

INSTRUCTIONS: FORM 1

Notice of Intent (NOI) for Storm Water Discharges Associated With CONSTRUCTION ACTIVITY Under a NPDES General Permit

<http://www.swc.dnrec.delaware.gov/Pages/SedimentStormwater.aspx>

WHO MUST FILE A NOTICE OF INTENT FORM

The EPA can authorize any State to operate the NPDES program. Delaware received this authority in April 1974. The 1987 amendments to the Clean Water Act require national regulations to be issued for controlling pollutants entrained in storm water discharges.

Under the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et seq.; the Act), except as provided by Part I.B.3 of the permit, Federal law prohibits discharges of pollutants in storm water from construction activities without a National Pollutant Discharge Elimination System Permit. A General Permit, as defined by federal law in 40 C.F.R. §122.28, authorizes the discharge of storm water associated with industrial activity from sources within a defined area or that share certain similarities.

In 1993, Section 9 (The General Permit Program), of the State of Delaware, Department of Natural Resources and Environmental Control, Regulations Governing the Control of Water Pollution was issued. Subsection 1 of the General Permits Program contains The Regulations Governing Storm Water Discharges Associated with Industrial Activity and are referred to as the "General NPDES Storm Water Permit Program". In order to obtain coverage through the General NPDES Storm Water Permit Program, persons will be required to file with the DNREC a Notice of Intent (NOI). The NOI requirement is in accordance with 40 C.F.R. §122.28(b)(2) of the USEPA NPDES Program. The NOI is the equivalent of an NPDES permit application for General NPDES Storm Water Permit coverage.

WHERE TO FILE THE NOI FORM

NOIs must be submitted to the following address:

DNREC, Division of Watershed Stewardship
Sediment and Stormwater Program
89 Kings Highway
Dover, Delaware 19901

COMPLETING THE FORM

Type or print, using uppercase letters, all information on the form. If you have any questions while completing the form, please call (302) 739-9921.

SECTION I. APPLICANT INFORMATION

Provide the legal name, mailing address, telephone number, and fax number of the firm responsible for implementation of the requirements of the Sediment & Stormwater / Storm Water Pollution Prevention Plan (SWPPP). Provide the full name of an individual representative of the owner/operator.

SECTION II. PROJECT INFORMATION

Provide the official or legal name and street address of the project or site for which permit coverage is requested. If the site lacks a street address, indicate a location for the site (e.g., intersection of State Routes 1 and 13).

Indicate the county in which the site is located, and if the site falls within an incorporated area, provide the name of the municipality. Provide the tax parcel identification number. If the project is comprised of more than one parcel, provide the tax parcel identification number of the largest parcel.

SECTION II. PROJECT INFORMATION (continued)

For Project Type, please check only the most applicable category. Only one project type should be specified. If "Other" is checked please provide further information as to the type of project.

Indicate the quantity of each type of permanent stormwater management practice proposed for the site. For practices that will not be used on the site, the space may be left blank or a zero inserted. A description of the primary best management practices follows:

Wet Pond – Pond that always holds water, even during dry periods.

Dry Extended Detention Basin – Basin that holds water during and for up to 48 hours following a rain event, but drains completely during dry periods.

Infiltration – Basin or trench pipe system whose primary means of discharging runoff is into the ground. Infiltration systems should be completely drained within 48 hours following a rain event.

Bioretention – Densely planted, mulched landscaped area that collects runoff and allows it to pond on the surface before overflowing.

Biofiltration/Filter Strip – Wide, flat grassed swale or grassed filter strip that filters pollutants from runoff. Flow through the biofiltration facility is shallow to promote increased grass contact.

Sand Filter – Concrete stormwater quality management structure with two chambers: (1) a sedimentation chamber that fills with runoff and overflows through a weir into (2) a filtration chamber filled with 18 inches of sand prior to discharge into a storm drain system.

Stormwater Treatment Structure – One of many types of pre-engineered structures that may be installed in- or off-line of a storm drain system to capture gross pollutants, suspended solids, petroleum hydrocarbons, etc. prior to discharge into the storm drain system.

If the permanent stormwater practice does not comply with one of these definitions, "Other" may be checked and a brief description of the stormwater management practice provided.

The applicant must provide the latitude and longitude of the center of the site in degrees, minutes, and seconds to the nearest 15 seconds. Latitude and longitude given in decimal form must be converted to degrees, minutes and seconds prior to entry on the form. The latitude and longitude of your facility can be located on USGS quadrangle maps. Latitude and longitude may also be obtained at the Census Bureau Internet site:
<http://www.census.gov/cgi-bin/gazetteer>.

Enter the name of the closest named water body that will receive the project site's stormwater discharge. If the nearest water body is unknown, enter the name of the receiving watershed. If the site discharges to more than one water body or watershed, enter both names on the form.

Indicate if the Sediment and Stormwater or Storm Water Pollution Prevention Plan (SWPPP) has been prepared. To be eligible for permit coverage, the plan must have been prepared and submitted to the appropriate plan approval agencies.

Under Plan Approval Agency, indicate the agency that will approve the sediment and stormwater plan. Only one agency should be selected.

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SECTION II. PROJECT INFORMATION (continued)

Enter the total land area of the site expressed to the nearest 0.1 acre. Indicate the estimated area to be disturbed by the construction activity, including but not limited to grubbing, excavation, grading, and utilities and infrastructure installation, to the nearest 0.1 acre.

Enter the estimated construction start and completion dates using four digits for the year (e.g., 01/01/2001).

SECTION III. CERTIFICATION

State law provides for severe penalties for submitting false information on this application form. **An unsigned or undated NOI form will not be granted permit coverage.**

The form certification shall be signed as follows:

- For a corporation: by a responsible corporate officer which means: (i) president, secretary, treasurer, vice-president of the corporation in charge of a principal business function, or any person who performs similar policy or decision making function, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- For a partnership or sole proprietorship: by a general partner or the proprietor, or
- For a municipality, state, federal, or other public facility: by either a principal executive officer or ranking elected official.

For Delaware businesses, the form certification shall be signed as follows:

- For a Corporation: by an Authorized Officer (8 Del. C., Chapter 1),
- For a Limited Liability Company: by an Authorized Person (6 Del. C., Chapter 18),
- For a Limited Partnership: by a General Partner (6 Del. C., Chapter 17),
- For a General Partnership: by a Partner or Authorized Person (6 Del. C., Chapter 15),
- For a Limited Liability Partnership: by a Partner or Authorized Person (6 Del. C., Chapter 15), or
- For a Statutory Trust: by a Trustee (12 Del. C., Chapter 38).

Reference the Delaware Code as listed for definitions of the individuals who may sign for the various business entities.

SECTION IV. ATTACHMENTS

The \$195.00 fee must be submitted with the completed NOI in the form of a check made payable to "DNREC, Division of Watershed Stewardship". Interoffice vouchers and credit cards may also be accepted for payment. **NOI forms submitted without the appropriate fee will not be granted permit coverage.**



| |
|-----------------|
| FORM 1 |
| DATE _____ |
| RECEIVED: _____ |
| ID #: _____ |

Notice of Intent (NOI) for Storm Water Discharges Associated With CONSTRUCTION ACTIVITY Under a NPDES General Permit

I. Applicant Information

Owner/Operator: _____

Owner Last Name: _____

Owner First Name: _____ MI: _____ Prefix: _____ Suffix: _____

Mailing Address 1: _____

Mailing Address 2: _____

City: _____ State: _____ Zip: _____ --

Telephone: _____ FAX: _____

II. Project Information

Project Name: _____

Project Location: _____

Project Address: _____

City: _____ State: _____ Zip: _____ --

County: _____ Municipality: _____

Tax Parcel ID Number: _____

Project Type (check only one):

- Federal
- State
- County
- Municipal
- DeIDOT
- Private Utility
- Residential
- Commercial
- Industrial
- Other (please specify) _____

Stormwater Management Practices Proposed:
(indicate **quantity** of each practice)

- ___ Wet Pond
- ___ Dry Extended Detention Basin
- ___ Infiltration
- ___ Bioretention
- ___ Biofiltration / Filter Strip
- ___ Sand Filter
- ___ Stormwater Treatment Structure
- ___ Other (please specify) _____

Center of Site

Latitude: _____ Longitude: _____

Name of Receiving Waters/Watershed: _____

Has the Sediment & Stormwater / Storm Water Pollution Prevention Plan (SWPPP) been prepared?

- Yes
- No



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II. Project Information (continued)

Plan Approval Agency:

- | | |
|--|---|
| <input type="checkbox"/> DNREC Div. of Soil & Water Cons. | <input type="checkbox"/> City of Wilmington |
| <input type="checkbox"/> DeIDOT | <input type="checkbox"/> Town of Middletown |
| <input type="checkbox"/> New Castle County Dept. of Land Use | <input type="checkbox"/> Kent Conservation District |
| <input type="checkbox"/> New Castle Conservation District | <input type="checkbox"/> Sussex Conservation District |
| <input type="checkbox"/> City of Newark | |

Total Land Area of Site (tenths of acres): _____

Estimated Area to be Disturbed (tenths of acres): _____

Estimated Construction Start Date: _____ / _____ / _____

Estimated Construction Completion Date: _____ / _____ / _____

III. Permittee Certification

NOTE: SEE INSTRUCTIONS FOR SIGNATURE REQUIREMENTS

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. Based on my inquiry of the person or persons who manage this 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 fine and imprisonment for knowing violations.

I certify under penalty of law that I understand the terms of and conditions of the Delaware National Pollutant Discharge Elimination System (NPDES) Special Conditions for Storm Water Discharges Associated with Construction Activities.

Print Name: _____ Print Title: _____

Signature: _____ Date: _____

IV. Attachments - \$195.00 Fee

Check Number: _____ (Payable to DNREC, Division of Watershed Stewardship)
I.V. Number: _____ (State Agencies only)

Credit Card:

Visa Mastercard
Name on Card: _____ Phone: _____
Address: _____ City: _____ State: _____ Zip: _____
Credit Card Number: _____ Exp. Date: _____ Security Code: _____

Submission of this form serves as a notification of the facility identified on this form to adhere to the provisions of The Regulations Governing Storm Water Discharges Associated with Industrial Activity and Part 2 – Special Conditions for Storm Water Discharges Associated with Construction Activities. This form must be complete in order to obtain permit coverage. Please refer to the directions regarding the fee that is required upon submission.