



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER STANDARDS AND FACILITY REGULATION

PAG-05
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR DISCHARGES FROM
PETROLEUM PRODUCT CONTAMINATED
GROUNDWATER REMEDIATION SYSTEMS
NOTICE OF INTENT (NOI)
INSTRUCTIONS

In order to be covered under the General Permit, applicants cannot discharge to exceptional value (EV) or high quality (HQ) waters. Refer to Chapter 93 Water Quality Standards within these instructions and/or on the Notice of Intent (NOI) form.

GENERAL INFORMATION

To Obtain DEP Application Packages. To expedite the processing of the applicant's request, the Department of Environmental Protection (DEP) asks that you use the most up-to-date application package available. The most recent version of this package can be obtained by contacting the appropriate DEP office, or through our Web site noted below. This package, as well as other DEP-wide and/or program-specific permit application form packages are available in Microsoft Word format at this same web location. Applicants can download the appropriate form to a personal computer, complete the form electronically and print the document for submittal to DEP using the following steps:

Type in DEP's Web site address: www.depweb.state.pa.us
Under Quick Access, select Permits, Licensing and Certification
Select: Program-Specific Permit/Authorization Packages
Select: Water Management
Select: NPDES
Select: General Permits
Select: PAG05

General Instructions. This package is designed to assist the applicant in completing the application form identified above. Type or print clearly when completing the form. If information needed is more than space allows, attach additional sheets as necessary. If a question is not applicable to you or your project, write NA in the appropriate box.

Who must apply for a petroleum product contaminated groundwater remediation systems NPDES (PPCGRS) Permit? All persons identified in 40 CFR Part 122 who operate facilities or activities which discharge pollutants into surface waters of the Commonwealth (including intermittently flowing streams and drainage channels), including discharges to municipal separate storm sewers or non-municipal separate storm sewers are required to have the discharges authorized by an NPDES permit. A discharger must obtain an individual or General Permit prior to discharging.

The scope of the General Permit is limited to discharges to surface waters of the Commonwealth from PPCGRS which are eligible for coverage under the terms and conditions of the General Permit. PPCGRS include the combination of wells, piping, pumping, and treatment facilities installed for the purpose of extracting petroleum product contaminated groundwater for treatment prior to discharge to surface waters of the Commonwealth. PPCGRS include remediation systems at gasoline service stations and other sites with petroleum product contamination. PPCGRS do not include sites where contamination of groundwater is due to pollutants other than those specified in Part(s) A 1.a. and A 2.a. of the General Permit.

Who may use this Notice of Intent form? This form may be used by eligible dischargers seeking coverage under the PPCGRS General Permit. The operator of the facility shall file an administratively complete, acceptable Notice of Intent (NOI) with DEP at least 60 days prior to commencing any discharge, if the operator desires coverage under the General Permit.

Existing PPCGRS dischargers covered under an individual NPDES permit may seek coverage under the General Permit by submitting an administratively complete and acceptable NOI, and documentation that the discharge meets effluent limitations contained in Part A of the General Permit. If the NOI is acceptable, DEP will revoke the individual permit or allow it to expire and notify the discharger that the discharge is covered under the General Permit.

DEP may deny coverage under the General Permit and require submittal of an application for an individual NPDES permit, based on a review of the NOI or other information.

Who is not eligible to apply for the General Permit? Discharges from PPCGRS are NOT covered by the General Permit when one or more of the following conditions exist:

- a. The discharges contain toxic or hazardous pollutants, 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;
- b. The discharges - individually or cumulatively - have the potential to cause significant adverse environmental impact;
- c. The discharges are to waters classified as "High Quality" or "Exceptional Value" Water under Chapter 93 of DEP Rules and Regulations;
- d. The discharges are not, or will not be, in compliance with any of the terms or conditions of the General Permit;
- e. The applicant has failed, and continues to fail, or has shown a lack of ability or intention to comply with a regulation, permit, schedule of compliance, or order issued by DEP;
- f. The discharges do not, or will not, result in compliance with applicable effluent limitations or water quality standards;
- g. The discharges are from contaminated groundwater remediation activities, which DEP determines require 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;

- h. The discharges are associated with an activity that would adversely affect a listed endangered or threatened species or its habitat;
- i. The discharges are of any substance other than from treated petroleum product contaminated groundwater remediation systems, including stormwater, domestic sewage, industrial waste or other commercial or manufacturing wastes;
- j. The discharges would interfere with a downstream riparian landowner's reasonable use of surface waters, or property rights, or otherwise cause a private or public nuisance;
- k. The discharges are from any facility that does not meet the definition of "PPCGRS" as defined in Part B 4. of the General Permit;
- l. The discharges are associated with an activity that is subject to an existing NPDES individual or General Permit, except as allowed herein; or are from a facility where an NPDES permit has been terminated or denied; and
- m. The discharges contain pollutants with concentrations exceeding those listed in Part(s) A 1. and/or A 2. of the General Permit.

Where to file the Notice of Intent. Three (3) copies of the NOI are to be submitted to the appropriate DEP regional office. See DEP offices at the end of the instructions.

When to file the Notice of Intent. Persons seeking coverage under the PPCGRS General Permit must submit an administratively complete and acceptable NOI, along with the other documentation specified, at least 60 days prior to commencing any discharge under the General Permit.

Notice of Intent Filing Fee. With the exception of Commonwealth agencies, a check for \$100.00 must be included with the NOI. The check should be made payable to the "Commonwealth of Pennsylvania." It is to be dated within 10 days of the NOI submittal date.

Applicant Responsibility. It is the applicant's responsibility to demonstrate eligibility for coverage under the General Permit. The demonstration must be made as part of the NOI submittal.

DEFINITIONS

To provide the applicant with a better understanding of terminology, we are including the following definitions.

eFACTS (Environment, Facility, Application, Compliance Tracking System). DEP's electronic application system to document and maintain client, site and facility data for purposes of authorizing regulated activities and tracking compliance.

eNotice. DEP has developed a comprehensive environmental compliance information reporting system to give the public access to permitting and compliance information on individual facilities by program and by geographic area. This system is available by logging on to the DEP Web site and selecting eNOTICE.

Client (Responsible Party). A client (also referred to as applicant or permittee) is a person or organization that requests approval from DEP to perform a regulated activity. Client information is documented and assigned an internal DEP Client ID# for tracking purposes.

Site (Place). A site is a physical location of importance to DEP. A site may include locations where a regulated facility is physically located or where a regulated activity occurs that has the potential to impact the health and safety of the citizens and/or the natural resources of the Commonwealth. A site is not solely defined by geographical location (can span several municipalities and even counties in some cases) but rather by the client/applicant's purpose of doing business. All DEP programs' involvement at a physical location of importance to DEP is grouped under one 'entity' – site. This holistic view of site will promote an understanding of the interrelationships of facilities to support pollution prevention, multi-media inspections, a DEP-wide view of compliance, and public understanding and access of information. Site information is documented and assigned an internal DEP Site ID# for tracking purposes.

Site-to-Client Relationships. DEP will create internal records to relate (link) each site with all clients associated with the site and/or its facilities.

Facility. A facility (also referred to as Primary Facility (PF)) is a logical bridge between sites and sub-facilities that allows DEP to provide a framework for a facility's or an activity's regulation. PF is a way to group a program's involvement at a site (what it regulates) under one heading. For example: One area of the water program groups all of their involvement (regulated entities) under a PF type of "Water Pollution Control Facility." Facility information is documented and assigned an internal DEP Facility ID# for tracking purposes.

Sub-Facility. A sub-facility (SF) is program-specific. A SF is what DEP regulates. For example: An Outfall Structure and a Production Service Unit are just two examples of SF of a Water Pollution Control Facility PF.

Authorization. Any DEP approval. For example: permits, plans, approvals, licenses, registrations, certifications, etc. Authorization information is documented and assigned an internal DEP Auth ID# for tracking purposes.

CLIENT/OPERATOR INFORMATION

DEP Client ID#. DEP-wide unique identification number assigned by DEP to the client after client information is entered into DEP's computer system. This one number identifies the client regardless of the program with which the client is working. This identification number will be identified on future correspondence from DEP as well as on client information available on our DEP Web site. When replying to DEP, inclusion of this number will make it easier to process your request in a timely manner. If you know your Client ID#, enter it. If you are a new client to DEP, skip to the next request for information.

Client Type/Code. Enter the code that represents the type of client acting as the responsible authority for the permitted activity. The list of Client Codes is included in this application package or may be found electronically on DEP's Web site under "Permit and Authorization Packages."

Organization Name or Registered Fictitious Name. Clients other than individuals must provide the name under which they conduct the activity or business for which the permit or other authorization will be issued.

Individuals should complete the "Organization Name" if they conduct their business or activity under a name other than their own (for example, "Jones Construction Company," rather than "Mary Jones").

For partnerships, be sure to list the business name of the partnership as it appears on legal partnership papers.

If the applicant is an individual(s) or partnership, be sure to also provide the appropriate information on the individual name lines.

Employer ID#. Also referred to as “Federal Tax ID#.” The Employer ID# (EIN) aids DEP in identifying the organization and prevents duplicate data entry from occurring. This information is required.

Dun & Bradstreet ID#. If known, supply the applicant’s Dun & Bradstreet Identification Number. This information is optional.

Individual Last Name, First Name, MI, Suffix, Social Security Number. This information, with the exception of the SSN, must be provided for applicants who are individuals or partnerships. The SSN aids DEP in identifying the individual and prevents duplicate data entry, although it is optional. This information is not accessible by the public or other government agencies.

Additional Individual Last Name, First Name, MI, Suffix, Social Security Number. This information, with the exception of the SSN, must be provided for additional applicants who are individuals or partnerships. The SSN aids DEP in identifying the individual and prevents duplicate data entry, although it is optional. This information is not accessible by the public or other government agencies.

Mailing Address. The mailing address of the client identified above (this should *not* include locational data that is not appropriate for a mail piece). In addition to the street number and name, PO Box#, RR#, Box#, or Highway Contract# designations, use any appropriate designation and number to further define the mailing address of the applicant.

e.g.,	APT	(Apartment)	DEPT	(Department)	RM	(Room)
	BLDG	(Building)	FL	(Floor)	STE	(Suite)

City, State, ZIP+4, Country. Enter an appropriate city, borough, or town designation (do not enter a township designation in this area). Do *not* use abbreviations for the city name. Use the two-character abbreviation for the state. Include the four-digit extension to the ZIP code. If other than USA, provide country.

Client Contact Information. Clients that are organizations must provide the name of a person representing the client (organization). This client contact must be an employee of the organization and must be located at the mailing address of the client and may receive correspondence on behalf of the client. Include the individual’s name, title, daytime phone number, and e-mail address. DEP will use this contact information for maintaining client data. This individual should be a high-level employee such as CEO, VPs, Operations Manager, etc. or someone capable of answering informational questions regarding the organization such as EIN, fictitious name ownership, address data, related organizations, corporate changes, etc. Project contact information should be entered in the Site Contact found in the Site Information section.

SITE INFORMATION

DEP Site ID#. DEP-wide unique identification number assigned to the site after site information is entered into DEP’s computer system. This one number identifies the site regardless of the program with which the applicant is working. This identification number will be identified on future correspondence from DEP as well as on site information available on our DEP Web site. When replying to DEP, inclusion of this number will make it easier to process your application in a timely manner. If you know your Site ID#, enter it. If you are identifying a new site to DEP, skip to the next request for information.

Site Name. The name of the site at the specific physical location. Do not use abbreviations, acronyms, etc.

EPA ID#. If known, supply the EPA ID# for the site (this number is also referred to as a FINDS ID#). This is optional.

Estimated Number of Employees to be Present at Site. To assist with future Pollution Prevention and Compliance Assistance initiatives, please include the estimated number of employees to be present at the site once it is active.

Description of Site. Provide a written description of the proposed site (e.g., water treatment plant, sewage treatment plant, toy factory, etc.).

County, Municipality, State. Indicate the county(ies) and municipality(ies) in which the site is located. Check the appropriate box to identify the type of municipality entered (city, borough, township). Include the two-character abbreviation for the state.

Site Location. Provide the physical address of the location where the permitted activities will occur. No PO Box Numbers will be accepted for site location information. Provide the City (or Municipality), State, and the ZIP+4, if known.

Detailed Written Directions to Site. When providing written directions, do not use PO Box address data. Include landmarks and approximate distances from the nearest highway.

Site Contact Information. Provide the name of the person having overall responsibility for environmental matters at the site. Include the individual's name, title, firm, mailing address, daytime phone number, and e-mail address (optional).

NAICS Codes. Clients applying for an authorization from DEP need to provide the appropriate North American Industry Classification System (NAICS pronounced nākes) code(s) at the Sector level (at a minimum). Enter all NAICS codes that pertain to the activity for which the application is being completed. More than one two-digit or three-digit NAICS code may be entered in the box provided. If you know your six-digit NAICS code, enter it in the optional box provided. This list of NAICS Sector and Subsector level codes is included in this application package or may be found on DEP's Web site under "Permit and Authorization Packages."

Site to Client Relationship. Enter the relationship code that best describes how the client is related to the activity or operation at the site for which the permit or other authorization is being sought. The list of Site to Client Relationship Codes is included in this application package or may be found electronically on DEP's Web site under "Permit and Authorization Packages."

FACILITY INFORMATION

Facility Name. Provide the name of the facility. For this application, this name may be equal or similar to the site name.

Existing Permits. List all permits that were issued for this facility by DEP or EPA. Include any NPDES and Water Quality Management permits, Earth Disturbance permits, and any other environmental quality permits. Provide the issued permit number, the date issued and the name of the agency which issued the permit.

Facility Description. Provide a brief summary of the contaminated groundwater remediation activities performed at the facility. Attach a map or sketch to the NOI form and indicate the point of discharge. The map can be a sketch of the facility developed on an 8½ x 11 inch or larger size paper.

Facility Location & Drainage Map. Locate the facility and discharge location on a USGS topographical map. A good quality 8½ x 11 inch copy of the portion of the topographic map locations is acceptable. Provide the name of the 1:24,000 scale USGS 7.5 minutes series quadrangle map. Submit a copy of the map(s) with the NOI.

Latitude/Longitude. Latitude and longitude measures aid in providing the physical location of the facility. If known, indicate appropriate degrees, minutes, and seconds for the project. The Latitude/Longitude Point of Origin is the place or location where the reading was actually taken.

Additional Locational Data Information. This information is being requested in order to determine the method, accuracy and description of the latitude and longitude information that is being provided with the application. If known, please provide this information for your locational data. The list of locational data codes and descriptions can be found electronically on DEP's Web site under "Permit and Authorization Packages."

CHAPTER 93 WATER QUALITY STANDARDS

Be sure to provide **ALL** requested information in this area. Provide the "water uses protected" listed in the Chapter 93 regulations for those outfalls discharging to surface waters of the Commonwealth. Information on "water uses protected" can be obtained from Chapter 93 of DEP regulations available electronically at www.pacode.com or by calling or writing to the appropriate DEP regional office.

Once the NOI has been submitted, the discharger may assume that the "water uses protected" will not change for the length of the permit term unless notified by DEP to the contrary. If the existing use of receiving water is determined to be exceptional value (EV) or high quality (HQ), the applicant will be required to submit an individual NPDES permit application.

WASTEWATER CHARACTERISTICS

Complete the applicable table(s) (Table 1 and/or Table 2) for all applicable parameters, including characteristics of the raw untreated groundwater and the expected treated effluent. If completing Table 2, refer to the listing below for applicable parameters based on the product stored.

PRODUCT STORED & DISCHARGE PARAMETERS TO BE TESTED			
Kerosene Fuel Oil No. 1	Diesel Fuel Oil No. 2	Fuel Oil Nos. 4,5,6 Lubricating Oils & Fluids	Used Motor Oil
Benzene Cumene Ethyl Benzene Naphthalene Fluorene Toluene	Benzene Phenanthrene Cumene Ethyl Benzene Naphthalene Fluorene Toluene	Benzene Pyrene Phenanthrene Chrysene Naphthalene	Benzene Benzo (a) anthracene Benzo (a) pyrene Benzo (b) fluoranthene Benzo (g,h,i) perylene Chrysene Cumene Ethyl Benzene Indeno (1,2,3-cd) pyrene Lead (dissolved) Naphthalene Pyrene Toluene

A representative average of at least three (3) samples of the untreated groundwater for all parameters must be provided. Every applicable block of the table must have an entry. Where multiple sample results of groundwater are available, a representative average of the expected untreated groundwater should be provided. Indicate the number of samples the entry is based on and the EPA test method and detection levels used.

PROPOSED TREATMENT FACILITY

Describe the proposed treatment facilities. Attach a Design Engineer's Report including: a schematic of the proposed PPCGRS, narrative of the treatment system and all components (pumping, piping, treatment units, sampling locations and instrumentation) and design information on unit sizing, etc.

REMEDIATION ACTIVITIES

Provide a narrative describing all remediation activities conducted at the facility. Include information on regulatory agency involvement, any approvals received, and the name of the contact person(s).

COMPLIANCE HISTORY REVIEW

Check appropriate box to indicate if the facility owner or operator is/was in violation of any of the permits listed under FACILITY INFORMATION. If the answer is "No," no further information is needed in this area. If "Yes," list each permit and provide compliance status of the permitted facility or operation. If needed, use additional sheets to provide information on ALL permits.

CERTIFICATION

The applicant must certify that the information contained in the NOI is true, accurate and complete and agree to abide by the terms and conditions of the General Permit. In addition, the responsible official's signature also certifies that the facility is eligible for coverage under the General Permit, and BMP, PPC Plans, and other controls are, or will be, implemented to ensure that water quality standards and effluent limits are attained.

The NOI shall be signed as follows:

For individually owned operations - the owner of the facility must sign the application.

For a Corporation - by a responsible corporate officer. For purposes of this section, a responsible corporate officer means a principal executive officer of at least the level of vice president or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NOI originates.

For a Partnership or Sole Proprietorship - by a general partner or the proprietor, respectively.

For a Municipality - state, federal or other public agency - by either a principal executive officer, ranking elected official or other authorized employee. For purposes of this NOI, a principal executive officer of a federal agency includes:

- a. The chief executive officer of the agency, or
- b. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

The certification signatures must be notarized.

APPLICANT'S CHECKLIST

To assure your application is complete, we are providing a convenient checklist of what may need to be attached to the application. [This checklist is to be returned with the completed application.](#)

DEP OFFICES

A listing of the Bureau of Water Standards and Facility Regulation's regional offices can be found on DEP's Web site. Follow the steps given on the first page of these instructions to the **NPDES** web page to view the **Bureau WSFR Contacts and DEP Regional Offices**.