

**NOTICE OF TERMINATION
 FOR A GENERAL (PAG-02) OR INDIVIDUAL NPDES PERMIT, ESCP, or ESCGP
 FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES**

PLEASE READ THE NOTICE OF TERMINATION INSTRUCTIONS PROVIDED WITH THIS NOTICE OF TERMINATION FORM BEFORE COMPLETING THIS FORM AND THE ATTACHED CHECKLIST. PLEASE PRINT OR TYPE INFORMATION IN BLACK OR BLUE INK.

Applicability: A permittee(s) presently covered under an Individual National Pollutant Discharge Elimination System (NPDES) Permit for Stormwater Discharges Associated with Construction Activities, the General NPDES Permit for Stormwater Discharges Associated with Construction Activities (PAG-02), an Erosion and Sediment Control Permit (ESCP), or an Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities (ESCGP) shall submit this notice of Termination (NOT) form to the Department of Environmental Protection (Department) or delegated conservation district for permit applications submitted **after November 19, 2010**.

1. PERMIT INFORMATION:

Check the appropriate box.

- NPDES Stormwater Construction Permit # _____
- Erosion and Sediment Control Permit # _____
- Erosion and Sediment Control General Permit # _____

2. PROJECT LOCATION OR PHYSICAL ADDRESS:

Facility/Development Name: _____
 Address: _____
 Municipality: _____ County: _____
 Latitude: _____° / _____' _____" Longitude: _____° / _____' _____"

3. REASON FOR PERMIT TERMINATION:

Check the appropriate box.

- Full Permit Termination – all planned activities were conducted and are complete, and the entire site is encompassed by this NOT
- Full Permit Termination – some planned activities were conducted, and the entire site is encompassed by this NOT
- Full Permit Termination – no planned activities were conducted, and the entire site is encompassed by this NOT
- Partial Permit Termination – all planned work is complete for a portion of the site, described as _____, encompassed by this NOT

4. PERMITTEE(S) INFORMATION:

PERMITTEE	PERMITTEE (additional)
Name: _____	Name: _____
Address: _____	Address: _____
City: _____	City: _____
State: _____ Zip Code: _____	State: _____ Zip Code: _____
Telephone Number: _____	Telephone Number: _____
Email Address: _____	Email Address: _____

5. FINAL CERTIFICATION OF LICENSED PROFESSIONAL:

This section is to be completed by a licensed professional as defined in 25 Pa. Code §102.1.

I, _____, do hereby certify pursuant to the penalties of 18 Pa. C.S.A. § 4904 to the best of my knowledge, information and belief, that the accompanying record drawings accurately reflect the as-built conditions, are true and correct, and are in conformance with Chapter 102 of the rules and regulations of the Department of Environmental Protection and that the project site was constructed in accordance with the approved PCSM Plan or Site Restoration/Reclamation plan, all approved plan changes and accepted construction practices.

Name and Official Title of Licensed Professional

Licensee

Professional

Signature: _____

Seal

6. LONG-TERM OPERATION AND MAINTENANCE AND RESTORATION/RECLAMATION:

This project involves: (check the appropriate box)

Installation or utilization, and subsequent long-term operation and maintenance of PCSM BMPs per 25 Pa. Code §102.8(a) through (m).

OR

Installation of PCSM BMPs identified as restoration or reclamation activities per 25 Pa. Code §102.8(n).

Note: For projects solely involving restoration or reclamation activities, proceed to Section 8.

7. PROOF OF INSTRUMENT FILING WITH THE RECORDER OF DEEDS OFFICE:

Per 25 Pa. Code §102.8(m)(2), the instrument will assure disclosure of the PCSM BMP(s) and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP(s), provide for the necessary access related to long-term operation and maintenance of the PCSM BMP(s) and provide notice that the responsibility for long-term operation and maintenance of the PCSM BMP(s) is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees. A long-term operation and maintenance plan shall be recorded along with the instrument.

For either Commonwealth or federally-owned property, a covenant that runs with the land is not required until the transfer of the land containing the PCSM BMP(s) occurs. Upon said transfer, the deed must then comply with 25 Pa. Code § 102.8(m)(2).

a. *Is the project located entirely on Commonwealth or federally-owned property?* Yes No

If the answer to question a., above, is Yes, proceed to Section 8.

If the project is not located entirely on Commonwealth or federally-owned property, proceed to Section 7.b. The completed Section 7.b and an attached copy of the Recorder of Deeds Office receipt constitutes proof of instrument filing as required by 25 Pa. Code §102.7(b)(5).

Also attach copies of the "landowner notice(s)" provided to all landowners who have bought or accepted ownership or other legal responsibility for parcels within the permit boundary.

b.

I certify, under penalty of law, that the below checked items have been recorded at the project county's Recorder of Deeds Office to assure disclosure of the PCSM BMP(s) and the related obligations in the ordinary course of a title search of the subject property, and which meet the requirements of 25 Pa. Code §102.8(m)(2).

- Legal instrument which addresses 25 Pa. Code §102.8(m)(2) *(required)*
- Record drawings which accurately reflect as-built conditions *(required)*
- Long-term operation and maintenance plan which clearly outlines the operation and maintenance activities necessary for the associated PCSM BMP(s) *(required)*
- Long-term operation and maintenance agreement(s) *(required if any individual other than the permittee is identified in Appendix C as being responsible for the long-term operation and maintenance of one or more PCSM BMPs)*

8. Permit Termination Certification:

This Section is to be completed by the person(s) listed in Section 4.

I, _____, certify under penalty of law that either permanent stabilization, under 25 Pa. Code §102.22(a)(2), of the earth disturbance activities has occurred or the site has been returned to agricultural operation regulated under 25 Pa. Code §102.4(a). I certify under penalty of law that either the installation of BMPs in accordance with an approved plan* prepared and implemented per §§ 102.4 and 102.8 (relating to erosion and sediment control requirements; and PCSM requirements) has occurred or all approved restoration/reclamation activities have been completed. I understand that by submitting this NOT, I am no longer authorized to conduct earth disturbance activities under the referenced permit and that discharging stormwater from earth disturbance activities to waters of the Commonwealth is unlawful where the discharge is not authorized by a permit. I also understand that the submittal of this NOT does not release a permittee or co-permittee from liability for any violations of the permit, the federal Clean Water Act (if applicable), the Pennsylvania Clean Streams Law and the rules and regulations promulgated thereunder, or from liability for any environmental damages occurring as a result of any earth disturbance activities conducted at the site. I understand that there are significant penalties for submitting false information, including possible fines and imprisonment for knowing violations.

*Upon NOT approval, the submitted record drawings or site restoration/reclamation plan equates an approved plan.

Individual; proceed to signature portion.

I hereby certify that I am the signatory pursuant to 25 Pa. Code § 92a.22 and 40 CFR §122.22 and that I am the person who is responsible for decision-making regarding environmental compliance functions for Enter Entity name, the manager of one or more manufacturing, production, or operating facilities of the permittee and am authorized to make management decisions which govern the operation of regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure the permittee's long term environmental compliance with environmental laws and regulations.

(choose one of the following; not applicable for individuals):

president vice president secretary treasurer

of _____ Corporation/Company
Entity name

member or manager of _____ LLC
Entity name

general partner of _____ partnership/LP/LLP
Entity name

principal executive officer or ranking elected official of _____ Municipality/State/Federal/other
public agency Entity name

Power of Attorney/delegation of contractual authority (documentation supporting delegation of contracting authority must be provided) for _____
Entity name

SIGNATURE

Permittee

Print Name and Title of Person Signing

Signature of Permittee

Date Signed

APPENDIX A
Summary Table of Installed PCSM BMPS

Check all applicable PCSM BMPS that have been installed as part of the approved PCSM Plan along with their associated function(s).

Note: VC = Volume Control, RC = Rate Control and WQ = Water Quality

Permit No.: _____

BMP		Function(s)			No. of BMPS	Total Acres Treated	Total Volume Treated		
<input type="checkbox"/>	Wet Ponds	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Constructed Wetlands	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Retention Basins	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Detention Basins	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC				
<input type="checkbox"/>	Underground Detention	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC				
<input type="checkbox"/>	Dry Extended Detention Basin	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC				
<input type="checkbox"/>	Sediment Fore Bay	<input type="checkbox"/>	VC			<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Infiltration Trench	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Infiltration Berm/Retentive Grading	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Subsurface Infiltration Bed	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Infiltration Basin	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Pervious Pavement	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Dry Well/Seepage Pit	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Bio-Infiltration Areas	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Rain Gardens/Bio-Retention	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Vegetated Swales	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Constructed Filters	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Protect Sensitive & Special Value Features	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Protect/Convert/Establish Riparian Buffers	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Restoration: Buffers/Landscape/Floodplain	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Disconnection From Storm Sewers	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Rooftop Disconnections	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Vegetated Roofs	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Runoff Capture/Reuse	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Oil/Grit Separators					<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Water Quality Inserts/Inlets					<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Street Sweeping					<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Soil Amendment/Soil Restoration	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Other	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Other	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		
<input type="checkbox"/>	Other	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ		

APPENDIX B
Record Drawings (accurately reflecting as-built conditions) Checklist

Permit No.: _____

Indicate whether each item is included or not applicable		
Building Improvements		
Included	Not Applicable	Item
<input type="checkbox"/>	<input type="checkbox"/>	Building Footprint
<input type="checkbox"/>	<input type="checkbox"/>	Limits of Paving and other impervious areas
<input type="checkbox"/>	<input type="checkbox"/>	Property Lines
<input type="checkbox"/>	<input type="checkbox"/>	Finish Grading
<input type="checkbox"/>	<input type="checkbox"/>	Downspout Locations
Site Utilities		
Included	Not Applicable	Item
<input type="checkbox"/>	<input type="checkbox"/>	Well location
<input type="checkbox"/>	<input type="checkbox"/>	Septic tanks, dosing tanks, distribution boxes and on-lot absorption area
Stormwater Conveyance		
Included	Not Applicable	Item
<input type="checkbox"/>	<input type="checkbox"/>	Pipe locations including pipe material, diameter, slope and length
<input type="checkbox"/>	<input type="checkbox"/>	Inlets and endwall locations including inverts and grate elevations
<input type="checkbox"/>	<input type="checkbox"/>	Swale locations and dimensions
<input type="checkbox"/>	<input type="checkbox"/>	Rock aprons and other pipe outlets locations
Post Construction Storm Water Management (PCSM)		
Included	Not Applicable	Item
<input type="checkbox"/>	<input type="checkbox"/>	Structural PCSM BMP locations and access
<input type="checkbox"/>	<input type="checkbox"/>	Non-Structural PCSM BMP locations
<input type="checkbox"/>	<input type="checkbox"/>	Construction details of PCSM BMPs in as-built condition
<input type="checkbox"/>	<input type="checkbox"/>	BMP berm elevations
<input type="checkbox"/>	<input type="checkbox"/>	BMP bottom elevations
<input type="checkbox"/>	<input type="checkbox"/>	Emergency spillway elevation
<input type="checkbox"/>	<input type="checkbox"/>	Emergency spillway length
<input type="checkbox"/>	<input type="checkbox"/>	Emergency spillway protection (TRW, Riprap, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	Outlet structure elevations, orifice sizes
<input type="checkbox"/>	<input type="checkbox"/>	Pipe size, length, material, elevations and slope
<input type="checkbox"/>	<input type="checkbox"/>	Show all rain barrels, seepage pits, infiltration trenches
<input type="checkbox"/>	<input type="checkbox"/>	Show limits (soil amendments, new wood line, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	Cover condition (lawn, meadow, woods, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	PCSM BMP Long-Term O&M
PCSM – Irrigation BMPs only		
Included	Not Applicable	Item
<input type="checkbox"/>	<input type="checkbox"/>	Spray Head and Valve Locations and Spray Radii
<input type="checkbox"/>	<input type="checkbox"/>	Pump Location
<input type="checkbox"/>	<input type="checkbox"/>	Pump Information (Duty point, HP)
<input type="checkbox"/>	<input type="checkbox"/>	Controller Location
<input type="checkbox"/>	<input type="checkbox"/>	Intake Location
<input type="checkbox"/>	<input type="checkbox"/>	Location of main (size and material)
<input type="checkbox"/>	<input type="checkbox"/>	Laterals (size and material)
<input type="checkbox"/>	<input type="checkbox"/>	Dosing Schedule
<input type="checkbox"/>	<input type="checkbox"/>	Drip Field with tubing location

APPENDIX C

Permit No.: _____

Person(s) Responsible for Long-Term Operation and Maintenance of PCSM BMPs:

Statement: The following person(s) understand and have agreed to the long-term operation and maintenance of the PCSM BMPs as per the long-term operation and maintenance plan.

PCSM BMPs (list one BMP per row)	Latitude and Longitude, of each PCSM BMP	Name of Responsible Party	Address	Phone #

Attach additional Appendix C Forms as needed.

**NOTICE OF TERMINATION ("NOT") COMPLETENESS REVIEW
 AND FIELDWORK CHECKLIST FOR
 POST-NOVEMBER 19, 2010 PERMIT SUBMISSIONS**

Facility/Development Name: _____ Permit No.: _____

C = Complete, NC = Not Complete, N/A = Not Applicable

Paperwork Requirements:

SECTION 1 - NON-COMMONWEALTH/NON-FEDERAL PROPERTY			
Permittee Included	Reviewer		Item
	C	NC	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Sections 1-8 of the NOT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Record Drawings which accurately reflect as-built conditions
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of Recorder of Deeds Office receipt for instrument filing
<input type="checkbox"/> <input type="checkbox"/> N/A	<input type="checkbox"/> <input type="checkbox"/> N/A	<input type="checkbox"/>	Copy of Landowner Notices (<i>required if sale or other transfer of any parcel, lot, road, or other real property occurred within the permit boundary during the life of the permit</i>)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Appendices A, B, and C
SECTION 2 - COMMONWEALTH/FEDERAL PROPERTY			
Permittee Included	Reviewer		Item
	C	NC	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Sections 1-7.a. and 8 of the NOT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Record Drawings which accurately reflect as-built conditions
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Appendices A, B, and C
SECTION 3 - RESTORATION/RECLAMATION ACTIVITY			
Permittee Included	Reviewer		Item
	C	NC	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Sections 1-6 and 8 of the NOT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Record Drawings or Site Restoration/Reclamation Plan

Fieldwork Requirements:

SECTION 4 - FIELD INSPECTION (Required for permit termination)			
Permittee Addressed	Reviewer		Item
	C	NC	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Permanent Stabilization per 25 Pa. Code §102.22(a)(2) or the return to agricultural operation regulated under 25 Pa. Code §102.4(a)
<input type="checkbox"/> <input type="checkbox"/> N/A	<input type="checkbox"/> <input type="checkbox"/> N/A	<input type="checkbox"/>	Installation of PCSM BMPs per 25 Pa. Code §102.8(a) through (m) and approved permit (<i>required for non-restoration/reclamation activities</i>)
<input type="checkbox"/> <input type="checkbox"/> N/A	<input type="checkbox"/> <input type="checkbox"/> N/A	<input type="checkbox"/>	Installation of PCSM BMPs per 25 Pa. Code §102.8(n) and approved permit (<i>required for restoration/reclamation activities</i>)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Removal of E&S BMPs per 25 Pa. Code §102.22(a)(1) and approved permit

OFFICIAL USE ONLY

Determination: Approve Deny

Inspection Report No: _____

Reviewer Name: _____

Date: _____

DOCUMENT REVISION HISTORY

Date	Revision Reason
January 2018	Revised Appendix C to replace "individual(s)" with "person(s)"; Updated Checklist Section 2 to include Appendix C.

Application

D. TRANSFEREE/CO-PERMITTEE INFORMATION

Corporations for profit, corporations not-for-profit, limited liability companies, partnerships or sole proprietorships, limited partnerships, professional associations and business or statutory trusts that were not created or formed under the laws of Pennsylvania desiring to do business in this Commonwealth must register with the Pennsylvania Department of State.

DEP Client ID# (if known) Applicant Type (e.g. Owner, Operator, etc.)

Organization Name or Registered Fictitious Name Employer ID# (EIN)

Individual Last Name First Name MI Suffix

Additional Individual Last Name First Name MI Suffix

Mailing Address Street

City State ZIP+4 County

Email Address 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 in accordance with a system designed to assure that qualified personnel 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 NPDES permit, and that BMP's, E&S Plan, PPC Plan, PCSM Plan, and other controls are being 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 pursuant to Section 309(c)(4) of the Clean Water Act and, 18 Pa. C.S. §§4903-4904.

I grant permission to the agencies responsible for the permitting of this work, or their duly authorized representative to enter the project site for inspection purposes. I will abide by the conditions of the permit if issued and will not begin work prior to permit issuance.

(For individuals no indication of title is necessary, choose the box below. All others proceed to the next paragraph)

Individual; proceed to signature portion.

I hereby certify that I am the signatory pursuant to 25 Pa. Code § 92a.22 and 40 CFR §122.22 and that I am the person who is responsible for decision-making regarding environmental compliance functions for Enter Entity name, the manager of one or more manufacturing, production, or operating facilities of the applicant and am authorized to make management decisions which govern the operation of regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure the applicant's long term environmental compliance with environmental laws and regulations; and I am responsible for ensuring that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements.

(choose one of the following; not applicable for individuals):

- The responsible corporate officer president vice president secretary treasure of _____ Corporation/Company
Entity name
- The member or manager of _____ LLC
Entity name
- The general partner of _____ partnership/LP/LLP
Entity name
- The principal executive officer or ranking elected official of _____ Municipality/State/Federal/other public agency
Entity name
- Power of Attorney/delegation of contractual authority (documentation supporting delegation of contracting authority must be provided) for _____
Entity name

SIGNATURES

Applicant

Co-Applicant (if applicable)

 Print Name and Title of Person Signing

 Print Name and Title of Person Signing

 Signature of Applicant

 Signature of Co-Applicant

 Date Signed

 Date Signed

Please note below the name, address and telephone number of the individual that should be contacted in the event additional information is required.

Name _____ Phone _____
 FAX _____

Notarization:

Commonwealth of Pennsylvania

County of _____

Sworn to and Subscribed to Before Me This

_____ Day of _____, 20_____

NOTARY

SEAL

Notary Public

My Commission Expires: _____

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))

TRANSFEREE 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/DEP 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, Permitting and Technical Services 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 that is the current permittee. The Regional Office can supply the Client ID #, 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, email address, and telephone number of the individual or organization that is applying to assume operational control of construction activities at the site. The Regional Office can supply the Client ID #, 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 to include the printed applicant name and title. 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).
 - d. For individuals, no indication of title is necessary.

If anyone else signs on behalf of a corporation, partnership, or public agency, documentation supporting delegation of contracting authority must be provided

The application shall be notarized in the space provided.



CHAPTER 102 VISUAL SITE INSPECTION REPORT

GENERAL INFORMATION

Inspection Date: _____ Inspection Time: _____ AM / PM Inspection No.: _____

Inspection Type: _____ Precipitation in Previous 24 hours: _____ inches

Current Site Conditions: Active Earth Disturbance Fully Stabilized Snow Covered

Current Weather Conditions: Rain/Sleet/Snow Overcast Sunny/Partly Sunny

Permittee Name: _____ Inspector Name: _____

Permittee Address: _____ Inspector Phone: _____

City, State, Zip: _____ Inspector Firm: _____

Project Name: _____ Inspector Title: _____

Municipality: _____ County: _____

Permit Type: PAG-02 IP ESCGP ESP Permit No.: _____

INSPECTION INFORMATION

Areas for Inspection	Check if Inspected	Problems Observed
1. Areas that have been cleared and grubbed, graded, excavated, or otherwise disturbed and are not yet stabilized.	<input type="checkbox"/>	
2. BMPs installed to comply with permit.	<input type="checkbox"/>	
3. Material, waste, borrow and equipment storage and maintenance areas covered by permit or E&S Plan approval.	<input type="checkbox"/>	
4. Areas where stormwater flows within the site, including drainageways designed to divert, convey and/or treat stormwater.	<input type="checkbox"/>	
5. Discharge points on-site.	<input type="checkbox"/>	
6. Locations where stabilization measures have been implemented.	<input type="checkbox"/>	
Questions	Check One	
7. Are the approved E&S Plan and drawings available on-site?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
8. Are the approved PCSM Plan and drawings are available on-site?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
9. Are E&S BMPs properly installed, operational, and working as intended?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
10. Are PCSM BMPs properly installed, operational, and working as intended?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
11. Has a PPC Plan been prepared, implemented, and available on-site?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
12. Is all earth disturbance within the permitted limit of disturbance?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
13. Have all disturbed areas in which disturbance has ceased for more than 4 days been stabilized?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	

Questions	Check One
14. Is the approved construction sequence being followed?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
15. Are areas intended for PCSM BMPs being protected from compaction and sediment laden runoff?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
16. For Questions 7 through 15, explain any answers of "No" in the space below or on a separate sheet.	
17. Are there signs of visible accelerated erosion and sedimentation due to discharges from the site?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
18. Are there any unauthorized non-stormwater discharges occurring from the site?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
19. Do stormwater discharges, if occurring during inspection, contain floating solids, foam, scum, sheen, or substances that result in observed deposits or produce an observable change in the color, taste, odor or turbidity of the receiving water?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
20. Where any instances of non-compliance observed during the inspection?	<input type="checkbox"/> Yes <input type="checkbox"/> No
21. For Questions 17 through 20, explain any answers of "Yes" in the space below or on a separate sheet.	
22. Critical stages of implementation of the PCSM Plan are occurring at the time of inspection?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
23. If No. 22 is "Yes", is or was a licensed professional present on-site and responsible?	<input type="checkbox"/> Yes <input type="checkbox"/> No
24. Has any fill material excavated on-site, imported to the site, or exported from the site been tested for clean fill since the last inspection? <i>(if "Yes" attach Form FP-001 to this report)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
25. Identify the names and addresses of all new operators that have commenced work on the project site since the last inspection was conducted (see 25 Pa. Code § 102.1 for the definition of "operator").	
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
For new operators listed above, has the Transferee/Co-Permittee Application been completed and submitted?	<input type="checkbox"/> Yes <input type="checkbox"/> No
26. Corrective Action – Describe any corrective actions that should be taken by the permittee to comply with the permit.	
27. Have photograph(s) been taken during the inspection and are attached to this report?	<input type="checkbox"/> Yes <input type="checkbox"/> No
28. Are additional pages attached to this report?	<input type="checkbox"/> Yes <input type="checkbox"/> No

I certify under penalty of law (see 18 Pa. C.S. § 4904 (relating to unsworn falsification)) that the information reported herein was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the information, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

 Inspector Signature

 Date of Signature



POST CONSTRUCTION STORMWATER MANAGEMENT (PCSM) INSTRUMENT FILING NOTICE

Regulatory Requirement: This PCSM Instrument Filing Notice pertains to the PCSM obligations referenced in 25 Pa. Code §§ 102.7 (related to permit termination) and 102.8(m) (related to PCSM long-term operation and maintenance requirements).

Applicability: For any property containing a PCSM best management practice (BMP), the permittee or co-permittee, who are presently covered under an Individual National Pollution Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities, the General NPDES Permit for Discharges of Stormwater Associated with Construction Activities (PAG-02), an Erosion and Sediment Control Permit (ESCP), or an Erosion and Sediment Control General Permit (ESCGP) for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities shall use this PCSM Instrument Filing Notice to record a legal instrument with the Recorder of Deeds Office.

Per 25 Pa. Code §102.8(m)(2), a recorded legal instrument must provide disclosure of the PCSM BMP(s) and the related obligations in the ordinary course of a title search of the subject property. The recorded legal instrument must:

1. identify the PCSM BMP(s),
2. provide for the necessary access related to long-term operation and maintenance of the PCSM BMP(s), and
3. provide notice that the responsibility for long-term operation and maintenance of the PCSM BMP(s) is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees.

This PCSM Instrument Filing Notice is not a legal instrument, as it alone does not satisfy the requirements of 25 Pa. Code §102.8(m)(2). Use of this PCSM Instrument Filing Notice is not mandatory but is recommended in order to provide notice to the county recorder of deeds office of the intent to record the required documents.

Unless later dates are approved by the Department of Environmental Protection (Department) in writing, the permittee or co-permittee shall record the legal instrument within 45 days from the date of permit issuance or authorization, and provide the conservation district or the Department with the date and place of recording along with a reference to the docket, deed book or other record, within 90 days from the date of permit issuance or authorization.

If the project is associated with a new subdivision, a legal instrument is to be recorded prior to issuance of the first deeds and is to be explicitly referenced in every first deed recorded in association with the project and subdivision.

Be advised, after record drawings/as-builts become available, but prior to permit termination the record drawings/as-builts are to be included as an attachment to an amended legal instrument.

The following must be completed as certification of the recording of the required documents:

I _____ (permittee or co-permittee name from section 3 below), certify that the below checked items will be recorded at the project county's recorder of deeds office as attachments to this PCSM Instrument Filing Notice:

- Legal instrument which addresses numbers 1, 2, and 3 above (*required*)
- Record drawings/as-builts (the approved PCSM Plan may be attached in lieu of record drawings/as-builts if construction of the PCSM BMP(s) has not been completed by time of filing) (*required*)
- Long-term operation and maintenance plan which clearly outlines the operation and maintenance activities necessary for the associated PCSM BMP(s) (*required*)
- Property owner agreements (if applicable)

1. Parcel Information (attach additional sheets as necessary):

Uniform Parcel Identifier (UPI)/Tax Parcel ID #: _____

Municipality: _____ County: _____

Lot(s): _____ Unit(s): _____

2. Project Information:

Project Name: _____

Property Owner Name (if not the same as Permittee identified below):

Signature _____ Date _____

3. Index Information:

Permittee Name (as displayed on the current permit):

Title:

Business Entity (if applicable):

Signature _____ Date _____

OR

Co-Permittee Name (as displayed on the current permit):

Title:

Business Entity (if applicable):

Signature _____ Date _____

4. Acknowledgements:

Commonwealth of Pennsylvania
County of _____

On this, the _____ day of _____, 20__, before me, a Notary Public, personally appeared _____, the property owner of the premises described in this PCSM Instrument Filing Notice, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

NOTARY SEAL

Notary Public My Commission Expires _____

Commonwealth of Pennsylvania
County of _____

On this, the _____ day of _____, 20__, before me, a Notary Public, personally appeared _____, having a title of _____ within the business entity of _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

NOTARY SEAL

Notary Public My Commission Expires _____

Commonwealth of Pennsylvania
County of _____

On this, the _____ day of _____, 20__, before me, a Notary Public, personally appeared _____, having a title of _____ within the business entity of _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

NOTARY SEAL

Notary Public My Commission Expires _____

DISCLAIMER

This document is a sample Instrument for the Declaration of Restrictions and Covenants (Instrument). Use of this template is not mandatory, but it is strongly recommended. The language included in this document serves as acceptable baseline terms and conditions for purposes of 25 Pa. Code §102.8(m)(2). The availability of this document does not constitute legal, accounting or tax advice. Not all Instruments necessarily follow the same format and should be tailored for their particular purpose. Formally completed Instruments are intended to be recorded, enforceable, legal documents. All persons considering the use of this Instrument to meet the requirements of 25 Pa. Code §102.8(m)(2) should obtain the services of an attorney, licensed to practice law in the Commonwealth of Pennsylvania.

Instructions:

- In this sample instrument, the grantor is the property owner, and the grantee is the person responsible for the implementation of the approved O&M Plan for the PCSM BMPs located on the property.
- Therefore, if the property owner and the person responsible for the implementation of the approved O&M Plan for the PCSM BMPs are the same person, the grantor and grantee would be the same person who would sign the instrument as both grantor and grantee.
- **The Commonwealth of Pennsylvania Department of Environmental Protection should not be listed as the grantee.**

**INSTRUMENT FOR THE DECLARATION OF RESTRICTIONS AND
COVENANTS**

This Instrument for the Declaration of Restrictions and Covenants (Instrument) is being made as of this _____ day of _____, 20____, by _____ (the "Grantor"), having an address of _____ and _____ the "Grantee"), having an address of _____.

WITNESSETH:

WHEREAS, Grantor is the owner of certain land situated in _____ Township/Borough, _____ County, Pennsylvania, containing +/- _____ acres and being designated as _____ on that certain Subdivision Plan recorded in _____ County Plot Book Volume _____, Page _____, and being _____ County Tax Parcel #/ Uniform Parcel Identifier _____, and being more particularly described in that certain Deed recorded to _____ County Instrument No. _____ (the "Property");

WHEREAS, Grantor has agreed to provide this Instrument to protect the Property;

WHEREAS, the Property is included within the boundary of an Individual National Pollution Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities, the General NPDES Permit for Discharges of Stormwater Associated with Construction Activities (PAG-02), an Erosion and Sediment Control Permit (ESCP), or an Erosion and Sediment Control General Permit (ESCGP) for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities (Permit No. _____) which identifies certain Post Construction Stormwater Management Best Management Practices (PCSM BMPs) located on the Property;

WHEREAS, the documents attached to this Instrument and incorporated herein shall include: record drawings/as-builts or the approved PCSM Plan (if record drawings/as-builts are not yet available), attached hereto as Appendix A; all applicable landowner notices, attached hereto as Appendix B; the long-term Operation and Maintenance Plan (O&M Plan), attached hereto as Appendix C; and, any Operation and Maintenance Agreements (O&M Agreements) between the permittee and the party responsible for implementation of the O&M Plan, attached hereto as Appendix D;

WHEREAS, Grantee has agreed to be responsible for implementation of the approved O&M Plan for the PCSM BMPs located on the Property as described in the O&M Plan, which agreement is attached hereto as Appendix D, and incorporated herein;

WHEREAS, Grantor has agreed to provide for necessary access, to applicable parties, related to long-term operation and maintenance of the PCSM BMPs;

NOW THEREFORE, in consideration of the above and the mutual covenants, terms, conditions, and restrictions hereinafter set forth in this Instrument, and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor provides and files this Instrument:

1. Purpose. The purpose of this Instrument is to provide notice and to ensure the operation and maintenance, and necessary access for operation and maintenance of the PCSM BMPs on the Property and to prevent the use or development of the Property in any manner that may impair or conflict with the operation and maintenance of the PCSM BMPs. Per 25 Pa. Code §102.8(m)(2), this Instrument identifies the PCSM BMP(s), provides for the necessary access related to long-term operation and maintenance of the PCSM BMP(s) and provides notice that the responsibility for long-term operation and maintenance of the PCSM BMP(s) is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees.

2. Declaration of Restrictions and Covenants. Grantor hereby declares that the Property shall be held, transferred, conveyed, leased, occupied or otherwise disposed of and used subject to this Instrument which shall run with the land and be binding on all heirs, successors, assigns, occupiers, and lessees.

3. Perpetual Duration. The provisions of this Instrument shall remain in effect in perpetuity, shall be deemed covenants running with the land regardless of ownership or use, and be binding upon all subsequent property owner(s); and the personal representatives, heirs, successors, or assigns of the Grantor.

4. Reserved Rights. Grantor reserves and accepts unto itself and the personal representatives, heirs, successors, or assigns of the Grantor, all rights accruing from ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not inconsistent with the purpose of this Instrument.

5. Subsequent Transfers. The terms of this Instrument shall be incorporated by reference into any deed or other legal instrument by which Grantor divests itself by sale, exchange, devise or gift of all or any portion of the Property. Failure of Grantor to perform any act required by this Instrument shall not impair the validity of this Instrument or limit its enforceability in any way. Upon valid sale or transfer of Grantor's ownership interest to a successor or assign and notice as required by this paragraph, Grantor shall be released from any responsibility for any violation of the terms of this Instrument caused by Grantor's successors or assigns or any third party which occurs subsequent to such sale or transfer.

6. Recordation. Grantor shall record this Instrument in the Official Records of _____ County, Pennsylvania. Grantor shall pay all recording costs necessary to record this Instrument in the public records.

7. Notices. All notices, consents, approvals or other communications required under the provisions of this Instrument shall be in writing and shall be deemed properly given if hand delivered, sent by a nationally recognized overnight courier, or sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor in interest, at the address most recently provided.

8. Access Provisions. The party responsible for the implementation of the O&M Plan may enter the Property upon reasonable notice, in a reasonable manner and at reasonable times for purposes of implementation of the O&M Plan.

9. Miscellaneous Provisions.

(a) Severability. If any provision of this Instrument or the application of it to any person or circumstance is found to be invalid, the remainder of the provisions of this Instrument and the application of the provisions to persons or circumstances other than those as to which it is found to be invalid, shall not be affected by the invalid provision.

(b) Amendment. This Instrument shall not be amended, terminated or in any way modified by the Grantor without the express prior written approval of the Commonwealth of Pennsylvania Department of Environmental Protection (Department). After receiving approval from the Department, the Grantor shall record any such amendment, termination or modification of this Instrument as described in Paragraph 6, above.

(c) Controlling Law. The interpretation and performance of this Instrument shall be governed by the laws of the Commonwealth of Pennsylvania.

(d) Captions. The captions in this Instrument have been inserted solely for convenience of reference and are not a part of this Instrument and shall have no effect upon construction or interpretation.

(e) Rights of the Department. The rights of the Department shall be preserved under the laws of the Commonwealth of Pennsylvania, and include, but not be limited to, the following:

- (i) To identify, to preserve and to protect in perpetuity the PCSM BMPs in a manner consistent with the O&M Plan.
- (ii) To enter upon the Property in a reasonable manner and at reasonable intervals and times for the purpose of monitoring compliance with this Instrument.
- (iii) To proceed at law or in equity to enforce the provisions of this Instrument, and to prevent the occurrence of any of the prohibited activities hereinafter set forth.
- (iv) To approve or disapprove a request for an amendment submitted under Paragraph 9(b), above.

The sample legal Instrument for the Declaration of Restrictions and Covenants has been posted to the DEP website at:

<http://www.dep.pa.gov/Business/Water/Waterways/NPDES-Construction-and-Erosion-Control/Pages/Statutes,RegulationsandPermits.aspx#.VqEcMfMo4y9>.

**New Property Owner Post-Construction Stormwater Management
Best Management Practice(s) Notification and Operation and
Maintenance Agreement**

BE ADVISED, THE PROPERTY YOU ARE PURCHASING OR OBTAINING, VIA OTHER TRANSFER METHOD, CONTAINS POST-CONSTRUCTION STORMWATER MANAGEMENT BEST MANAGEMENT PRACTICE(S) (PCSM BMPs) WHICH ARE SUBJECT TO A LONG-TERM OPERATION AND MAINTENANCE PLAN (O&M PLAN). THAT O&M PLAN HAS BEEN RECORDED AS PART OF A DEED RESTRICTION THAT AFFECTS THIS PROPERTY. PRIOR TO OBTAINING THIS PROPERTY, YOU SHOULD FULLY UNDERSTAND YOUR LONG-TERM OPERATION AND MAINTENANCE OBLIGATIONS, AS THEY APPLY TO THE ASSOCIATED PCSM BMP(s).

Property Identification:

Municipality: _____
County: _____
Plot Book Volume: _____
Page: _____
Tax Parcel #/UPI: _____

The following PCSM BMP(s) are located on this property: _____

The inspection schedule and reporting requirements for the PCSM BMP(s) are as follows:

The person or entity responsible for the long-term operation and maintenance of the PCSM BMP(s) is: _____

Describe how access to the PCSM BMP(s) shall be obtained: _____

If purchaser, grantee or transferee is responsible for the long-term operation and maintenance of the PCSM BMP(s), describe the necessary operation and maintenance obligations or attach a copy of the O&M Plan: _____

I UNDERSTAND AND AGREE WITH THE LONG-TERM OPERATION AND MAINTENANCE RESPONSIBILITIES OUTLINED ABOVE AND AS THEY APPLY TO THE PCSM BMP(S) ON THE PROPERTY I AM PURCHASING.

Purchaser, Grantee or Transferee Signature

Date

Printed Name

Purchaser, Grantee or Transferee Signature

Date

Printed Name

SAMPLE