



# pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

EASTERN REGIONAL OFFICE

AUG 22 2012

Bruce Nieman  
Bluestone Pipeline Company of Pennsylvania, LLC  
1708 WCB, 2000 Second Avenue  
Detroit, MI 48226

Re: Erosion and Sediment Control General Permit – 1  
For Oil and Gas Activities (ESCGP-1)  
DEP File No. ESG12-115-0098  
Bluestone Gathering System Phase III – Right of Way  
New Milford, Harford, and Lenox Townships, Susquehanna County

Dear Mr. Nieman:

Enclosed is the above-referenced permit that authorizes you to conduct activities described in the final approved Erosion and Sediment Control (E&S) Plan and the Post Construction Stormwater Management (PCSM) Plan and permit application. Please ensure that the E&S and PCSM Plans are fully implemented and available at the site.

The E&S and PCSM Plans were reviewed to determine whether they are adequate to satisfy the requirements of Chapter 102, Erosion and Sediment Control Rules and Regulations. The Department of Environmental Protection (DEP) does not assume responsibility for the design, implementation, or the proper construction and operation of the Best Management Practices (BMP's) contained in the E&S and PCSM plans. 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 activities described in the final approved E&S and PCSM Plan.

Please be aware that Sec. 601.205 (Well location restrictions) of the Oil and Gas Act requires that a waiver be obtained prior to construction of a well site within 100 feet measured horizontally from any stream, spring or body of water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geological Survey or within 100 feet of any wetlands greater than one acre in size.

AUG 22 2012

Please read the enclosed permit, which details the terms and conditions of this authorization. The Department's Water Quality Specialist supervisor, Mike O'Donnell at 570.346.5536, for the project area must be invited to a pre-construction meeting at least 7 days in advance as required by Chapter 102.5(e) of the Department regulations. Representatives of the Department may inspect this earth disturbance activity to determine compliance with applicable permit requirements, Chapter 102 rules and regulations, and the Clean Streams Law.

Enclosed is a Notice of Termination (NOT) form to be completed and filed with the Department once earth disturbance activities have ceased and final stabilization has been achieved. The NOT is a permit requirement, as well as a regulatory requirement under Pa. Code Chapter 102 regulations. Please be advised that responsibilities under the terms and conditions of this permit will continue until the NOT has been filed and acknowledged. Failure to complete earth disturbance activities within five years from the permit authorization date will require resubmission of a new complete permit application and E&S and PCSM Plan.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.**

**IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717.787.3483) FOR MORE INFORMATION.**

Bruce Nieman

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AUG 22 2012

If you have any questions, please call Mr. Ryan Klemish at 570.346.5539.

Sincerely,



Jennifer W. Means  
Environmental Program Manager  
Bureau of Oil and Gas Management

Enclosures: ESCGP-1 Permit  
E&S Plan & PCSM Plan  
Permit/Copermittee Transfer Form  
Notice of Termination

cc: Susquehanna County Conservation District  
Harford Township Supervisors  
New Milford Township Supervisors  
Lenox Township Supervisors  
Brigitte Burchfield, P.E. – URS Corporation - Harrisburg  
Mike O'Donnell  
Ryan Klemish  
File



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF WATERSHED MANAGEMENT  
BUREAU OF OIL & GAS MANAGEMENT

**APPROVAL OF COVERAGE UNDER THE  
EROSION AND SEDIMENT CONTROL GENERAL PERMIT  
FOR EARTH DISTURBANCE ASSOCIATED WITH OIL AND GAS  
EXPLORATION, PRODUCTION, PROCESSING, OR TREATMENT OPERATIONS  
OR TRANSMISSION FACILITIES  
ESCGP-1**

**Approval No:** ESG12-115-0098

In compliance with the provisions of The Clean Streams Law, as amended, 35 P.S. Section 691.1 et seq., the Oil & Gas Act 58 P. S. § § 601.101 et seq., 25 Pa Code Chapters 78, 91, 93 and 102 regulations promulgated thereto, and sections 1905-A, 1917-A and 1920-A of the Administrative Code of 1929 (71 P.S. §§510-5, 510-17 and 510-20) the Department of Environmental Protection (Department) hereby authorizes the permittee to conduct earth disturbance activities at the following location:

**PERMITTEE NAME AND ADDRESS**

BRUCE NIEMAN  
BLUESTONE PIPELINE COMPANY OF PENNSYLVANIA, LLC  
1708 WCB, 2000 SECOND AVENUE  
DETROIT, MI 48226

**PROJECT NAME AND LOCATION**

BLUESTONE GATHERING SYSTEM PHASE III - RIGHT OF WAY  
NEW MILFORD, HARFORD, AND LENOX TOWNSHIPS, SUSQUEHANNA COUNTY

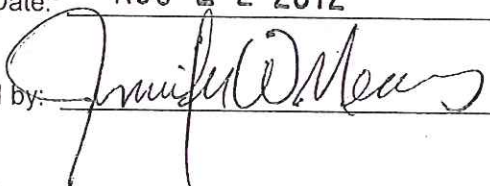
This authorization is granted to conduct earth disturbance activities and construct the erosion and sediment control and stormwater management best management practices (BMPs) within the project indicated above, provided that you comply with all representations set forth in your application and its supporting documents and permit conditions attached hereto.

Earth disturbance activities in accordance with the terms and conditions herein may commence on the date of the approval of permit coverage. This approval is valid for a period of five years when conducted pursuant to such terms and conditions the Department may terminate the approval prior to the expiration date upon notice to and approval. No condition of this permit shall release the permittee(s) from any responsibility or requirement under Pennsylvania statutes or regulations.

No condition of this permit shall release the permittee(s) from any responsibility or requirement under Pennsylvania statutes or regulations or local ordinances.

Approval Date: AUG 22 2012

Expiration Date: AUG 21 2017

Authorized by: 

Title: ENVIRONMENTAL PROGRAM MANAGER

**EROSION AND SEDIMENT CONTROL GENERAL PERMIT  
FOR EARTH DISTURBANCE ASSOCIATED WITH OIL AND GAS  
EXPLORATION, PRODUCTION, PROCESSING, OR TREATMENT OPERATIONS  
OR TRANSMISSION FACILITIES  
(ESCGP-1)**

General Information

1. This permit applies to earth disturbance activities associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities (oil and gas activities) that disturb five (5) or more acres at one time over the life of the project.
2. This permit is issued AUG 22 2012. The permit shall expire at midnight AUG 21 2017, unless extended in writing by the Department.
3. Persons proposing to conduct earth disturbance activities associated with oil and gas activities that disturb five (5) or more acres at one time over the life of the project, 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 ("District") at least 90 days prior to commencing the earth disturbance activity. The NOI shall be filed in accordance with the detailed instructions specified in the NOI package. Earth Disturbance activities cannot begin until the operator receives the permit approval.
4. An Erosion and Sediment Control Plan ("E&S Plan") must be implemented for the activity covered by this permit in accordance with 25 Pa. Code Chapter 78 and Chapter 102. The E&S Plan must be submitted for review and approval to the Department or District when acting as the reviewing entity (collectively "reviewing entity"). Best Management Practices ("BMPs") shall be constructed and maintained under the supervision of a competent individual trained and experienced in erosion and sediment control methods and techniques. The Post Construction Stormwater Management Plan ("PCSM Plan") shall also be implemented for the earth disturbance activity covered by this permit.

Standard Permit Conditions

1. Major modifications to the approved E&S Plan involving new or additional earth disturbance activity and/or the addition of a point source discharge will require prior approval by the reviewing entity and may require the submittal of a new NOI. All minor modifications to the E&S Plan and PCSM Plan shall be noted on the plan shall be noted on the plan that is available at the site and initialed by the Department or Conservation District staff. Minor changes to the E&S Plan or the PCSM Plan may include adjustments to BMPs and locations within the permitted boundary to improve environmental performance within the scope of the approved E&S Plan, change in ownership or address, typographical errors and field adjustments on-site such as the addition or deletion of BMPs to address unforeseen circumstances.
2. If the erosion and sediment control and stormwater management BMPs fail to achieve their intended purpose the permittee(s) shall investigate the reason for the failure and take necessary corrective actions which may include modification to existing BMPs or the design and construction of additional BMPs.
3. Nothing in this permit relieves the permittee(s) of the obligation to obtain any other applicable permits, or of complying with all federal, state, or local laws, regulations or standards for the construction, operation, and maintenance of this project.
4. All relevant conditions of any prior Departmental permits, decrees or orders issued to the permittee(s) or their predecessor shall be continued in full force and effect unless explicitly superseded by this permit. The provisions of this permit shall apply to the permittee's successors, lessees, heirs, and assigns. Permit ownership and/or responsibilities may be transferred or shared after written notice to, and upon approval from the reviewing entity. The notice shall be provided to the reviewing entity at least 30 days prior to the effective date of new ownership or permit responsibility. The transfer does not need to be published.

5. The Department reserves the rights to modify, suspend, revoke or terminate previous coverage under this permit if the permittee(s) shows a lack of ability or intent to comply with the provisions of the permit, or has exhibited a history of non-compliance with the permit conditions.
6. Earth disturbance activities in a watershed, where the designated or existing use is High Quality or Exceptional Value or exceptional value wetland pursuant to 25 Pa Code Chapter 93.4b, shall comply with the anti-degradation requirements of 25 Pa Code Chapter 93.4 Sections 93.4a thru 93.4c and 25 Pa Code Chapter 105.13. Additional BMPs for special protection watersheds are contained in Chapter 4 of the Oil and Gas Operators Manual (No. 550-0300-001), the Stormwater Best Management Practices Manual (363-0300-002) and 25 Pa Code Chapter 102.4(b).
7. Erosion and sediment control and stormwater management BMPs shall be designed and implemented to meet the standards and specifications identified in 25 Pa Code Chapters 78, 93, 102 and any other applicable laws and regulations. Best Management Practices for oil and gas activities are listed in the Department's Oil and Gas Operators Manual, No. 550-0300-001 and Erosion and Sediment Pollution Control Manual, No. 363-2134-008, the Water Quality Antidegradation Guidance No. 391-0300-002 and the Stormwater Best Management Practices Manual No. 363-0300-002. The permittee(s) may use BMPs that are not identified in the foregoing manuals if the permittee(s) demonstrates to the reviewing entity's satisfaction that the proposed BMPs achieve equivalent or superior environmental protection standards.
8. If the earth disturbance activities authorized by this permit at any time create conditions that cause or threaten to cause pollution to waters of the Commonwealth, the permittee(s) shall immediately implement remedial measures to correct the conditions.
9. The permittee(s) shall notify the delegated conservation district or the Department by either telephone or certified mail of the intent to commence earth disturbance activities. The notification must be at least seven days prior to the start of earth disturbance activities. Attendance at a pre-construction conference is required upon request by the District or Department.
10. BMPs must be inspected on a weekly basis and after each measurable stormwater event, including the repair of the BMPs to ensure effective and efficient operation. A written report of each inspection shall be kept to include a summary of site conditions, BMPs, and compliance, corrective action taken and the date, time, and the name of the person conducting the inspection. These documents are to be made available to the Department upon request.
11. Upon completion of the earth disturbance activity the site shall be permanently stabilized according to the requirements of Pa Code Chapter 102. In addition, post construction stormwater management BMPs shall be in place and operating prior to a site being considered permanently stabilized.
12. Procedures which ensure that the proper disposal or recycling of materials associated with or from the project site will be undertaken in an environmentally safe manner, and in accordance with federal and state law and regulations. No waste or similar materials shall be disposed, buried, dumped, or discharged at the site unless it is in accordance with federal and state law and regulations.
13. Issuance of this permit does not authorize earth disturbance activities in wetlands or other water obstructions or encroachments as depicted in the approved E&S Plan. Any changes to the approved E&S Plan resulting from other permits from the Department that authorize activity in wetlands or other water obstructions or encroachments must be submitted to the reviewing entity for review and approval prior to initiating the earth disturbance activity. If hydric soils are present, a wetland identification must be conducted in accordance with Department procedures. All wetlands and watercourses must be included on the E&S Plan.
14. The permittee 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, harmful to the water uses to be protected or to human, animal, plant or aquatic life.
15. In accordance with 25 Pa. Code § 78.55, operators of oil and gas wells are required to prepare and implement a Preparedness, Prevention, and Contingency plan. A copy of the plan shall be provided to the Department upon request.

16. The Erosion and Sedimentation Control Plan shall include any spoil, borrow or other work area associated with the oil and gas activity.
17. The Department and the District when acting as reviewing entity, reserves the right to require additional monitoring where a danger of water pollution is present, or water pollution is suspected of occurring from an earth disturbance activity subject to this permit. The permittee(s) shall commence such monitoring upon notification from the Department or the authorized conservation district when acting as the reviewing entity.
18. The permittee(s) must comply with all terms and conditions of this permit. Any permit non-compliance constitutes a violation of The Clean Streams Law, Oil and Gas Act, 25 Pa Code Chapters 78, 91, 93 and 102, and is grounds for enforcement action or permit suspension; revocation, modification and reissuance, or denial of a permit. The permittee(s) may be subject to criminal and/or civil penalties for violations of the terms and conditions of this permit under Sections 602 and 605 of The Clean Streams Law, 35 P.S. §§ 691.602 and 691.605 and Sections 503, 505, 506 and 507 of the Oil and Gas Act, P.S. §§ 601.503, 601.505, 601.506 and 601.507.
19. Pursuant to Sections 5(b) and 305 of The Clean Streams Law (35 P.S. §§ 691.5(b) and 691.305), Oil and Gas Act Section 508 (58 P.S. §§ 601.508) and Section 1917-A of the Administrative Code (71 P.S. § 510-17), the permittee(s) shall allow the head of the Department, and/or an authorized representative of the Department, or delegated conservation district, upon the presentation of an authorized identification or other credentials, as may be required under law, to:
  - Enter upon the permittee(s) premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit;
  - Have access to and copy at reasonable times, any records that must be kept under the terms and conditions of this permit;
  - Inspect any facilities or equipment (including monitoring and control equipment); and
  - Observe or sample any discharge.
20. Prior to the commencement of earth disturbance activities for additional phases or portions of a project, the permittee(s) shall submit a Plan for each additional phase or portion of the project in accordance with Permit Guidelines for Phased NPDES Stormwater Discharges Associated with Construction Activity Permits, Chapter 102 Erosion and Sediment Control Permits and Chapter 105 Waterway Restoration Permits (363-2134-013) for review and approval by the reviewing entity.
21. The permittee(s) shall contact the plan preparer for clarification of any requirements contained in the Erosion and Sediment Control Plan, Post Construction Stormwater Management Plan, Pollution Prevention and Contingency Plan, or other documents related to this permit. If additional clarification is necessary the permittee or co-permittee shall contact the Department or authorized Conservation District.
22. No regulated activity is authorized under this General Permit which is likely to directly or indirectly adversely affect a State or Federal threatened or endangered species or a species proposed for such designation, or which is likely to destroy or adversely modify the critical habitat of such a species, as identified under the Federal Endangered Species Act of 1973; Title 30, Chapter 75 of the Pa. Fish and Boat Code; Title 17, Chapter 25, Conservation of Wild Plants; and Title 31 Chapter 133 Game Wildlife code.

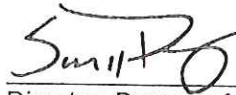
Permit registrations shall include a Pennsylvania Natural Diversity Inventory (PNDI) search receipt. Any "potential impact" must be resolved with the appropriate agency prior to registration of this General Permit. Information on PNDI searches is available through the PA Department of Conservation and Natural Resources, Bureau of Forestry, Ecological Services Section, P.O. Box 8552, Harrisburg, PA 17105-8852, telephone 717-787-3444 and at [www.naturalheritage.state.pa.us](http://www.naturalheritage.state.pa.us).

23. Notice of Termination. When all stormwater discharges associated with the earth disturbance activity that are authorized by this permit are eliminated, the disturbed area has been permanently stabilized and BMPs identified in the PCSM Plan have been installed, the permittee or co-permittee of the facility must submit a signed Notice of Termination letter. All Notice of Termination letters are to be sent to the Department or the authorized Conservation District.

PERMIT ISSUED BY:



\_\_\_\_\_  
Director, Bureau of Watershed Management



\_\_\_\_\_  
Director, Bureau of Oil and Gas Management





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 the 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: \_\_\_\_\_ Commonwealth of Pennsylvania  
 Sworn to and Subscribed to Before Me This \_\_\_\_\_ County of \_\_\_\_\_  
 \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_  
 \_\_\_\_\_ My Commission Expires: \_\_\_\_\_  
 Notary Public





## 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 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.



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 stormwater discharges occurs when disturbed soils at the construction site have been stabilized and temporary erosion control BMP's have been removed.