co-permittees who are presently covered under an Individual NPDES Permit, the Pennsylvania General NPDES Permit for discharges of stormwater associated with construction activities or an Erosion and Sediment Control Permit may submit an NOT form when: (1) they are no longer the owner or operator of the construction activity at a site which has not been stabilized, or (2) any earth disturbance activity or discharges associated with construction activity at the site have been terminated and the site has been stabilized. For construction activities, elimination of all storm discharges occurs when disturbed soils at the construction site have been stabilized and temporary erosion control BMPs have been removed.

CO-PERMITTEE AGREEMENT

Permit Number _____
Name of Facility/Project _____
Municipality _____
County _____

The following parties agree to a change in operational control as detailed in the following document
Under the above referenced permit effective _____ (date).

SECTION A

<u>OWNER/PERMITTEE</u>	<u>(NEW) CO-PERMITTEE</u>
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
P.O.: _____	P.O.: _____
STATE: _____ ZIP CODE: _____	STATE: _____ ZIP CODE: _____
PHONE#: _____	PHONE#: _____

SECTION B

- (Please mark off the activity in which the new co-permittee will be responsible)
- A. Full Responsibility for implementation of the Erosion & Sediment Control Plan.
- B. Partial Responsibility as checked below.

(If answer is "B" above check below all that apply)

<input type="checkbox"/> Bulk Earthwork/Grading	<input type="checkbox"/> Building/Lot Grading
<input type="checkbox"/> Installation of BMP's	<input type="checkbox"/> Temporary Stabilization
<input type="checkbox"/> Maintenance of BMP's	<input type="checkbox"/> Permanent Stabilization
<input type="checkbox"/> Building/House Construction	<input type="checkbox"/> Road Construction
<input type="checkbox"/> Installation of Utilities	<input type="checkbox"/> Other _____
<input type="checkbox"/> Removal of Temporary BMP's	

SECTION C

(Please Complete as appropriate)

This agreement applies to the entire project area Yes or No (circle response)

Or

This agreement applies to the following portion of the project: _____

Please attach an 8 1/2" x 11" Map of the area of responsibility.

Signature of Current Permitte(s)

Signature of (New) Co-Permittee

Print Name and Title

Print Name and Title



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATERSHED MANAGEMENT

OFFICIAL USE ONLY
PA _____

TRANSFeree/CO-PERMITTEE APPLICATION FOR A GENERAL OR INDIVIDUAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

TYPE OR PRINT IN BLOCK LETTERS

A. PERMIT INFORMATION

Check here if applying for permit transfer. Check here if applying to be added as a co-permittee.

GENERAL OR INDIVIDUAL NPDES PERMIT FOR DISCHARGES OF STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES FOR WHICH APPLYING AS TRANSFEREE/CO-PERMITTEE.

PERMIT NO.: _____ DATE ISSUED: _____

B. CURRENT PERMITTEE INFORMATION

DEP Client ID# (if known)		Applicant Type / Code (if known)		
Organization Name or Registered Fictitious Name		Employer ID# (EIN)	Contact Person	
Individual Last Name	First Name	MI	Suffix	SSN
Additional Individual Last Name	First Name	MI	Suffix	SSN
Mailing Address Street				
City	State	ZIP+4	County	Phone

C. SITE INFORMATION

DEP Site ID# (if known) Site Name

DEVELOPMENT NAME (IF APPLICABLE):

SITE ADDRESS/LOCATION:

COUNTY: _____ MUNICIPALITY: _____

DATE OF TRANSFER OF PERMIT RESPONSIBILITY, COVERAGE AND LIABILITY: _____, 20____

CO-PERMITTEE/TRANSFEREE AGREEMENT: Attach a written agreement signed by all parties involved with the change of operational control. The letter should provide a specific date (not less than 30 days after the date this application is submitted) for transfer or sharing of permit responsibility, coverage, and liability between the current and new permittee/co-permittee. A SAMPLE Co-Permittee Agreement letter and a SAMPLE Transferee Agreement letter are attached for reference.

D. TRANSFEREE/CO-PERMITTEE INFORMATION

DEP Client ID# (if known)		Applicant Type / Code (if known)		
Organization Name or Registered Fictitious Name		Employer ID# (EIN)	Contact Person	
Individual Last Name	First Name	MI	Suffix	SSN
Additional Individual Last Name	First Name	MI	Suffix	SSN
Mailing Address Street				
City	State	ZIP+4	County	Phone

E. COMPLIANCE REVIEW

Yes No Does the applicant (owner and/or operator) have or require other environmental permits issued by the Department for this project? If yes, list each permit and the compliance history of the permitted facility or operation.

Permit Program: _____
 Permit Number: _____
 Brief Description: _____
 Compliance History: _____

If the applicant is not in compliance with any environmental law or regulation, or Department permit, order or schedule of compliance, or has failed and continues to fail to comply, or has shown a lack of ability or intent to comply with environmental laws or regulations or any Department permit, order, or schedule of compliance, as indicated by past or continuing violations, provide a narrative description of how the applicant will achieve compliance including the appropriate milestones.

F. CERTIFICATION AND SIGNATURE OF APPLICANT

Applicant Certification

I certify under penalty of law that this application and all related attachments were prepared by me or under my direction or supervision by qualified personnel to properly gather and evaluate the information submitted. Based on my own knowledge and on inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. The responsible official's signature also verifies that the activity is eligible to participate in the General or Individual NPDES Permit, and BMP's and other controls are or will be implemented to ensure that water quality standards and effluent limits are attained. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment or both for knowing violations.

Print Name and Title of Person Signing

() _____

Telephone Number of Person Signing

Signature of Applicant

Date of Application Signed

Notarization: _____

Sworn to and Subscribed to Before Me This _____

Day of _____, 20____

NOTARY SEAL

Commonwealth of Pennsylvania

County of _____

My Commission Expires: _____

Notary Public

**CO-PERMITTEE AGREEMENT
ASSUMPTION OF RESPONSIBILITY UNDER A GENERAL OR
INDIVIDUAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED
WITH CONSTRUCTION ACTIVITIES**

_____ (Permit Number)

_____ (Name of Facility/Project)

_____ (Municipality)

_____ (County)

The following parties agree to a change in ownership and/or operational control under the above referenced permit effective _____ (date) _____.

_____ (New Co-Permittee name and address) hereby assumes joint and severable responsibility, coverage, and liability under the permit for any obligations, duties, responsibilities and violations under said permit. _____ (Current Permittee) shall remain liable under the permit for violations of the permit conditions up to and including the above referenced date AND until a Notice of Termination is filed and acknowledged by the (Conservation District OR DEP Regional Office).

[The following paragraph should be used for multiple co-permittees.]

Attached is a description of site responsibilities and a map or plan drawing depicting the limits of permit responsibility, coverage, and liability for each co-permittee.

_____ (Current Permittee(s))
(Company Name, if applicable)

_____ (New Co-permittee(s))

TRANSFEEE AGREEMENT ASSUMPTION OF RESPONSIBILITY UNDER A GENERAL OR INDIVIDUAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

(Permit Number)
(Name of Facility/Project)
(Municipality)
(County)

The following parties agree to transfer ownership and/or operational control under the above referenced permit. (Transferee name & address) hereby assumes, effective (date) all responsibility, coverage and liability under the permit for any obligations, duties, responsibilities, and violations under said permit. (Transferor, Name and Address) shall remain liable under the permit for violations of the permit up to and including (date) AND until the (Conservation District/DEF Regional Office) acknowledges the Co-Permittee/Transferee Form. The Department may hold (transferor) and (transferee) jointly and severably liable under said permit for any breach of permit obligations, responsibilities, or violations.

[The following paragraph should be used for multiple transferees.]

Attached is a description of site responsibilities and a map or plan drawing depicting the limits of permit responsibility, coverage, and liability for each transferee.

(Current Permittee(s))

(Transferee(s))

**INSTRUCTIONS FOR THE
TRANSFeree / CO-PERMITTEE APPLICATION FORM FOR A GENERAL OR INDIVIDUAL NPDES PERMIT
FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES**

Who may file the Transferee/Co-Permittee Application Form: This form may be used by an applicant seeking to apply for either complete or partial operational control of earth disturbance activities at a site which are already authorized by either an Individual or General NPDES Permit. Federal NPDES Regulations at 40 C.F.R. §122.21(b) require that Operator(s) must become a permittee. An operator is a person who meets either of the following criteria: 1.) You have operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; OR 2.) You have day-to-day operational control (supervision) of those activities at the project that are necessary to ensure compliance with the Erosion and Sediment Control Plan for the site or ensure compliance with other permit conditions, i.e., General Contractors. Subcontractors generally do not have supervisory control over earth disturbance activities and therefore usually should not become a permittee or co-permittee. If prior to construction activities, there is no operator, the owner must apply for the permit. Once the operator has been selected, the operator must use this application either to be made a co-permittee or to have the permit transferred to the contractor. Failure of the operator to be added to the permit is a violation of federal and state law and regulation.

Where to file the Transferee/Co-Permittee Application Form: Send this form to the reviewing entity, either to the local county conservation district that is participating as the reviewing entity or, if the Department is the reviewing entity, to the appropriate DEP regional office, Soils and Waterways Section.

When to file the Application: This application must be filed at least 30 days prior to the proposed change of ownership and/or operational control which will result in the transfer of permit responsibility, coverage and liability.

Completing the Application: TYPE OR PRINT IN BLOCK LETTERS IN THE APPROPRIATE SPACES

- Section A. Permit Information** – Check the appropriate box and enter the Permit Number and date of issuance of the existing Individual or General NPDES Permit assigned to the construction activity at the site identified in Section C below.
- Section B. Current Permittee Information** - Enter the full name, address and telephone number of the individual or organization and contact person that is the current permittee. The Regional Office can supply the Client ID # and Applicant Code, if known.
- Section C. Site Information** - Enter the DEP Site ID#, site name, site address/location, county and municipality of the site where the construction activity authorized by the NPDES Permit is located. Include the date on which the transfer of Permit responsibility, coverage and liability will occur. The Regional Office can supply the Site ID #.
- Section D. Transferee/Co-Permittee Information** - Enter the full name, address and telephone number of the individual or organization and contact person that is applying to assume operational control of construction activities at the site. The Regional Office can supply the Client ID # and Applicant Code, if known.
- Section E. Compliance Review** - The individual or organization referenced in Section D must indicate if any other environmental permits have been received or are pending from DEP as well as their past compliance history and if they are currently in compliance with environmental laws, rules and regulations, permits, orders and schedules of compliance.
- Section F. Certification and Signature of Applicant** - The new Transferee/Co-Permittee Applicant (named in Section D) must complete the required certification that the information contained in this application is true, accurate, and complete; the BMPs are or will be designed and fully implemented in accordance with the NPDES Permit requirements and will meet the applicable standards and limitations of the permit; and further that the applicant has read, understands and agrees to abide by the terms and conditions of the permit. The application shall be signed as follows:
- a. **For a corporation** – By a responsible corporate officer, which means: (1) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) The manager of one or more manufacturing, production or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. **For a partnership or sole proprietorship** -- By a general partner or the proprietor, respectively; or
 - c. **For a municipality, State, Federal or other public agency** -- by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

The application shall be notarized in the space provided.