

APPENDIX A: Requirements for Notice of Intent

I. PERSONS REQUIRED TO FILE A NOTICE OF INTENT

Any person required to submit a notice of intent under the permit shall submit it to EPA as follows:

(A) Single or Multiple Lots within a DD Site with the Same Owner. If the entire DD Site is owned by the same person, the owner shall submit a single Notice of Intent for the entire DD Site.

(B) Single Lot/ Multiple Owners. Where a DD Site is comprised of a single lot with multiple owners, any one or more of the owners shall submit a single Notice of Intent for the lot that comprises the DD Site.

(C) Multiple Lots/Multiple Owners. Where a DD Site is comprised of more than one lot and the lots are owned by more than one person, the owner(s) of the DD Site shall submit a single Notice of Intent or multiple Notices of Intent in accordance with (1) or (2) below:

(1) Any one or more of the owners shall submit a single Notice of Intent for the entire DD Site; or

(2) The owners shall submit multiple Notices of Intent as follows:

a. For all lots owned by the same person, the owner shall submit a single Notice of Intent for his or her lot(s); and

b. For each and every lot owned by more than one person, any one or more of the owner(s) shall submit a Notice of Intent for such lot.

II. REQUIREMENTS FOR COMPLETING THE NOTICE OF INTENT

(A) The Notice of Intent shall include the following information **with regard to each lot covered by the notice**:

(1) Name, title (if applicable), mailing address, email address, and telephone number of each person who owns each lot.

(2) Additional contact name, title, mailing address (if not same as that of owner), email address, and telephone.

(3) The address of each lot.

(4) The number of acres of impervious surfaces located within each lot.

(5) Information on the location of the actual or potential storm water discharges from the lot(s) being noticed, including a narrative description of actual or potential storm water discharges, whether the storm water is discharged or will be discharged, to the municipal separate storm sewer system, and whether storm water runoff from the site may result in a discharge to the Zone A of a public water supply and/ or to the ground within the Zone I, Zone II, or Interim Wellhead Protection Area (IWPA) of a public water supply well or well field. If the Site involves any activities that may result in a storm water discharge to the ground within a Zone I, Zone II or IWPA for a public water supply well or well field or a storm water discharge near or to a Zone A, written notice shall be delivered to the public water system. In that event, the Notice of Intent shall include the name of the public water system and the date that written notice was delivered to the public water system.

(6) Information on any program for sweeping the paved areas located within the Site, including a narrative description of the sweeping program, the frequency of the sweeping, the total area swept, and the type of sweeper used.

(7) Information on any ongoing projects for the development and/or redevelopment of impervious surfaces as of the date of the Notice of Intent, including a narrative description of the ongoing projects, the date construction or land disturbance activity lawfully commenced and the expected date of completion.

(8) Information on whether site is eligible for coverage under the permit in accordance with Appendix E (Special Eligibility Determination Relating to National Historic Preservation) If yes, identify which Criteria (A, B, C, or D), was used to certify eligibility.

(B) If there are additional lots within the DD Site for which the owner is not submitting a Notice of Intent, the Notice of Intent shall provide the following information on each such lot:

- (1) Name and mailing address of at least one person who owns and/or operates the lot;
- (2) The address of the lot; and
- (3) The number of acres of impervious surfaces located on the lot.

(C) The Notice of Intent may require the submission of any additional information that EPA determines is necessary or appropriate for the proper administration of the permit.

(D) Where an owner does not have control or the right to control all activities that result in a discharge and whose control is necessary to ensure compliance with the permit, the owner shall submit the following information with respect to each such activity:

- (1) The name and description of the activity and each specific provision in the permit that requires its control;
- (2) An explanation of why the owner does not have control or the right to control that activity, including specific reference to any legal documents such as contracts or leases relating to the explanation;
- (3) The name of the person or persons who do have control and/or the right to control that activity;
- (4) The mailing and email address of each such person.

(E) The Notice of Intent shall be signed as follows:

- (1) For a corporation: By a responsible corporate officer. For the purpose of this permit, a responsible corporate officer means: (i) 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 (ii) the manager of an operating facility, provided: the manager is authorized to make management decisions which govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can assure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
- (3) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this permit, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).
- (4) A Notice of Intent may be signed by a duly authorized representative of one of the persons described above only if:
 - a. The authorization is made in writing by a person described above;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the permitted facility, superintendent, or position of equivalent responsibility

(5) A Notice of Intent shall be accompanied by the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. I further certify that this document has been signed as required by EPA Based on my diligent inquiry of the person or persons who manage the system, 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 fines and imprisonment for knowing violations.”

The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

III. TIME TO FILE A NOTICE OF INTENT

(A) Any owner required to file a Notice of Intent for a DD Site or portion of a DD Site in existence as of the effective date of the permit, shall submit the Notice of Intent to EPA **within 180 days of the effective date of the permit.**

(B) Any owner required to file a Notice of Intent for a DD Site or portion of a DD Site that comes into existence after the effective date of the permit as the result of the creation of impervious surfaces **shall submit the Notice of Intent on or before date set forth in Section VII(A) or sixty days after the project for the creation of impervious surfaces commences, whichever later occurs.** A project for the creation of impervious surfaces commences when any work associated with a project for the development of impervious surfaces commences, including without limitation land disturbance activity, demolition of a building or structure, and removal of paved surfaces.

(C) Any operator who is requested by EPA to submit a Notice of Intent shall submit that notice **within ninety days of receiving the request.** That request may require the submission of information different from the information required in a Notice of Intent submitted by an owner.

IV. SUGGESTED FORMAT FOR NOTICE OF INTENT

The following pages present a suggested format for the Notice of Intent. Owners of sites may apply for coverage under this permit using the suggested format. Add additional rows or attach additional sheets as necessary.

Suggested Format for the Notice of Intent

Contact Information (add additional rows if necessary)	
Owner:	
Owner Name:	
Owner Title (if applicable):	
Owner Mailing Address	
Owner Email	
Owner Telephone	
Additional Contact:	
Additional Contact Name:	
Additional Contact Title (if applicable):	
Additional Contact Mailing Address (if not same as that of Owner):	
Additional Contact Email	
Additional Contact Telephone	
Lot Information	
Lot Address:	
Number of Acres of Impervious Surface located within Lot:	
Information on the location of the actual or potential storm water discharges from the lot(s) being noticed	
Narrative description of actual or potential storm water discharges:	
Is storm water discharged or will storm water be discharged from the site to the municipal separate storm sewer system (MS4)?	Yes / No
Will storm water runoff from the site result in a discharge to:	
Zone A of a public water supply?	Yes / No
The ground within the Zone I, Zone II, or Interim Wellhead Protection Area (IWPA) of a public water supply well or well field?	Yes / No
If the Site involves any activities that may result in a storm water discharge to the ground within a Zone I, Zone II or IWPA for a public water supply well or well field or a storm water discharge near or to a Zone A:	
Name of the public water system that received written notice:	
Date that written notice was delivered to the public water system (MM/DD/YYYY):	

Suggested Format for the Notice of Intent (cont.)

Site Sweeping Program	
Narrative description of any program for sweeping the paved areas located within the Site:	
The frequency of the sweeping:	
The total area swept (indicate units):	
Type of sweeper used (Mechanical Broom, Regenerative Air/Vacuum Assisted, etc):	
Information on any ongoing projects for the development and/or redevelopment of impervious surfaces as of the date of the Notice of Intent	
Narrative description of ongoing project(s):	
Date construction or land disturbance activity lawfully commenced: (MM/DD/YYYY)	
Expected date of completion (MM/DD/YYYY):	
National Historic Preservation Act (NHPA) Eligibility (Refer to Section II.(H) and Appendix E of the Permit:	
Is Site eligible for coverage in accordance with Appendix E (Special Eligibility Determination Relating to National Historic Preservation)?	Yes/No
Criteria used to certify eligibility (A, B, C, D):	
Additional Lot Information (Lots within DD Site for which Owner is not submitting NOI) (add additional rows as necessary)	
Are there additional lots within the DD Site for which the owner is not submitting a Notice of Intent?	Yes/No
If Yes, for each lot provide:	
Name of at least one person who owns and/or operates the lot:	
Mailing address of at least one person who owns and/or operates the lot	
Address of the lot:	
Number of acres of impervious surfaces located on the lot	

Suggested Format for the Notice of Intent (cont.)

[illegible]

Suggested Format for the Notice of Intent (cont.)

Notice of Intent Signature	
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. I further certify that this document has been signed as required by EPA. Based on my diligent inquiry of the person or persons who manage the system, 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 fines and imprisonment for knowing violations.	
Print Name:	
Title:	
Signature:	
Date:	