



PAG-01
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR DISCHARGES OF
STORMWATER ASSOCIATED WITH SMALL CONSTRUCTION ACTIVITIES
NOTICE OF INTENT (NOI) INSTRUCTIONS

GENERAL INSTRUCTIONS

These NOI Instructions explain how to properly complete and submit an NOI package for coverage under the PAG-01 General Permit ("General Permit"). The General Permit may be used for NPDES permit coverage when the area of an earth disturbance will be less than five (5) acres and when a project is otherwise eligible in accordance with these Instructions and the General Permit.

The Department of Environmental Protection (DEP) requests that applicants use the most recent versions of Notice of Intent (NOI) forms as posted on DEP's website. The most recent version of the General Permit NOI form (3800-PM-BCW0404b) can be obtained through DEP's website as noted below. A complete NOI package includes the NOI form and all other attachments identified on the NOI checklist (3800-PM-BCW0404c). Applicants can download the appropriate form to a computer, complete the form electronically and print and sign the document for submission to DEP or the delegated county conservation district (CCD). The NOI form and checklist can be obtained by visiting www.dep.pa.gov/constructionstormwater and selecting "E&S Resources."

General Instructions. These instructions are intended to assist the applicant in completing the NOI form identified above. Type or print clearly when completing the form. If additional space is needed to accurately complete the NOI form, attach additional sheets as necessary. If a question is not applicable, write "N/A" in the appropriate box. Where a term used in these instructions is not defined, refer to the definition contained in the General Permit.

For all counties in Pennsylvania except for Forest and Philadelphia counties, the CCD is delegated by DEP to perform reviews of PAG-01 NOI packages submitted in compliance with 25 Pa. Code Chapter 102.

Scope. The PAG-01 General Permit is intended to provide NPDES permit coverage for stormwater discharges associated with small construction activities in satisfaction of state (25 Pa. Code § 102.5(a) and 25 Pa. Code § 92a.1(b)) and federal (40 CFR § 122.26(b)(15)) regulations, subject to the eligibility requirements specified herein. The term stormwater discharge associated with small construction activities means the discharge of stormwater from construction activities including clearing, grading, and excavating that result in earth disturbance of greater than or equal to one (1) acre and **less than five acres**. The PAG-02 General Permit or an Individual NPDES Permit may be used for NPDES permit coverage if a project is not eligible for PAG-01 coverage.

Discharges from a project site may receive coverage under the PAG-01 General Permit when the standards contained in the Eligibility Criteria, Authorized Discharges, and Discharges and Activities Not Authorized sections of these instructions and the General Permit are met.

The PAG-01 General Permit has been developed specifically to cover eligible projects that discharge stormwater associated with small construction activities (less than 5 acres of disturbance). No lower threshold of earth disturbance has been placed on the use of PAG-01 because any earth disturbance may be designated under federal regulations as needing NPDES permit coverage based on the potential for contribution to a violation of a water quality standard or for significant contribution of pollutants to waters of the United States, even disturbances less than one acre (see 40 CFR § 122.26(b)(15)(ii)). All projects greater than or equal to one acre must obtain NPDES coverage for earth disturbance activities; however, DEP is allowing those projects less than one acre that may be designated under federal regulation to use PAG-01 in lieu of an individual permit, if eligible.

ELIGIBILITY CRITERIA

A. Project and Site Characteristics.

The project must meet all of the following:

1. Total earth disturbance is less than five (< 5) acres, including any portion, part, or during any stage of a larger common plan of development or sale.
2. The project does not involve earth disturbance associated with the construction, installation or repair of a transmission pipeline, gathering line, or local distribution or service line that will, or is intended to, transport hazardous liquids, natural gas, or natural gas liquids to refining, storage, or processing facilities, or for further distribution by large volume customers such as factories, power plants, public utilities, or institutional users within or outside of Pennsylvania.
3. Stormwater runoff from the project site will not discharge to surface waters, including wetlands, with a designated or existing use classified as High Quality Waters (HQ) or Exceptional Value Waters (EV) under 25 Pa. Code Chapter 93 (relating to water quality standards).
4. The applicant is not in violation of any DEP or U.S. Environmental Protection Agency (EPA) enforceable document, including any permit, schedule of compliance, consent assessment of civil penalty, or order at the project site or other sites or facilities owned or operated by the applicant in Pennsylvania, and has not shown a lack of ability or intention to comply with laws administered by DEP or EPA as indicated by past or continuing violations.
5. The Pennsylvania Natural Diversity Index (PNDI) receipt indicates either: (1) "No Impact"; (2) "Conservation Measures"; (3) "Avoidance Measures" that have been agreed to by the applicant; or (4) "Potential Impact" or "Avoidance Measures" not agreed to by the applicant but clearance letters from jurisdictional agencies are attached to the NOI. If the PNDI receipt indicates either "Avoidance Measures" in which the applicant has not agreed to implement the recommendations, or "Potential Impact", clearance letters from the appropriate jurisdictional agencies must be attached to the NOI to qualify for PAG-01 coverage.
6. Soils in the disturbed area must meet one of the following: a) environmental due diligence (as defined in the General Permit) conducted of the disturbed area reveals no evidence of a spill or release of a regulated substance, or b) analytical testing demonstrates that soils in the disturbed area are not contaminated at pollutant levels exceeding residential medium-specific concentrations (MSCs) in 25 Pa. Code Chapter 250.

NOTE 1 – If a project site is known to have soils that are contaminated, and the contamination is not site-wide (i.e., hot spots), earth disturbance activities under the PAG-01 General Permit may be authorized for areas that are not contaminated. If contaminated soils will be disturbed, the applicant must apply for alternative NPDES permit coverage for the entire project site. For the purpose of the PAG-01 General Permit, soils are contaminated if concentrations (i.e., mg/kg) of any regulated substance exceed residential medium-specific concentrations (MSCs) for soil in 25 Pa. Code Chapter 250 (Appendix A, Tables 3 and 4), even if such soils are considered to be contaminated due to natural sources.

7. Projects must be located on the same or contiguous tax parcels, with the exception of off-site construction support activities (off-site support activities). Off-site support activities are activities providing support for construction and earth disturbance activities covered by the General Permit, including but not limited to concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas (spoil), borrow areas, stockpiling of topsoil, transfer of topsoil to other locations, and turnaround areas.

NOTE 2 – Applicants proposing earth disturbances that are not contiguous (i.e., do not share a common tax parcel boundary or are not located on the same tax parcel), and are not off-site support activities, may submit PAG-01 NOI packages for construction associated with each tax parcel, if eligibility criteria for each are met.

NOTE 3 – If earth disturbance activities will occur on two or more non-contiguous tax parcels, but construction of a feature such as a road is proposed as part of the same project to connect the tax parcels, the tax parcels should be considered contiguous for the purpose of the General Permit.

B. Design Requirements.

1. In order to use the PAG-01 General Permit for NPDES permit coverage, applicants must demonstrate compliance with the technical criteria for Best Management Practices (BMPs) summarized below (see Part A I.C of the PAG-01 General Permit).

- a. Erosion and Sediment Control (E&S) Plan during construction.

Applicants must select E&S BMPs to control stormwater runoff during earth disturbance activities that will be designed, installed, and maintained in accordance with DEP's *Erosion and Sediment Pollution Control Program Manual* ([363-2134-008](#)) (E&S Manual), as amended, with the exception of sediment traps and sediment basins which cannot be utilized under this General Permit. In addition, applicants are not authorized to use alternative E&S BMPs unless authorized to do so by DEP in writing.

The introduction of chemicals to stormwater during construction is prohibited.

NOTE 4 – Compost sock sediment traps may be used under PAG-01.

- b. Post-Construction Stormwater Management (PCSM).

Applicants must select PCSM BMPs from the PCSM BMPs Section of these Instructions and Part A I.C.2 of the PAG-01 General Permit to control stormwater runoff after earth disturbance activities. Alternative PCSM BMPs are not authorized under the General Permit. Each selected PCSM BMP must be designed, installed, and maintained in accordance with DEP's *Pennsylvania Stormwater Best Management Practices Manual* (363-0300-002) (BMP Manual), as amended, except where otherwise authorized in writing by DEP.

PCSM BMPs are prohibited in areas of known sinkholes or surface depressions. The applicant must demonstrate that areas designated for PCSM BMPs under the Concentrated Flow and Sheet Flow Standards are clear of known sinkholes and surface depressions as identified through the interactive geology map published by the Pennsylvania Department of Conservation and Natural Resources (DCNR; visit www.dcnr.pa.gov/Geology/GeologicHazards/Sinkholes/Pages/default.aspx), or other published data.

2. The total area of impervious surface following construction must be:

- a. Less than or equal to thirty thousand square feet ($\leq 30,000$ sf) (within the disturbed area), and
 - b. Less than or equal to twelve percent ($\leq 12\%$) of the total project site area.

NOTE 5 – The area associated with a manure storage facility or other facility that will capture precipitation from storms up to and including the 2-year/24-hour storm event and where the captured stormwater will be used appropriately is not considered an impervious surface for the purpose of the thresholds specified above. Appropriate use includes, for a manure storage facility, land application in accordance with a Nutrient Management Plan under 25 Pa. Code Chapter 83 or a Manure Management Plan under 25 Pa. Code Chapter 91, or for other facilities, uses that prevent the precipitation from entering surface waters. Impervious areas, such as animal heavy use areas, that will drain to manure storage or other collection facilities up to and including the 2-year/24-hour storm event may also be discounted for the purpose of the PAG-01 impervious thresholds where the captured stormwater will not be released to surface waters. The earth disturbance associated with animal heavy use areas does not require NPDES permit coverage (see 25 Pa. Code § 102.5(a)), although the impervious area associated with animal heavy use areas does count toward the PAG-01 impervious thresholds if these areas do not drain to manure storage or other collection facilities. Also see Note 6 below.

NOTE 6 – For the purpose of the PAG-01 General Permit, impervious surfaces are those with a Natural Resources Conservation Service (NRCS) curve number of 98 as published in *Urban Hydrology for Small Watersheds* (TR-55), as updated. Compacted stone and/or gravel will have a curve number of 98, while non-compacted stone (i.e., stone that is not able to be compacted) will have a curve number less than 98.

3. No stormwater from off-site areas (i.e., outside the project site boundary) may flow into PCSM BMPs implemented under the Concentrated Flow and Sheet Flow Standards.
4. Stormwater discharges (during or after construction) may not be directed to a combined sewer system.
5. Regulated fill requiring a Waste Management permit may not be used for projects requesting coverage under this General Permit. Refer to DEP's *Management of Fill Policy* ([258-2182-773](#)) for the definition of regulated fill.

C. Change in Conditions.

If a discharge approved for coverage under this General Permit subsequently exhibits a condition that renders the discharge ineligible for coverage as set forth in this General Permit, the permittee is not authorized to discharge stormwater under this General Permit. The permittee shall promptly take action to restore eligibility, to notify DEP or CCD in writing of the condition, and, if eligibility cannot be restored, to submit an individual NPDES permit application or NOI for an alternative general permit to DEP or CCD. DEP or CCD may pursue enforcement action and shall revoke coverage under this General Permit should the discharge of stormwater continue to not be eligible for the General Permit and/or if potential or actual adverse impacts to water quality occur as a result of the permittee's discharge(s).

D. Denial of Coverage.

DEP will deny coverage under the General Permit when one or more of the following conditions exist:

1. Stormwater discharges that, individually or in combination with other similar discharges, are or have the potential to be a contributor of pollution, as defined in Pennsylvania's Clean Streams Law, which is more appropriately controlled under an individual permit. (25 Pa. Code § 92a.54(e)(1))
2. The discharger is not, or will not be, in compliance with any one or more of the conditions of the General Permit. (25 Pa. Code § 92a.54(e)(2))
3. The applicant and/or operator has failed and continues to fail to comply or has shown a lack of ability or intention to comply with a regulation, permit, schedule of compliance or order issued by DEP or CCD. (25 Pa. Code § 92a.54(e)(3))
4. Stormwater discharges that contain pollutants for which a change has occurred in the availability of demonstrated technology or practices for the control or abatement of the pollutants. (25 Pa. Code § 92a.54(e)(4))
5. Categorical point source effluent limitations are promulgated by EPA for those point sources covered by the General Permit where such limitations are not incorporated into the General Permit. (25 Pa. Code § 92a.54(e)(5))
6. Stormwater discharges that are not in compliance or will not result in compliance with an applicable effluent limitation or water quality standard. (25 Pa. Code § 92a.54(e)(6))
7. Stormwater discharges from a facility for which an individual permit is required for other point source discharges, and issuance of both an individual permit and authorization for coverage under a General Permit for the facility would constitute an undue administrative burden on DEP. (25 Pa. Code § 92a.54(e)(7))
8. Stormwater discharges that DEP or CCD determines require an individual NPDES permit to ensure compliance with the Federal Clean Water Act, Pennsylvania's Clean Streams Law, or DEP regulations. (25 Pa. Code § 92a.54(e)(8))
9. Stormwater discharges to surface waters, including wetlands, with designated or existing uses classified as High Quality Waters (HQ) or Exceptional Value Waters (EV) under 25 Pa. Code Chapter 93 (relating to water quality standards). (25 Pa. Code § 92a.54(e)(9))

AUTHORIZED DISCHARGES

A. Authorized Stormwater Discharges.

The following stormwater discharges associated with construction activity are authorized under the PAG-01 General Permit provided that the appropriate stormwater controls are designed, installed, and maintained by the permittee in accordance with applicable laws, regulations and guidance administered by DEP or EPA:

1. Stormwater discharges associated with small construction activity, including stormwater runoff, snowmelt runoff, and surface runoff and drainage, as defined at 40 CFR § 122.26(b)(15) and as incorporated by reference at 25 Pa. Code § 92a.32(a).
2. Stormwater discharges designated by DEP as needing permit coverage under 40 CFR § 122.26(a)(1)(v), 40 CFR § 122.26(b)(15)(ii), 25 Pa. Code § 92a.32, or Pennsylvania's Clean Streams Law that are associated with construction activity resulting in an earth disturbance of less than five acres.
3. Stormwater discharges from off-site support activities including but not limited to concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas (spoil), borrow areas, stockpiling of topsoil, transfer of topsoil to other locations, and turnaround areas, provided that:
 - a. The off-site support activity is part of the same common plan of development or sale required to have permit coverage for stormwater discharges.
 - b. The disturbed area of the off-site support activity, in combination with the disturbed area within the project site it supports (i.e., the same common plan of development or sale), involves less than five acres of earth disturbance in total.

NOTE 7 – If the location of an off-site support activity is not known at the time of PAG-01 NOI submission, but is located following commencement of coverage, the permittee must provide notification to DEP or CCD prior to commencing earth disturbance activities at the off-site support activity. The permittee must develop a new or updated E&S Plan reflecting the E&S BMPs for the off-site support activity and submit the E&S Plan for review and approval to DEP or CCD upon request. DEP's or CCD's approval of the off-site support activity may constitute a Minor Amendment to PAG-01 permit coverage if the area of the off-site support activity plus the area of earth disturbance for the project it supports is less than five acres in total. If the area of the off-site support activity plus the area of earth disturbance for the project is greater than or equal to five acres, the permittee is no longer eligible for PAG-01 General Permit coverage. If the earth disturbance of an off-site support activity would result in an increase in the total area of earth disturbance by 10% or more compared to the original planned limit of disturbance, a Major Amendment, rather than a Minor Amendment, to General Permit coverage would be required.

- c. The off-site support activity is not a commercial operation, nor does it serve multiple unrelated construction sites.
- d. The off-site support activity does not continue to operate beyond the completion of the construction activity at the project site it supports and will be restored to approximate original condition, as defined in the PAG-01 General Permit.

NOTE 8 – Temporary concrete or asphalt batch plants typically generate wastewater that may not be discharged under PAG-01. The earth disturbance associated with these off-site activities may be covered under PAG-01, but the wastewater discharges may not be. In such situations earth disturbance may be covered under PAG-01, but operation of the facilities producing such wastewater may not be authorized until separate NPDES permit coverage is obtained for the wastewater discharges.

If an off-site support activity does not meet these four guidelines, the off-site support activity will require separate NPDES permit coverage unless the earth disturbance will be less than one acre, in which case an E&S Plan must be developed, implemented and maintained in accordance with 25 Pa. Code § 102.4(b) and submitted for review and approval upon request by DEP or CCD.

B. Authorized Non-Stormwater Discharges.

The following non-stormwater discharges associated with small construction activity are authorized under the PAG-01 General Permit provided that, with the exception of water used to control dust and to irrigate vegetation in stabilized areas, these discharges are not routed to areas of exposed soil on the project site and the operator complies with any applicable requirements for these discharges under the General Permit:

1. Discharges from emergency fire-fighting activities.
2. Fire hydrant and waterline flushings that do not contain measurable concentrations of Total Residual Chlorine (TRC).
3. Landscape irrigation water.
4. Water used to wash vehicles and equipment where cleaning agents are not used.
5. Water used to control dust.
6. External building washdown where cleaning agents are not used and external surfaces do not contain hazardous substances.
7. Pavement wash waters, provided spills or leaks of toxic or hazardous substances have not occurred and where cleaning agents are not used if such wash waters are directed to a BMP.
8. Uncontaminated air conditioning or compressor condensate.
9. Uncontaminated, non-turbid discharges of groundwater or spring water.

NOTE 9 – If groundwater is encountered during construction and must be diverted, groundwater that is uncontaminated may be diverted to a surface water. Any discharge of groundwater to surface water, caused by diversion during construction, must meet Chapter 93 water quality criteria in surface water.

10. Foundation or footing drainage where flows are not contaminated with process materials such as solvents or contain pollutants from groundwater.
11. Construction dewatering water that complies with the construction dewatering discharge requirements of the PAG-01 General Permit.

These non-stormwater discharges are considered incidental to stormwater associated with small construction activity and may be discharged from project sites under the PAG-01 General Permit; however, DEP or CCD may require cessation of such discharges if determined necessary to protect public health and the environment.

DISCHARGES AND ACTIVITIES NOT AUTHORIZED

The following discharges and activities are not authorized by the PAG-01 General Permit:

- A. Stormwater discharges from project sites where PCSM BMP(s) will be located within areas of known sinkholes or surface depressions.

NOTE 10 – A project is not eligible to use PAG-01 if PCSM BMP(s) will be constructed in areas of known sinkholes or surface depressions as indicated on the DCNR interactive map (visit www.dcnr.pa.gov/Geology/GeologicHazards/Sinkholes/Pages/default.aspx), or other published government (federal, state, or local) data. If these areas can be avoided on a project site, the project may be eligible for PAG-01 coverage.

- B. Stormwater discharges associated with small construction activities from project sites on tax parcels that are not contiguous, with the exception of off-site support activities.

- C. Stormwater discharges to combined sewer systems (i.e., sewers where both sanitary waste and stormwater are conveyed).
- D. Earth disturbances and/or stormwater discharges that would adversely affect a listed endangered or threatened species or its critical habitat. (25 Pa. Code § 102.6(a)(2))
- E. Discharges of any waste streams other than stormwater associated with small construction activity and authorized non-stormwater discharges.
- F. Projects in which fill material that is determined to be regulated fill in accordance with DEP's *Management of Fill Policy* (258-2182-773) is imported to, exported from, or otherwise utilized on the project site, and utilization of the regulated fill requires a permit from DEP's Waste Management Program.

NOTE 11 – See the section below on Fill Material for additional information.

- G. Stormwater discharges that would contain toxic or hazardous pollutants as defined in sections 307 and 311 of the Clean Water Act (33 U.S.C. §§ 1317 and 1321) or any other substance that – because of its quantity, concentration, or physical, chemical or infectious characteristics – may cause or contribute to an increase in mortality or morbidity in either an individual or the total population, or pose a substantial present or future hazard to human health or the environment when discharged into surface waters. (25 Pa. Code § 92a.54(a)(5))

NOTE 12 – The introduction of chemicals to stormwater during construction is prohibited.

Administrative Process. An NOI package must be completed and submitted to DEP or CCD, who will verify eligibility for the PAG-01 General Permit and will publish notice of final actions on PAG-01 NOIs in the *Pennsylvania Bulletin*. Upon receipt of written approval of coverage from DEP or CCD, the applicant may commence earth disturbances that will result in stormwater discharges associated with small construction activities, assuming all other necessary and required permits and approvals have been obtained and the pre-construction meeting has been held, if applicable.

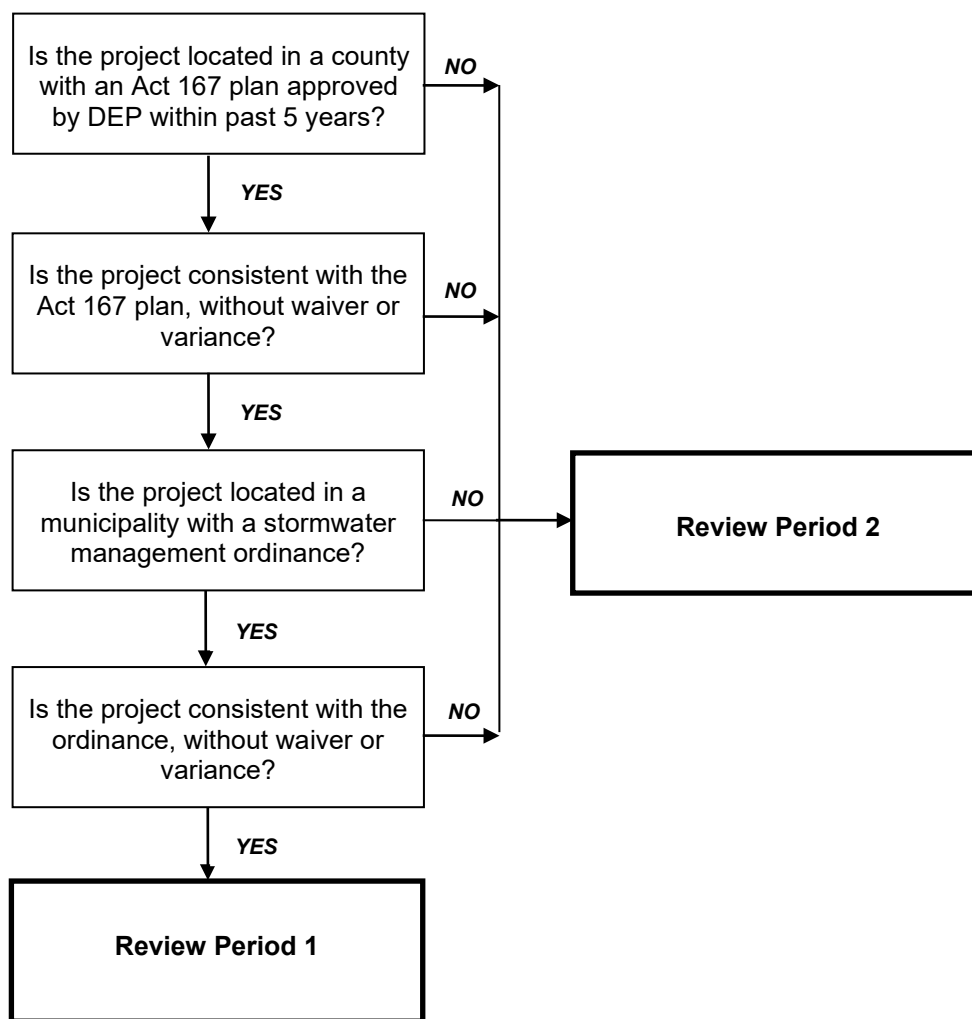
There are two review periods for the PAG-01 General Permit, described as follows (see **Figure 1**):

- **Review Period 1** – If all of the following are true, the review period (consisting of both completeness and technical reviews) is **30 calendar days** upon receipt of the NOI:
 - 1) The county has a DEP-approved Act 167 plan (or plan update), in which DEP has approved the plan or plan update within the five-year period prior to the date of the NOI;
 - 2) The county has certified that the project is consistent with the Act 167 plan, without waiver or variance;
 - 3) The municipality has enacted a stormwater management ordinance; and
 - 4) The municipality has certified that the project is consistent with the ordinance, without waiver or variance.

Unless DEP or CCD determines that the applicant is ineligible to use PAG-01 or the NOI is found to be incomplete or technically deficient during the review period, DEP or CCD will approve coverage under PAG-01 within 30 calendar days where a project qualifies for Review Period 1. Upon receipt of an approval of coverage letter and a copy of the PAG-01 General Permit, the earth disturbance activities may begin.

- **Review Period 2** – If at least one of the four conditions described in Review Period 1 is false, the review period is **60 calendar days** upon receipt of an NOI. Unless DEP or CCD determines that the applicant is ineligible to use PAG-01 or the NOI is found to be incomplete or technically deficient during the review period, DEP or CCD will approve coverage under PAG-01 within 60 calendar days where a project qualifies for Review Period 2.

Figure 1: PAG-01 NOI Review Periods



Each NOI package must be submitted in a manner that establishes the date received by DEP or CCD (e.g., certified mail) to establish the appropriate end date for the review period. DEP's or CCD's written approval of PAG-01 coverage may be issued via email (where an email address is provided). A physical or electronic copy of the PAG-01 General Permit as well as the complete NOI package and appropriate plans must be maintained on the project site during earth disturbance activities, as a condition of coverage under the PAG-01 General Permit.

If DEP or CCD determines, upon receipt of a PAG-01 NOI package, that the applicant is not eligible to use PAG-01 for NPDES permit coverage, DEP or CCD will notify the applicant in writing (i.e., letter or email) prior to the end of the review period that the applicant is ineligible for PAG-01 and the NOI will be returned. The applicant will then have the option of applying for coverage under the PAG-02 General Permit (if eligible) or an individual permit. Pre-application meetings or calls are important not only for an applicant to explain the project to DEP or CCD, but also for DEP or CCD to verify eligibility, minimizing the likelihood of a DEP or CCD finding of ineligibility.

If DEP or CCD determines, upon receipt of a PAG-01 NOI package, that the NOI package is incomplete or is technically inadequate, DEP or CCD will notify the applicant in writing (i.e., letter or email) prior to the end of the completeness review period. NOIs with fee payments that are submitted with insufficient funds will be considered incomplete. The applicant will have one (1) 60 calendar day period ("deficiency correction period") to submit the necessary information or fees to make the NOI package complete or adequate. No extensions will be granted. If the applicant is unable to submit the information necessary to complete the NOI within 60 calendar days, or DEP or CCD determines during the response review period (see below) that the NOI remains incomplete or inadequate, DEP or

CCD will notify the applicant that the NOI has been withdrawn in accordance with 25 Pa. Code § 102.6(c)(2). Fees submitted as part of the PAG-01 NOI package will not be returned. The applicant may submit a new PAG-01 NOI for the same project.

If the NOI is considered complete, DEP or CCD will proceed with its technical review as described below.

NOTE 13 – If DEP or CCD notifies an applicant for PAG-01 coverage that the NOI is incomplete or inadequate, the applicant need only submit the information required to make the NOI complete and adequate; resubmission of the complete NOI package is not required.

- If there are no technical deficiencies with the NOI, DEP or CCD will proceed to take a final action on the NOI.
- If DEP or CCD determines that there are technical deficiencies that are not significant, DEP or CCD will call or email the applicant and/or consultant to resolve minor deficiencies.
- If DEP or CCD determines that there are significant technical deficiencies, DEP or CCD will provide written notification (i.e., by letter or email) to the applicant and consultant, as applicable. In general, one technical deficiency notice will be issued during the technical review period. DEP or CCD will provide, in the technical deficiency notice, a deadline by which the deficiency or deficiencies must be corrected. An applicant who desires additional time to correct deficiencies must contact DEP or CCD to request an extension and must provide an alternate date by which deficiencies will be corrected. Extensions must be approved in writing (i.e., by letter or email) by DEP or CCD.
 - If the applicant responds with information to correct the significant technical deficiencies by the deadline established by DEP or CCD or by the approved extension, and if DEP or CCD determines that the submission has corrected the significant technical deficiencies, DEP or CCD will proceed to take a final action on the NOI.
 - If the applicant fails to respond by the deadline established by DEP or CCD or by the approved extension, the NOI will enter the elevated review process.
 - If the applicant responds with information to correct the significant technical deficiencies by the deadline established by DEP or CCD or by the approved extension, and if DEP or CCD determines that the submission has not corrected the significant technical deficiencies or the submission results in additional significant technical deficiencies, the NOI will enter the elevated review process.

It is the applicant's responsibility to ensure that proper quality assurance is performed when responding to technical deficiencies. For example, a change in a calculated value may result in the need to update a series of documents to reflect the change. Resubmission of all documents in the NOI package affected by the change is necessary.

Figure 2 presents a flow chart for this administrative process. Construction resulting in stormwater discharges from earth disturbances greater than or equal to one acre may commence when the following criteria have been met:

1. A pre-application meeting or call has been held unless waived by DEP or CCD, in writing.
2. The applicant has submitted a complete NOI package (3800-PM-BCW0404b and required attachments) in accordance with the requirements of the General Permit and the NOI instructions.
3. The applicant has received written approval of coverage under PAG-01, signed by the appropriate DEP or CCD manager or supervisor.
4. All other permits and approvals relating to the earth disturbance activities reported in the NOI, including but not limited to sewage planning approval required by the Pennsylvania Sewage Facilities Act (Act 537), if applicable, have been obtained.
5. A pre-construction meeting has been held unless waived by DEP or CCD, in writing.

Pre-Application Meeting. A pre-application meeting or call with the appropriate DEP or CCD office must be held prior to submission of the NOI package, unless DEP or CCD waives the meeting or call. Applicants are encouraged

to mail, fax or email DEP's Chapter 102 Pre-Application Meeting Request Form ([3800-FM-BCW0271e](#)) to the appropriate DEP or CCD office to arrange for the meeting or call.

Deadlines for NOI. Persons seeking new coverage under the PAG-01 General Permit must submit a complete NOI package at least 30 or 60 calendar days (depending on the criteria listed in Review Period 1 above) prior to the planned date for commencing construction. A pre-application meeting or call with DEP or CCD (the agency that will receive the NOI) must be held prior to submission of the NOI package, unless DEP or CCD waives the meeting or call. No earth disturbance activity may commence until coverage under the PAG-01 has been approved.

Submission of an NOI 30 or 60 calendar days prior to the planned date for commencing construction does not imply or guarantee that DEP or CCD will be able to approve PAG-01 coverage on or before the end of that period unless the NOI is complete and technically adequate. Applicants are encouraged to apply as early as possible prior to the planned date for commencing construction and ensure the NOI is complete and technically adequate.

Where to Submit PAG-01 NOI Packages. Applicants should submit complete PAG-01 NOI packages as specified in the PAG-01 checklist (3800-PM-BCW0404c) including applicable fees to DEP or CCD as follows:

- For a project located in a single county, submit the NOI package to the appropriate CCD for the county, unless the project is located in Forest or Philadelphia counties, in which the NOI package should be submitted to DEP's Northwest or Southeast regional offices, respectively.
- For projects located in two counties, submit the NOI package to the appropriate CCD for the county with the greatest amount of earth disturbance, unless that county is Forest County or Philadelphia County, in which case the NOI package should be submitted to DEP's Northwest or Southeast regional offices, respectively.
- For projects located in more than two counties but within the jurisdiction of the same DEP regional office, submit the NOI package to the appropriate DEP regional office.
- For projects located in more than two counties that are also in the jurisdictions of two or more DEP regional offices, submit the NOI package to DEP's Regional Permit Coordination Office in Harrisburg.

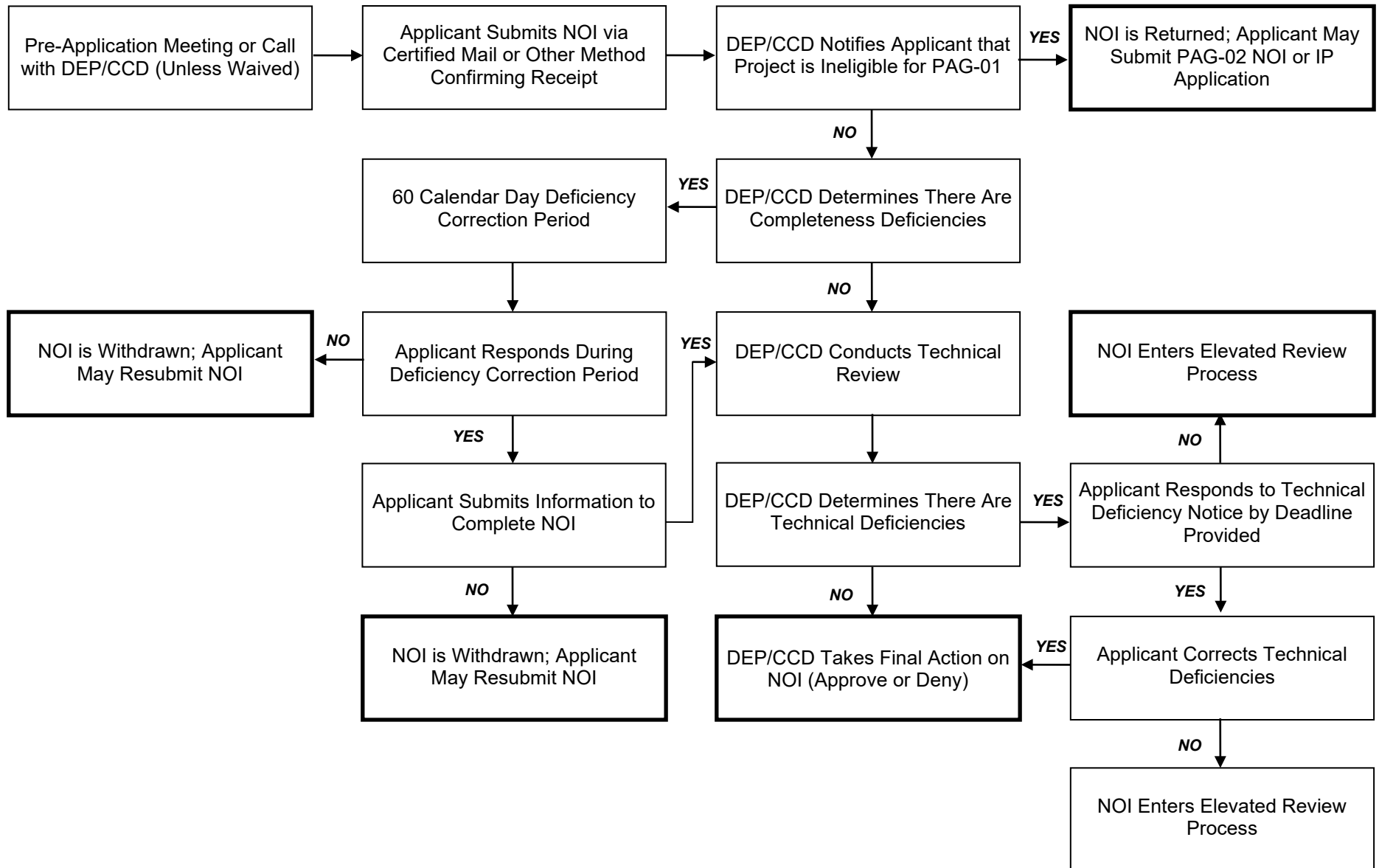
For CCD mailing addresses, please visit the Pennsylvania Association of Conservation Districts, Inc. (PACD) website at www.pacd.org, select Your District and Find Your Conservation District. DEP regional office mailing addresses can be found at www.dep.pa.gov (select Regional Resources).

NOI Fees. The following fees are applicable to the submission of a PAG-01 NOI:

Disturbed Acreage Fee: The applicant must submit a disturbed acreage fee in the form of a check or money order with the NOI package. The amount of the disturbed acreage fee is determined by multiplying the number of disturbed acres (where acres is rounded to the closest whole number) by \$100. For example, if 1.5 acres will be disturbed, round to 2 acres and submit a check or money order in the amount of \$200. The disturbed acreage fee must be made payable to the "Commonwealth of Pennsylvania Clean Water Fund."

Administrative Filing Fee: The applicant must submit an administrative filing fee in the form of a check or money order with the NOI package in the amount of \$500. This fee is made payable to the county Clean Water Fund for the CCD in the county where the NOI was submitted. If the NOI is submitted to DEP, then this fee is made payable to the Commonwealth of Pennsylvania Clean Water Fund.

Figure 2: Overview of PAG-01 Administrative Process



If a CCD will conduct the review of the PAG-01, the administrative filing fee must be made payable to the appropriate county conservation district "Clean Water Fund" (e.g., "York County Conservation District Clean Water Fund"). If DEP will conduct the review of the PAG-01, the administrative filing fee must be made payable to the "Commonwealth of Pennsylvania Clean Water Fund."

NOTE 14 – The check or money order for the administrative filing fee must be separate from the check or money order for the disturbed acreage fee.

NOTE 15 – If a CCD will be conducting the PAG-01 NOI review, additional fees may apply and a separate CCD application form may be needed. Please check the appropriate CCD website or otherwise contact the CCD for the latest fee schedule.

Fee Exemptions: In accordance with 25 Pa. Code § 102.6(b)(4), any federal or state agency or independent state commission that provides funding for program administration by DEP through the terms and conditions of a mutual agreement may be exempt from the fees identified above (including any separate fee charged by a CCD). At this time, DEP, EPA, the Pennsylvania Turnpike Commission, the Department of Conservation and Natural Resources, the Pennsylvania Fish and Boat Commission, and the Pennsylvania Department of Transportation (PennDOT) are agencies that meet this requirement.

County and Municipal Notification. All applicants must attach to the PAG-01 NOI County ([3800-FM-BCW0271b](#)) and Municipal ([3800-FM-BCW0271c](#)) Notification forms for all counties and municipalities where earth disturbance requiring permit coverage will occur. These forms serve three purposes: 1) to provide notice under Act 14 of planned land development activities requiring a DEP permit; 2) to provide information to DEP or CCD concerning consistency with county and municipal plans and ordinances pursuant to Acts 67, 68, and 127 of 2000 (P.L. 483, P.L. 495, and P.L. 940); and 3) to assist in the determination of the review period (30 or 60 days) for the PAG-01 NOI, based on responses for county Act 167 plans and municipal ordinances.

If the County and Municipal Notification forms that are submitted with the NOI do not include county and municipal signatures, the applicant must provide proof that the forms were received by the county and municipality as an attachment to the NOI.

If the County and Municipal Notification forms do not contain county and municipal signatures, or if the county and municipality do not certify consistency with an applicable Act 167 Plan or ordinance, Review Period 2 applies to the NOI.

PNDI Receipt. Applicants for PAG-01 coverage must submit a Pennsylvania Natural Diversity Index (PNDI) receipt with the NOI package along with copies of correspondence from jurisdictional agencies, if applicable. Applicants must visit www.naturalheritage.state.pa.us, select Conservation Explorer, and utilize the PNDI Environmental Review tool to generate a PNDI receipt (draft receipts are not acceptable). The PNDI receipt must be up to date and not scheduled to expire prior to the anticipated commencement of construction. The PNDI receipt will indicate one of the following outcomes:

- **No Known Impact** – Nothing further required.
- **Conservation Measures** – Nothing further required.
- **Avoidance Measures** – The applicant must sign the PNDI receipt, indicating that the applicant can and will fulfill the Avoidance Measures for the project, and the Avoidance Measures must be identified in the Erosion and Sediment Control (E&S) Plan and/or Post-Construction Stormwater Management (PCSM) Plan as applicable. (If the applicant cannot or chooses not to meet the Avoidance Measures, the applicant must follow the same process for Potential Impact described below).
- **Potential Impact** – In addition to the PNDI receipt, the applicant must provide the clearance letter(s) from the jurisdictional agencies identified in the PNDI receipt.

DEP or CCD will notify any applicant that has not submitted the PNDI receipt and, where applicable, has not acknowledged avoidance measures or provided clearance letters, that the NOI is incomplete (concurrent review is not applicable to PAG-01). It is noted that clearance applies to threatened and endangered species only (i.e., not species of special concern).

PCSM BMPs. Unless a project satisfies the criteria for site restoration project as discussed below, applicants for PAG-01 coverage must select from the PCSM BMPs that are identified in this section. DEP is limiting the use of PCSM BMPs for PAG-01 because DEP, in consultation with its technical contractor, has conducted a general stormwater analysis for specific site conditions and BMPs that satisfies 25 Pa. Code § 102.8(g) and that will protect and maintain water quality. One of the advantages of PAG-01 is the stormwater analysis required by the regulations for a PCSM Plan has been completed by DEP for applicants, saving applicants time and resources.

As identified in the Eligibility Criteria section of these instructions (criterion B.2), the maximum area of proposed impervious surface within the area of earth disturbance may not exceed 30,000 square feet, and the total impervious surface area may not exceed 12% of the project site area.

Project site is defined in DEP's regulations at 25 Pa. Code § 102.1 as, "The entire area of activity, development, lease or sale including: (i) The area of an earth disturbance activity, (ii) The area planned for an earth disturbance activity, and (iii) Other areas which are not subject to an earth disturbance activity." It is noted that while earth disturbance must be less than 5 acres to qualify for PAG-01 coverage, the project site area may exceed 5 acres.

For the purpose of this General Permit, DEP has identified three standards for the treatment of stormwater from development activities: 1) Site Restoration; 2) Concentrated Flow Standard; and 3) Sheet Flow Standard. The applicant must identify all post-construction impervious surfaces on PCSM Plan Drawings and identify the standard that will be met. The Site Restoration Standard applies to projects with earth disturbances less than 5 acres that will restore areas of disturbance to approximate original condition. The Concentrated Flow Standard applies to all roofs and other surfaces that will result in concentrated stormwater flows. The Sheet Flow Standard applies to all roadways, driveways, and other surfaces that will result in sheet flow. Parking lots may be treated by either the Concentrated Flow or Sheet Flow Standards depending on whether stormwater will be collected in storm sewers or be designed to run off as sheet flow. Both standards rely upon the disconnection of impervious surfaces to obtain the benefits of infiltration and evapotranspiration.

Implementation of these standards will satisfy the requirements of 25 Pa. Code § 102.8(g) to manage the net change in stormwater volume and water quality up to and including the 2-year/24-hour storm event and manage the net change in peak flow rates for the 2-year, 10-year, 50-year, and 100-year/24-hour storms. In addition, when these standards are implemented applicants do not need to identify the site-specific net change in the volume and rate of stormwater (25 Pa. Code § 102.8(f)(4)) and do not need to supply supporting PCSM calculations (25 Pa. Code § 102.8(f)(8)). **Applicants that cannot implement any of these standards due to site constraints or other factors are not eligible for PAG-01 coverage.**

Concentrated Flow Standard

1. **Maximum Area** – The maximum area of impervious surface that can be treated by any PCSM BMP under the Concentrated Flow Standard is 2,000 square feet (sf). In other words, if a roof or other impervious surface is greater than 2,000 sf, the applicant must delineate and divide sections of impervious surface of ≤ 2,000 sf and identify the PCSM BMP(s) that will be implemented for each section of impervious.
2. **Fundamental BMP** – All impervious surfaces under this standard must be treated through a vegetated filter strip that is consistent with standards contained in the BMP Manual (363-0300-002), as amended, including the selection of vegetation, construction sequence and maintenance, except as specified herein.
 - a. The vegetated filter strip must be constructed to achieve an infiltration rate equivalent to Hydrologic Soil Group (HSG) B soils or better. If an NRCS soil survey identifies soils as HSG A or B soil type, no further testing is necessary. **Attach a copy of the NRCS soil survey map to the NOI with the location of the earth disturbance area identified.** The [NRCS Web Soil Survey](#) tool may be used to determine the soils present at a site (instructions on using the Survey tool to determine HSG are available – [use this link](#)). For soils assigned dual soil groups (e.g., A/D, B/D, etc.), use the first group for your selection.

NOTE 16 – The PAG-01 General Permit requires HSG A or B soils to be used for all vegetated filter strips and rain gardens. If native soils are not HSG A or B, the permittee must amend the HSG C or D soils with sand. HSG C and D soils must be amended for the first 8 and 20 inches of depth, respectively. The permittee must utilize a soils scientist or other professional with education and training in soils science to determine when native soils classified as HSG C or D soils have been adequately amended to meet

infiltration properties of HSG A or B soils prior to establishing vegetation. A record of the professional's evaluation and confirmation of adequate amendment must be maintained on-site during construction of the BMPs.

Unless otherwise approved by DEP or CCD, permittees must use silica sand meeting the specifications identified in AASHTO M-6 or ASTM C-33 for silica concrete sand. Calcium carbonate, magnesium carbonate, diabase, stone dust and #10 screenings may not be substituted for silica sand.

- b. The slope of the vegetated filter strip along its length may not exceed 2% unless the strip is designed to transport higher velocities without erosion. **If the slope of a filter strip will exceed 2%, a copy of design calculations must be attached to the NOI.**
3. **Distributing Concentrated Flows** – A splash pad, gravel level spreader, or other level spreading device must be used to distribute all concentrated flows over the width of the receiving vegetated filter strip at the point of entry.
4. **Vegetated Filter Strip Length** – The length of the vegetated filter strip must be in accordance with the following:
 - a. For impervious areas of 1,000 sf or less, the length of the vegetated filter strip must be at least 5% of the contributing impervious area (e.g., 50-foot length for an impervious area of 1,000 sf), with a minimum of 12 feet.
 - b. For impervious areas > 1,000 sf and ≤ 2,000 sf, the length of the vegetated filter strip must be at least 10% of the area of the rain garden that must be used at the downstream end (terminus) of the filter strip (see criterion 6.c below), with a minimum of 12 feet.
5. **Vegetated Filter Strip Width** – The width of all vegetated filter strips must be at least one-half the length.
6. **Post-Vegetated Filter Strip Requirements** – One of the following BMPs must be used at the terminus of the receiving vegetated filter strip, depending on the area of impervious surface to be disconnected:
 - a. For impervious areas ≤ 500 sf, the vegetated filter strip must be followed by either:
 - i. An overland flow path that is at least 500 feet measured from the end of the vegetated filter strip to a property line (unless contiguous property is owned by the applicant), surface water, storm sewer inlet or other conveyance that would concentrate flows. The entire overland flow path must be vegetated and free of slopes greater than 5% as measured from the first definable break in slope at stream bank or other conveyance.
 - ii. A retentive grading berm with a height that is at least 2% of the length of the vegetated filter strip and spans the downstream width of the vegetated filter strip.
 - b. For impervious areas greater than 500 sf and less than or equal to 1,000 sf, the vegetated filter strip must be followed by a retentive grading berm with a height of at least 6 inches that spans the downstream width of the vegetated filter strip.
 - c. For impervious areas > 1,000 sf and ≤ 2,000 sf, the vegetated filter strip must discharge to a rain garden sized at 12.5% (or more) of the contributing impervious area. The rain garden must include a berm at its terminus with a minimum height of 10 inches.

If an NRCS soil survey identifies soils at the bottom elevation of the rain garden as HSG A or B soil type, the permittee must conduct infiltration testing consistent with the BMP Manual to confirm infiltration rates prior to construction, and maintain test results on-site. **Attach a copy of the NRCS soil survey map to the NOI with the location of the earth disturbance area identified.** If native soils are not HSG A or B, see Note 16, above.

Example – A rooftop is 2,000 sf and an applicant decides to construct a vegetated filter strip followed by a rain garden. The rain garden must be a minimum of 250 sf (12.5% of rooftop) and the filter strip must be a minimum of 25 ft (10% of rain garden area) in length (see criterion 4.b) and at least 12.5 feet in width (see criterion 5).

7. **Pre-Filter Strip Alternative** – Dry wells that are consistent with the standards contained in the BMP Manual (363-0300-002), as amended, may be installed prior to a vegetated filter strip receiving rooftop flows only as credit toward treatment of impervious surfaces.

- a. The impervious area reduction credit may be calculated by the following equation:

$$A_{ir} = V_{dw} / (P / 12)$$

where:

A_{ir} = Area of impervious area reduction (sf)

V_{dw} = Volume of dry well void space credit (cf), not to exceed 100 cf

P = Rainfall depth of the 2-year/24-hour storm event (in) from [NOAA Atlas 14](#) Point Precipitation frequency estimates or other reputable sources for the site location

12 = Inches/foot

Example – A rooftop is 1,414 sf and an applicant plans to use a dry well to receive impervious area reduction credit. The dry well will have a 100 cf volumetric void space, and the site is located near Harrisburg, PA, where NOAA Atlas 14 estimates that a 2.9-inch rainfall depth applies to the 2-year/24-hour storm event. The impervious area reduction credit is calculated as:

$$A_{ir} = V_{dw} / (P / 12) = 100 \text{ cf} / (2.9 \text{ in} / 12) = 414 \text{ sf}$$

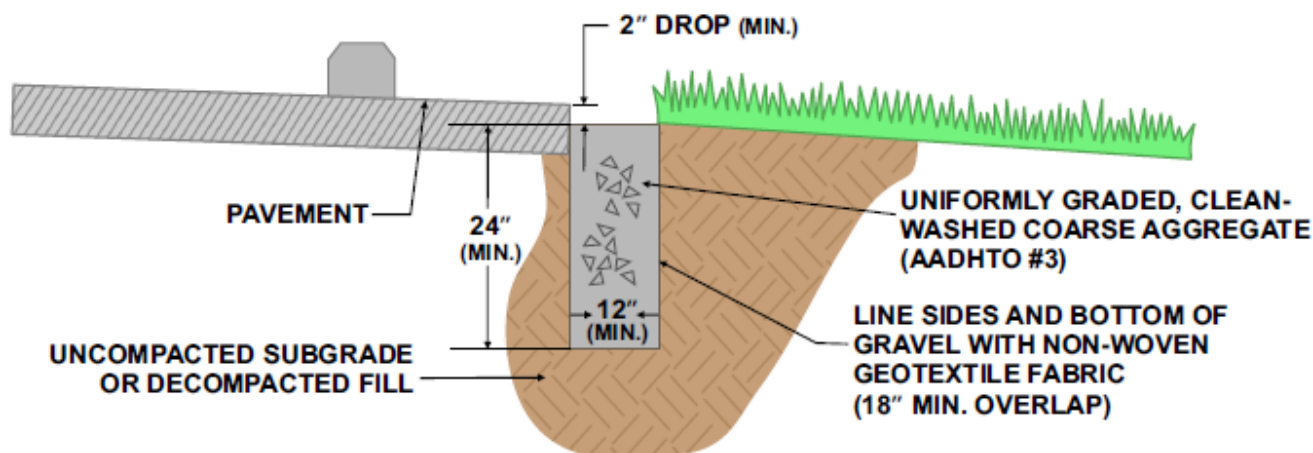
As a result of the dry well installation, the applicant can treat the roof as 1,000 sf instead of 1,414 sf.

- b. All downspouts connected to the dry well must have leaf filter guards either on each downspout or on all gutters leading to downspouts that prevent leaves and other large debris from entering the dry well.
- c. The dry well must be designed to overflow to a level spreader followed by a vegetated filter strip that is sized based on the revised rooftop area.
- d. The dry well must be constructed to achieve an infiltration rate equivalent to Hydrologic Soil Group (HSG) B soils or better. If an NRCS soil survey identifies soils as HSG A or B soil type, the permittee must conduct infiltration testing consistent with the BMP Manual to confirm infiltration rates prior to construction, and maintain test results on-site. If native soils in the area of the dry well are not classified as HSG A or B soils, the permittee shall amend the first 8 inches and the first 20 inches of depth for HSG C and D soils, respectively, with sand, prior to establishing the dry well (see Note 16 above).

Sheet Flow Standard

1. **Maximum Area** – The maximum area of impervious surface that can be treated by any PCSM BMP under the Sheet Flow Standard is 1,000 square feet (sf). In addition, roadways or driveways that are greater than 20 feet wide or are on steep slopes (i.e., > 10%) should be treated under the Concentrated Flow Standard.
2. **Fundamental BMP** – All impervious surfaces under this standard must be treated through a vegetated filter strip that is consistent with the standards contained in the BMP Manual (363-0300-002), as amended, including the selection of vegetation, construction sequence and maintenance, except as specified herein. Sections 2.a and 2.b under the Concentrated Flow Standard also apply to the Sheet Flow Standard.
3. **Gravel Verge** – A 12-inch wide level gravel verge or diaphragm with a minimum 2-inch drop from the pavement edge is required to facilitate sheet flow into a receiving vegetated filter strip (see example illustration below). This gravel verge must extend the entire length of the roadway to be treated (see **Figure 3** below).

Figure 3: Gravel Verge Detail



4. **Vegetated Filter Strip Length** – The length of the vegetated filter strip must be in accordance with the following:
 - a. For impervious areas of 500 sf or less, the length of the vegetated filter strip must be at least 5% of the contributing impervious area (e.g., 25-foot length for an impervious area of 500 sf), with a minimum of 12 feet.
 - b. For impervious areas > 500 sf and ≤ 1,000 sf, the length of the vegetated filter strip must be at least 30 feet.
5. **Vegetated Filter Strip Width** – The width of all vegetated filter strips must span the entire edge of the roadway.
6. **Post-Vegetated Filter Strip Requirements** – One of the following BMPs must be used at the terminus of the receiving vegetated filter strip, depending on the area of impervious surface to be disconnected:
 - a. For impervious areas ≤ 500 sf, the vegetated filter strip must be followed by either:
 - i. An overland flow path that is at least 500 feet measured from the end of the vegetated filter strip to a property line (unless contiguous property is owned by the applicant), surface water, storm sewer inlet or other conveyance that would concentrate flows. The entire overland flow path must be vegetated and free of slopes greater than 5% as measured from the first definable break in slope at stream bank or other conveyance.
 - ii. A retentive grading berm with a height that is at least 2% of the length of the vegetated filter strip and spans the downstream width of the vegetated filter strip.
 - b. For impervious areas > 500 sf and ≤ 1,000 sf, the vegetated filter strip must be followed by either:
 - i. An overland flow path that is at least 800 feet measured from the end of the vegetated filter strip to a property line (unless contiguous property is owned by the applicant), surface water, storm sewer inlet or other conveyance that would concentrate flows. The entire overland flow path must be vegetated and free of slopes greater than 5% as measured from the first definable break in slope at stream bank or other conveyance.
 - ii. A retentive grading berm with a height of at least 6 inches and spans the downstream width of the filter strip.

Tables 1 and 2 present a summary of the requirements to meet the Concentrated Flow and Sheet Flow Standards (note the term “filter strip” means vegetated filter strip in these tables). **Figure 4** presents an illustration of how an example project site could be configured to meet the standards.

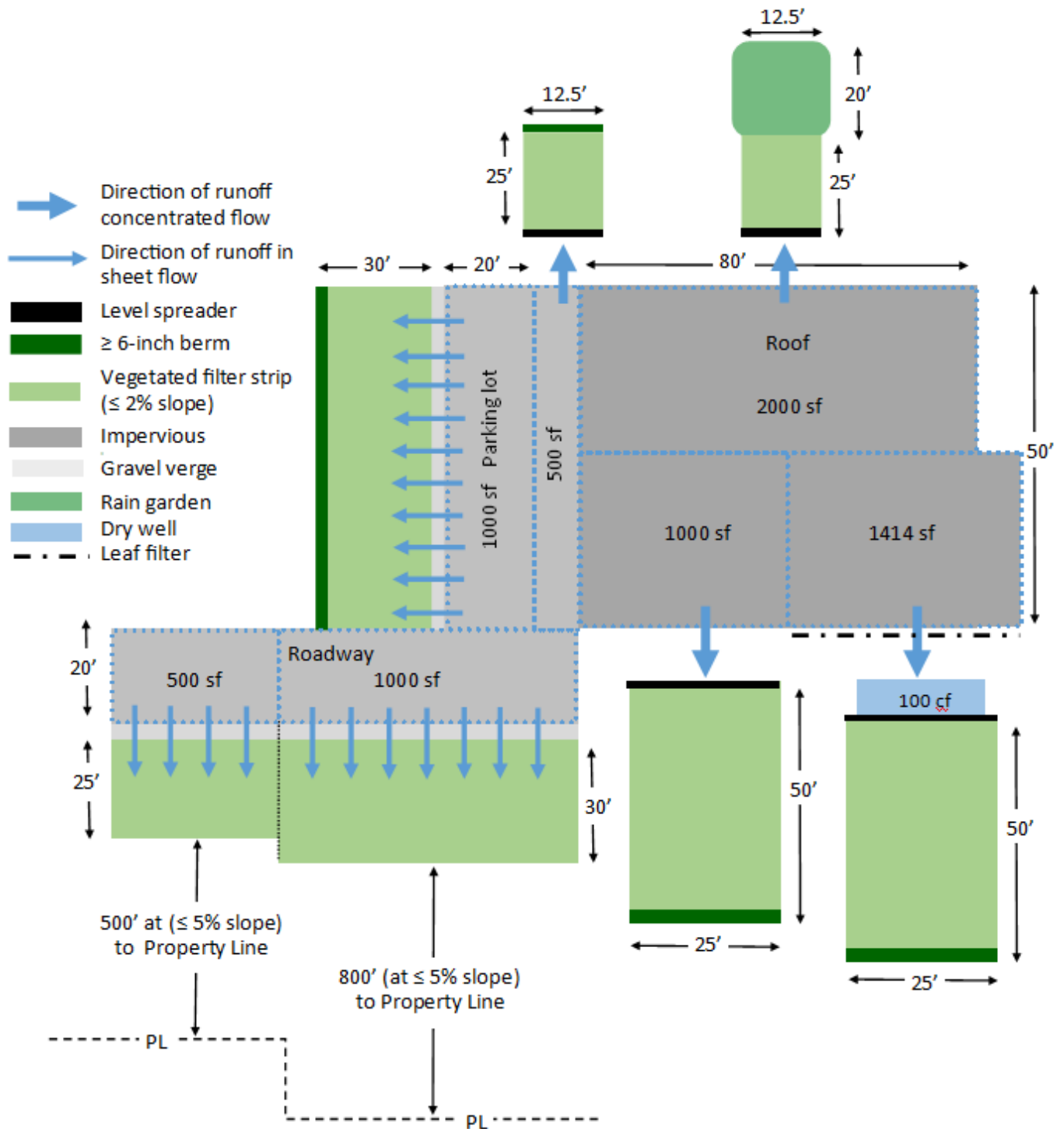
Table 1: Concentrated Flow Standard Summary.

Impervious Area	Pre-Filter Strip	Filter Strip Slope	Filter Strip Length	Filter Strip Width	Post-Filter Strip
≤ 500 sf	Dry well (optional), level spreader (required)	Max 2% (unless calculations supplied)	5% of contributing impervious area, Min 12 ft	≥ 50% of filter strip length	500 ft of pervious area at ≤ 5% slope or berm with height of 2% of filter strip length
> 500 sf and ≤ 1,000 sf					Berm with height of ≥ 6 in
> 1,000 sf and ≤ 2,000 sf			10% of rain garden area		Rain garden sized at 12.5% (or more) of the contributing impervious area

Table 2: Sheet Flow Standard Summary.

Impervious Area	Pre-Filter Strip	Filter Strip Slope	Filter Strip Length	Filter Strip Width	Post-Filter Strip
≤ 500 sf	12-in gravel verge	Max 2% (unless calculations supplied)	5% of contributing impervious area, Min 12 ft	Span of roadway	500 ft of pervious area at ≤ 5% slope or berm with height of 2% of filter strip length
> 500 sf and ≤ 1,000 sf			Min 30 ft		800 ft of pervious area at ≤ 5% slope or berm with height of ≥ 6 in

Figure 4: Example Project Site Utilizing Concentrated Flow and Sheet Flow Standards



Site Restoration. Projects with earth disturbances less than 5 acres that will restore areas of disturbance to approximate original condition (site restoration) may be eligible for PAG-01 coverage. Projects that will involve site restoration for some areas of earth disturbance while other areas are treated to meet Concentrated Flow and/or Sheet Flow Standards may also be eligible for PAG-01 coverage. Projects that will involve site restoration for some areas of earth disturbance while other areas are treated by PCSM BMPs that differ from the Concentrated Flow and/or Sheet Flow Standards are not eligible for PAG-01 coverage.

For the purpose of this General Permit, site restoration projects can be characterized by one or more of the following criteria, where earth disturbance is less than 5 acres:

- Projects that will restore the area of earth disturbance to approximate original condition or will not have impervious surfaces.

NOTE 17 – Restoration from forest (pre-construction) to meadow (post-construction) is considered acceptable.

NOTE 18 – Runoff flows may not be concentrated following earth disturbance where such concentrated flows did not exist prior to earth disturbance.

- Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects.
- Slope stabilization projects not associated with a road maintenance activity.
- Slope flattening, not associated with a road maintenance activity, that changes the grade of the site, but does not significantly change the runoff characteristics.
- Spoil or borrow areas that will be covered with vegetation equivalent to a meadow in good condition or will be forested/wooded.
- Land clearing and grading for the sole purpose of creating vegetated open space such as parks and fields, excluding projects that alter hydrology from pre- to post-construction conditions.
- Athletic fields (i.e., natural grass) that do not alter hydrology from pre- to post-construction conditions.
- Demolition projects where vegetation will be established and no redevelopment is planned.

Preparedness, Prevention, and Contingency Plan. In accordance with 25 Pa. Code § 102.5(l), a person shall prepare and implement a site-specific Preparedness, Prevention, and Contingency (PPC) Plan when storing, using or transporting materials including: fuels, chemicals, solvents, pesticides, fertilizers, lime, petrochemicals, wastewater, wash water, core drilling wastewater, cement, sanitary wastes, solid wastes or hazardous materials onto, on or from the project site during earth disturbance activities. Submission of a PPC Plan is not required with the NOI, but must be made available to DEP or CCD upon request (e.g., as part of a site inspection) if the materials listed above are stored, used or transported.

Operators / Co-Permittees. In accordance with 25 Pa. Code § 102.5(h), operators who are not the permittee shall be co-permittees. An operator is a person who has oversight responsibility of earth disturbance activities on a project site or a portion thereof who has the ability to make modifications to the E&S Plan, the PCSM Plan or site specifications and/or has day-to-day operational control over earth disturbance activities to ensure compliance with the E&S or PCSM Plans.

For example, if a gas station/convenience store company submits a PAG-01 NOI package and it is approved by DEP or CCD, the gas station/convenience store company becomes the permittee. If the gas station/convenience store company hires a general contractor to oversee site construction, the general contractor becomes an operator. The general contractor may then hire an excavating company to handle the bulk earth disturbance, who also becomes an operator. However, if the general contractor hires an electrical contractor to install an underground electric line, the electrical contractor would not become an operator.

If operator(s) are known by the applicant at the time of NOI submission, the name(s) of the operator(s) should be identified on and sign the NOI. Upon approval of coverage, the operator(s) identified in the NOI will become

co-permittee(s). Following approval of coverage, every time an operator is selected for a project with PAG-01 General Permit coverage, the permittee(s) and the operator(s) must complete and sign the Co-Permittee Acknowledgement form for Chapter 102 Permits ([3800-FM-BCW0271a](#)) prior to commencing earth disturbance work. These forms must be retained by the permittee(s) and must be sent to the appropriate DEP or CCD office prior to the co-permittee commencing earth disturbance work. If an operator completes their job responsibilities, the operator may elect to terminate its responsibilities under the PAG-01 General Permit, prior to submission of a Notice of Termination (NOT) by the permittee, by completing and signing a Co-Permittee Liability Release form ([3800-FM-BCW0271](#)). These forms must also be signed and retained by the permittee and must be sent to the appropriate DEP or CCD office when the forms are fully signed. Note that the co-permittee cannot be released from liability under the NPDES permit unless approved by the permittee.

Amendments to Approved Coverage. Following commencement of coverage under the PAG-01 General Permit, construction plans may change. If despite the changes the project remains eligible for PAG-01 coverage, the permittee can amend coverage under PAG-01. If the changes will result in the project being ineligible for PAG-01 coverage, the permittee must provide DEP or CCD with written or verbal notification of the permittee's intention to submit an NOI for PAG-02 General Permit coverage or an individual permit application. For the types of changes that qualify for Major and Minor Amendments and the application or NOI requirements for the amendments, refer to DEP's [Frequently Asked Questions \(FAQ\) for Chapter 102 Permit Amendments](#). Permittees who are unsure whether proposed changes constitute a Major or Minor Amendment should contact the appropriate DEP or CCD office.

Off-Site Support Activities. Off-site support activities are not required to be contiguous to the project site for PAG-01 eligibility. If the permittee plans to utilize multiple off-site support activity locations, earth disturbances resulting from these off-site support activities are cumulative if they are located no more than one-quarter (0.25) mile apart. If located more than one-quarter mile apart, activities at off-site support locations are considered discrete construction activities, unless contiguous to the project site. For example, the construction of a new road will involve three off-site staging and material handling areas. Two areas are located within 1,000 feet of each other, and the third will be located one-half (0.5) mile away and not contiguous to the road project site. Earth disturbance associated with the two areas within 1,000 feet of each other will be considered part of the original project site disturbance, while the third area will be considered a standalone construction site, subject to E&S controls and a permit if necessary.

For off-site support activities that produce wastewater that are not authorized non-stormwater discharges under PAG-01, the permittee must apply for and obtain an Individual NPDES Permit under Chapter 92a.

Earth Disturbance Threshold. Other than agricultural plowing and tilling, animal heavy use areas, timber harvesting, oil and gas, and road maintenance activities, DEP considers earth disturbances exceeding 0.99 acre as needing NPDES permit coverage due to the likelihood that actual earth disturbance during construction will meet or exceed the one-acre threshold for a permit under 25 Pa. Code § 102.5. For example, proposed earth disturbances of 0.999, 0.995 and 0.991 acre will be rounded up to one acre and a permit would be required. Disturbances of 0.99 acre and smaller would not require a permit, unless part of a portion, part, or stage of a larger common plan of development or sale or otherwise required by DEP in accordance with federal regulations. Similarly, disturbances of 4.999, 4.995 and 4.991 acres will be rounded up to 5 acres for the purpose of determining PAG-01 eligibility.

Area of Earth Disturbance. Applicants must calculate the area of earth disturbance based on the area associated with earth disturbance activity as defined in 25 Pa. Code § 102.5. The area of earth disturbance does not include areas used for temporary storage of materials, products, or equipment associated with a project involving earth disturbance if the storage activity in itself does not disturb the land. For example, the temporary use of a field to store pipe and related materials for utility construction does not constitute an earth disturbance if the field is not disturbed prior to, during, or following the storage activity.

E&S Requirements for Runoff from Off-Site Areas. For E&S purposes, a person proposing an earth disturbance activity must minimize the potential for accelerated erosion and sedimentation due to stormwater runoff from 1) the project site, and 2) all areas outside of the project site (i.e., off-site areas) in which stormwater flows onto the project site. **However, if any stormwater will flow into PCSM BMPs on the project site from off-site areas, the applicant is ineligible for PAG-01 coverage** (see Eligibility Criterion B.3, above).

- If stormwater from off-site areas is diverted around a project site, the person proposing an earth disturbance activity is responsible for ensuring adequate BMPs are installed and maintained to prevent accelerated erosion concerns at the location where such stormwater is diverted and discharged to, unless the responsibility is agreed

to by a different party. Such agreement must be retained by the permittee and made available to DEP or CCD upon request.

- If off-site stormwater is diverted to a storm sewer, the person proposing an earth disturbance is responsible for acquiring permission to discharge to the storm sewer. Such permission must be retained by the permittee and made available to DEP or CCD upon request.
- If off-site stormwater is diverted to a surface water, the person proposing an earth disturbance activity, or a different party if agreed to, must ensure measures are taken to prevent accelerated stream bank erosion, downstream flooding, deposition of pollutants, or other impacts that may cause or contribute to a violation of an applicable water quality standard established under Chapter 93. Such measures and demonstration should be included in the E&S Plan attached to the NOI.

PCSM Requirements for Runoff from Off-Site Areas. For PCSM purposes, a person proposing an earth disturbance activity that requires permit coverage must manage stormwater for volume, rate and water quality across the project site and all off-site areas in which stormwater flows onto the project site. **However, if any stormwater will flow onto the project site where PCSM BMPs will be implemented, the applicant is ineligible for PAG-01 coverage.**

For runoff from off-site areas that is diverted around a project site or diverted to a storm sewer or a surface water, follow E&S requirements identified above.

Common Plan of Development or Sale. A common plan of development or sale may be considered any announcement or piece of documentation (e.g., a sign, public notice or hearing, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (e.g., boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on the same or contiguous tax parcels. For DEP's approach to Chapter 102 permitting of common plans of development or sale, refer to DEP's [Frequently Asked Questions \(FAQ\) for Chapter 102 Common Plan of Development or Sale](#).

NOTE 19 – Where DEP or CCD determines that an entity has sold property to others in the interests of eliminating the need for a permit for an earth disturbance activity involving a larger common plan of development or sale, DEP or CCD may require the person proposing to conduct the earth disturbance activity to apply for and obtain a permit prior to commencing the earth disturbance activity.

Other Requirements. The applicant is expected to download the sample PAG-01 General Permit from DEP's website and read and understand it prior to submitting a NOI. The applicant should contact DEP or CCD if clarification of General Permit requirements is needed. A permittee is expected to download and utilize DEP's Chapter 102 Visual Site Inspection Report ([3800-FM-BCW0271d](#)) throughout construction; for the purpose of PAG-01, alternative formats containing identical information are acceptable. The permittee will be required to submit an NOT ([3800-PM-BCW0229b](#)) following completion of the earth disturbance activity and permanent stabilization.

In addition, the permittee may require the use of other DEP forms throughout construction, including but not limited to:

- [3800-FM-BCW0271](#) – Co-Permittee Liability Release form. May be used by an operator that is a co-permittee, or any other co-permittee, to report termination of responsibility under a permit. May not be used by the applicant of a NOI who becomes a permittee.
- [3800-FM-BCW0271a](#) – Co-Permittee Acknowledgement Form for Chapter 102 Permits. Must be used when an operator commences earth disturbance activities and must be a co-permittee.
- [3800-PM-BCW0041](#) – Application for NPDES or WQM Permit Transfer. Must be used when the applicant of a NOI, who becomes the permittee, elects to transfer permit coverage to another person).

If any of these situations apply, these forms would be submitted to the DEP or CCD office in which the NOI was submitted.

In addition, prior to construction the permittee must ensure that all other necessary permits and approvals associated with the construction and earth disturbance activities have been obtained, including Act 537 sewage planning approvals where applicable. A pre-construction meeting must be held prior to construction, unless waived by DEP or CCD.

NOI – GENERAL INFORMATION

The NOI form, including required attachments, must be completed in its entirety in accordance with these instructions for all new projects (i.e., when the NOI Type is “New”).

For an NOI Type of Major Amendment, the entire NOI must be completed in accordance with these instructions **and any new or updated information must be in bold text**. The proposed change(s) should be described in the Project Description field.

For an NOI Type of Minor Amendment, the General Information, Applicant Information, Eligibility Information, Compliance History, and the Certification for PAG-01 Applicants sections must be completed, at a minimum. Additionally, any other section of the NOI must be completed if the information contained within that section has been updated as part of the amendment, **and the updated information must be in bold text**. The proposed change(s) should be described in the Project Description field.

For an NOI Type of Renewal, the General Information, Applicant Information, Eligibility Information, Compliance History and the Certification for PAG-01 Applicants sections must be completed. Additionally, the permittee must attach a letter specifying that the previously approved E&S and PCSM Plans have not been revised, an indication of what work has been completed and what work remains on the project site, and verification that the permittee remains eligible for coverage under the General Permit.

1. **NOI Type.** Check the appropriate box to indicate whether the NOI is for a new project (new earth disturbance not covered by an existing DEP-issued or CCD-issued Chapter 102 permit), renewal of an existing Chapter 102 permit, a Major Amendment or a Minor Amendment. If the box for Renewal, Major Amendment or Minor Amendment is checked, enter the Permit ID Number of the permit coverage the applicant seeks to renew or amend.
2. **Primary NAICS Code.** Provide the appropriate six-digit North American Industry Classification System (NAICS) code that represents the primary economic activity of the project site. The NAICS codes can be found on the NAICS section of the United States Census Bureau’s website at www.census.gov/naics.
3. **Additional NAICS Code(s).** Provide any other applicable six-digit NAICS code(s) that represents the economic activity of the project site. More than one six-digit code may be entered into the box provided.
4. **Project Description.** Enter a brief narrative of the project in the space provided or otherwise submit an attachment with a description of the project. Explain the purpose of the earth disturbance activities and construction objectives for the project.

NOTE 20 – For NOIs associated with amendments, provide a detailed description of the changes to the project being sought under the amendment.

5. **Site Restoration.** Check the box if the project meets the criteria of a site restoration project as identified in these instructions across the entire project site.
6. **Common Plan of Development or Sale.** Check the box if the project is part of a larger common plan of development or sale. If checked, specify the anticipated number of phases in the project and the number of phases that have already been completed, currently under construction, or currently under existing PAG-02 coverage (amendments only).

NOI – APPLICANT INFORMATION

The NOI form assumes that there is one applicant for PAG-01 coverage. If there are co-applicants, complete this section for all co-applicants by including additional pages in the NOI package. If permit coverage is authorized co-applicants will become co-permittees, meaning that they will both hold the permit coverage equally together. Operators, as defined at 25 Pa. Code § 102.1, do not need to complete the Applicant Information section of the NOI. A separate section is to be completed for operators.

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

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

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

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

Registered Fictitious Names (as registered by the Pennsylvania Department of State) should list the owner of the fictitious name, as along with the fictitious name in the following format: Owner of the fictitious name d/b/a Registered Fictitious Name.

2. **Employer ID#.** Also referred to as “Federal Tax ID#.” The Employer ID# (EIN) aids DEP in identifying the organization and prevents duplicate data entry from occurring. This information is required for applicants other than individuals.
3. **Individual Last Name, First Name, MI, Suffix.** This information must be provided for applicants who are individuals or partnerships.
4. **Applicant Address.** Enter the mailing address of the applicant identified above (this should *not* include locational data that is not appropriate for a mail piece). In addition to the street number and name, PO Box #, RR #, Box # or Highway Contract # designations, use any appropriate designation and number to further define the mailing address of the applicant.
5. **Applicant City, State, ZIP.** Enter an appropriate city, borough, or town designation; do not enter a township designation in this area. Do *not* use abbreviations for the city name. Use the two-character abbreviation for the state. Include the four-digit extension to the ZIP code. If other than USA, provide the country.
6. **Applicant Contact Name.** Applicants that are organizations must provide the name of a person representing the applicant. This applicant contact must be an employee of the organization and must be located at the mailing address of the applicant and may receive correspondence on behalf of the applicant. This individual should be a high-level employee (e.g, CEO, VP, Operations Manager), or someone capable of answering questions regarding the organization such as EIN, fictitious name ownership, address data, related organizations, corporate changes, etc. Identify the full name of the applicant contact.
7. **Applicant Contact Title.** Enter the title of the applicant contact.
8. **Applicant Contact Phone.** Report the phone number, including any extension, of the applicant contact.
9. **Applicant Contact Email.** List the email address of the applicant contact.
10. **Applicant Contact Fax.** Enter the fax number of the applicant contact.
11. **Ownership.** Check the appropriate box to indicate the type of ownership associated with the project site.

NOI – ELIGIBILITY INFORMATION

Check the appropriate box for True or False in response to the statements listed relating to eligibility for PAG-01 coverage. In general, a response of False to any statement will render the applicant ineligible to use PAG-01.

1. **The total earth disturbance area for the project (including off-site support activities) will be < 5 acres.** While the earth disturbance area must be less than 5 acres, the project site area may exceed 5 acres.
2. **The total area of impervious surface following construction will be \leq 30,000 sf (within the area of disturbance) and \leq 12% of the total project site area.** As described in Eligibility Criterion B.2 of these instructions, impervious area may not exceed 30,000 sf following construction within the earth disturbance area. Impervious area following construction may not exceed 12% of the total project site area, including any existing impervious area within the project site area that is not affected by earth disturbance activities.
3. **All non-stormwater discharges during construction are authorized by PAG-01, or there will be no non-stormwater discharges during construction.** If non-stormwater discharges are anticipated during construction, refer to the Authorized Non-Stormwater Discharges section of these instructions to determine whether the proposed discharges would be authorized under PAG-01.
4. **All E&S BMPs that will be used conform to the E&S Manual (or approved alternative) and there will be no sediment traps or basins.** All proposed E&S BMPs must be designed, installed and maintained in accordance with DEP's E&S Manual. Deviations from the E&S Manual will result in a determination of ineligibility for PAG-01 coverage. In addition, sediment traps, sediment basins, and alternative E&S BMPs are not authorized under PAG-01 (unless alternative E&S BMPs are authorized by DEP in writing).
5. **There will be no stormwater from off-site areas that will flow into PCSM BMPs on the project site.** Stormwater runoff from areas originating outside of the project site must be diverted around PCSM BMPs on the project site to qualify for PAG-01.
6. **PCSM requirements under 25 Pa. Code § 102.8 will be satisfied through a site restoration plan or the treatment of all impervious surfaces using the Concentrated Flow and/or Sheet Flow Standards.** If a project will not meet the criteria for site restoration, the applicant must treat all impervious surfaces using the Concentrated Flow and/or Sheet Flow Standards to qualify for PAG-01.
7. **Stormwater runoff from the project site will drain to surface waters, including wetlands, that are not classified for special protection.** Identify the surface water(s) that will receive drainage from the earth disturbance area during and following construction, and visit DEP's [Statewide Existing Use Classifications website](#) to determine if those water(s) are listed as High Quality (HQ) or Exceptional Value (EV). If an existing use is not listed for the surface waters, review [Chapter 93](#) (§§ 93.9a-93.9z) to determine whether the surface waters are designated as HQ or EV. If either the existing or designated uses of the surface waters is HQ or EV, the applicant is ineligible to use PAG-01.

NOTE 21 – Special protection waters include exceptional value wetlands as defined at 25 Pa. Code § 105.17. If any stormwater discharges will be to wetlands, the applicant is expected to determine whether the wetlands are exceptional value wetlands by consulting appropriate resources including but not limited to the Pennsylvania Fish and Boat Commission's list of wild trout (natural reproduction) waters, 25 Pa. Code Chapters 93 and 96, and others.

NOTE 22 – If there will be no discharges to wetlands, applicants should rely solely on DEP's Existing Use website and 25 Pa. Code Chapter 93 in addressing this question.

8. **The applicant is not in violation of any DEP or EPA permit, schedule of compliance, or order at the project site or other sites or facilities owned or operated by the applicant in Pennsylvania.** If the applicant is presently in violation (as notified through a Notice of Violation, inspection report or other documentation from DEP or CCD or EPA) at any site or facility owned or operated by the applicant in Pennsylvania, and the violation has not been resolved through satisfaction of a settlement agreement, implementation of corrective action, payment of a civil penalty assessment, or satisfaction of the terms and conditions of any other enforcement action, the applicant should select False, otherwise select True. In general, where False is selected, the

applicant will be ineligible to use PAG-01 unless it is determined by DEP or CCD that complying with the terms and conditions of PAG-01 will resolve the violation(s).

9. **The PNDI receipt indicates either 1) “No Impact”, or 2) “Conservation Measures”, or 3) “Avoidance Measures” that have been agreed to by the applicant, or 3) “Potential Impact” or “Avoidance Measures” not agreed to by the applicant but clearance letters from jurisdictional agencies are attached to the NOI.** If the PNDI receipt indicates either “Avoidance Measures” in which the applicant has not agreed to implement the recommendations, or “Potential Impact”, clearance letters from the appropriate jurisdictional agencies must be attached to the NOI to qualify for PAG-01 coverage.
10. **There will be no introduction of chemicals to stormwater during construction.** Chemicals (e.g., polymers, flocculants, etc.) may not be introduced to stormwater runoff under PAG-01.
11. **Soils in the area of the earth disturbance are not contaminated at levels exceeding residential MSCs in Chapter 250, based on the applicant’s environmental due diligence.** Refer to Appendix A, Tables 3 and 4 of 25 Pa. Code Chapter 250 to evaluate whether on-site soil concentrations of regulated substances exceed the medium-specific concentrations (MSCs) for direct contact or soil to groundwater exposure pathways. If there are known exceedances based on the applicant’s due diligence, select “False”, otherwise select “True”. If the response is False, the applicant is ineligible to use PAG-01.
12. **PCSM BMP(s) will not be located in areas of known sinkholes or surface depressions.** Areas designated for PCSM BMPs under the Concentrated Flow and Sheet Flow Standards must be clear of known sinkholes and surface depressions as identified through the DCNR interactive map or other published government data.

NOTE 23 – For site restoration projects, the PCSM BMP is the restoration to approximate original conditions. However, an increase in the potential for sinkhole development should not be expected following construction. **Applicants with projects relying entirely on site restoration as the PCSM BMP may skip the response to this statement if the earth disturbance area contains known sinkholes or surface depressions.**
13. **The project does not involve earth disturbance activities on non-contiguous tax parcels.** Eligible projects must be located on the same or contiguous tax parcels, with the exception of off-site support activities. If the response is False, the applicant is ineligible to use PAG-01; however, if a permit is required for projects on non-contiguous tax parcels and each project is eligible, separate PAG-01 NOIs may be submitted.
14. **Stormwater discharges (during or after construction) will not be directed to a combined sewer system.** A combined sewer system is one that is designed to convey both stormwater and sewage. If the response to this statement is False, the applicant is ineligible to use PAG-01.
15. **Regulated fill requiring a Waste Management permit will not be used for this project.** Refer to DEP’s *Management of Fill Policy* ([258-2182-773](#)) for the definition of regulated fill. If the response to this statement is “False”, the applicant is ineligible to use PAG-01.

NOI – REVIEW PERIOD

Respond to statements 1 - 4 by selecting either True or False. This section should be completed by all applicants, including those that are not seeking Review Period 1 and have submitted notification forms that are not signed by the municipality and county.

1. The county has a DEP-approved Act 167 plan (or plan update) with an approval date within the past five years.
2. The county has certified that the project is consistent with the Act 167 plan, without waiver or variance.

NOTE 24 – Responses to statements 1 and 2 should be identified on the County Notification form (3800-FM-BCW0271b) that is attached to the NOI.

3. The municipality has enacted a stormwater management ordinance.
4. The municipality has certified that the project is consistent with the ordinance, without waiver or variance.

NOTE 25 – Responses to statements 3 and 4 should be identified on the Municipal Notification form (3800-FM-BCW0271c) that is attached to the NOI.

5. **Review Period.** Check the box for “1 (30 Days)” (Review Period 1) if all responses to statements #1 – #4 above are Yes. If any response to statements #1 – #4 are No, check the box for “2 (60 Days)” (Review Period 2).
6. **Anticipated Review Period End Date.** The anticipated date that a complete NOI package will be received by DEP or CCD should be known by the applicant in advance. Based on this date of receipt, enter the anticipated review period end date. If the applicant qualifies for Review Period 1, enter the date that is 30 calendar days following the date DEP or CCD will receive the NOI package. If the applicant does not qualify for Review Period 1, enter the date that is 60 calendar days following the date DEP or CCD will receive the NOI package. In addition, enter the anticipated construction start date, considering all other federal, state and local permits and approvals that may be necessary prior to commencing construction.
7. **Pre-Application Meeting/Call Date.** Enter the date in which the applicant participated in a pre-application meeting or phone call with the DEP or CCD office that will review the NOI package. If the meeting or call was waived by the reviewing office, check the appropriate box. In addition, list the name(s) of DEP or CCD staff who participated in the pre-application meeting or call, or, if a meeting or call was not held, the name of the DEP or CCD staff who waived the meeting or call.

NOI – PROJECT SITE INFORMATION

1. **Project Site Name.** Report the name of the site at the specific physical location or the name that the project will be known by. For example, “Smith Farm Site” or “ABC Commercial Development Site”. If this is a phased project, the Project Site Name should not include the phase number (e.g., “Rustic Farms” as opposed to “Rustic Farms – Phase 1”).
2. **Total Project Site Area.** Report the total area of the project site, in acres. A project site is the entire area of activity, development, lease or sale including: 1) the area of an earth disturbance activity, 2) the area planned for an earth disturbance activity, and 3) other areas which are not subject to an earth disturbance activity.
3. **Project Site Impervious Area – Pre-Construction.** Report the area of impervious surface within the Total Project Site Area prior to construction, in acres, and list the percentage of impervious area relative to the Total Project Site Area. Note that the actual impervious area is requested rather than the impervious remaining after application of 25 Pa. Code § 102.8(g)(2)(ii).
4. **Project Site Impervious Area – Post-Construction.** Enter the area of impervious surface within the Total Project Site Area following construction, in acres, and list the percentage of impervious area relative to the Total Project Site Area. Note that this value must not exceed 12% to be eligible for coverage under PAG-01.
5. **Hydric Soils or other wetland features are present within the Project Site.** Select the box for Yes if there are hydric soils or other wetland features located within the Total Project Site Area, otherwise select the box for No.

If Yes to question #5, identify that a wetland determination, conducted in accordance with DEP procedures, has been attached to the NOI.

NOTE 26 – The NOI may be deemed incomplete without the inclusion of a wetland determination if the answer to question #5 is Yes.

6. **County and Municipality.** Indicate the county and municipality in which the site is located. Check the appropriate box to identify the type of municipality entered (i.e., city, borough, township).
7. **Additional County and Municipality.** If the project site is located in more than one municipality and/or county, enter the additional county and municipality. If the project site is located in more than two municipalities and/or counties, attach a sheet to the NOI specifying all municipalities and counties in which the project site is located to the NOI.

8. **Site Location Address.** Provide the physical address of the location where the permitted activities will occur, if available. PO Box Numbers are not acceptable for site location information.

NOTE 27 - If there is no physical address of the location (e.g., "1549 East End Road"), then the distance (in miles) and direction (e.g., north, south, east, west) should be identified from the nearest intersection (e.g., "Steeple Chase Drive, 0.5 mi. south of intersection with Roberts Road"). For linear projects that do not have a physical address, use the project center point and provide the name of the nearest road.

9. **Site Location City, State, ZIP.** Report the city (or municipality), state and ZIP code of the project site location (including the 4-digit extension), if available.

NOI – OPERATOR INFORMATION

If known at the time the NOI is submitted, the applicant should identify all persons who: 1) have oversight responsibility of earth disturbance activities on the project site or a portion thereof; 2) have the ability to make modifications to the E&S Plan, the PCSM Plan or site specifications; and/or 3) have day-to-day operational control over earth disturbance activities to ensure compliance with the E&S or PCSM Plans. All such persons are considered operators and will be considered co-permittees if DEP or CCD approves coverage under the General Permit. There is space provided for up to two operators; if a project will have more than two operators, the applicant should attach additional sheets to the NOI.

1. **Operator Name.** Identify the name of the organization or individual who is considered an operator.
2. **Contact Name.** If the operator is an organization, list an individual whom may be contacted by DEP or CCD.
3. **Operator Address.** Provide the mailing address of the operator.
4. **Operator Phone.** Enter the phone number for the operator identified as the contact.
5. **Operator City, State, ZIP.** Enter the city, state and ZIP code (including 4-digit extension) of the operator's address.
6. **Operator's Role in Project.** Check the appropriate box to indicate whether the operator is a General Contractor, Consultant or Excavation Contractor. Select the box for Other if none of these apply.
7. **Operator's Responsibilities.** Briefly describe the responsibilities of the identified operator during the earth disturbance activities (e.g., bulk earthmoving, PCSM BMP installation).

If an operator is unknown at the time the NOI is submitted, the permittee will be responsible for ensuring that new operators selected following permit coverage complete and sign the Co-Permittee Acknowledgement Form for Chapter 102 Stormwater Permits ([3800-FM-BCW0271a](#)).

NOI – EARTH DISTURBANCE INFORMATION

1. **Total Earth Disturbance Area.** Report the total area of earth disturbance in acres and square feet (sf). This area must be on the same or contiguous tax parcels to qualify for PAG-01 coverage (including non-contiguous parcels that are connected by a feature such as a road as part of the same project). Include the area associated with all off-site support activities that are part of the project and are not independent construction sites if these areas have been identified at the time of NOI. When reporting Total Earth Disturbance Area in acres, report to the nearest one-hundredth of an acre. Per the Earth Disturbance Threshold section of these instructions, acreage between 0.991 and 0.999 should be rounded to 1.00 acre.

NOTE 28 – The Total Earth Disturbance Area must be fully within the Total Project Site Area.

2. **Pre-Construction Impervious Area.** Identify the area of pre-construction impervious surface within the earth disturbance area in sf.

3. **Post-Construction Impervious Area.** Identify the area of planned post-construction impervious surface within the earth disturbance area in sf. This area may not exceed 30,000 sf to be eligible for PAG-01.
4. **Pre-Construction/Present Land Use(s).** Identify the actual dominant land uses of the project site for the 5 years preceding the NOI submission and specify the percentage of the Total Earth Disturbance Area that is comprised of each land use. Use of agricultural, residential, and urban for land use descriptions is recommended, although the applicant may opt to use more detailed land use descriptions or may use land cover descriptions (e.g., descriptions used by the National Land Cover Database are acceptable). Land cover descriptions of pervious and impervious are also acceptable. Attach a separate sheet if necessary.
5. **Post-Construction Land Use(s).** Identify all post-construction land uses within the earth disturbance area and specify the percentage of the Total Earth Disturbance Area that is comprised of each land use, utilizing similar land use (or land cover) descriptions as used for pre-construction land use(s).
6. **E&S and PCSM Plan Drawing(s).** Attach to the NOI the E&S and PCSM Plan Drawing(s) that identify topographic information, the project site boundary, the limit of disturbance boundary, surface waters, anticipated discharge points during and following construction, anticipated locations for E&S and PCSM BMPs, and drainage patterns. Also attach E&S and PCSM Plan Drawing(s) showing the location(s) of off-site construction support activities, if known at the time of NOI submission. Any known sinkholes or surface depressions must be identified on the Drawing(s). Check the box if the Drawing(s) are attached.

NOTE 29 – Site-specific E&S Plan Drawings and PCSM Plan Drawings will satisfy this requirement if the drawings include all of the features referenced above (if this is the case, the box should be checked).

7. **Coordinates.** Report the latitude and longitude of the center of the proposed disturbed area, in decimal degrees with a minimum of five digits to the right of the decimal. If the project is a linear project, then report one termini of the project and attach a sheet specifying the other terminus of the project to the NOI.
8. **Horizontal Reference Datum.** Indicate the Horizontal Reference Datum used to determine the coordinates by checking the box for North American Datum (NAD) of 1927, NAD of 1983, World Geodetic System (WGS) of 1984, or "Unknown".
9. **Off-Site Construction Support Activities.** Select the box for Yes if the applicant is aware that off-site support activities will be necessary for the project, otherwise select the box for No.
10. If Yes to question #9, identify the nature of known off-site support activities whose area of disturbance is included in the Total Earth Disturbance Area response to question #1. Provide a description of the activity, the distance from the site (from the limit of disturbance boundary), and the disturbance area associated with the activity. For example, the Total Earth Disturbance Area associated with a project is reported in question #1 as 1 acre, of which 0.2 acre is an off-site support activity located 0.1 mile from the limit of disturbance boundary. Identify the activity in question #10, report the distance as 0.1, and report the disturbance area as 0.2. If No to question #9, this question may remain blank.

NOTE 30 – E&S Plan(s) for these off-site support activities should be submitted with the NOI.

11. If Yes to question #9, identify the nature of known off-site support activities whose area of disturbance is not included in the Total Earth Disturbance Area response to question #1. The table for question #11 would generally be used only in situations where a linear project has multiple off-site support activities that are greater than one-quarter (0.25) mile apart and are not contiguous to the project site. Identify those off-site support activities that meet these criteria, if known at the time of NOI submission. Any such off-site support activities identified in the table for question #11 are for information purposes only and are not part of the earth disturbance area covered by PAG-01. If the earth disturbance area of an off-site support activity listed in this table is greater than or equal to one acre, separate NPDES permit coverage must be obtained. If No to question #9, this question may remain blank.

NOTE 31 – E&S Plan(s) for these off-site support activities may be submitted with the NOI or may be submitted separately for review and approval prior to use.

12. **Fill Material.** All fill material excavated and used on-site, imported to the site, and exported from the site, must meet the definition of clean fill contained in DEP's *Management of Fill Policy* ([258-2182-773](#)), in order to qualify for PAG-01 coverage.

Check the appropriate box(es) concerning the use of fill material at the project site. Applicants should review DEP's *Management of Fill Policy* to ensure understanding of the requirements relating to fill material. Prior to submission of the PAG-01 NOI, the applicant has a responsibility to conduct environmental due diligence, as defined in the Policy, to verify that fill imported to the site is considered clean fill.

If due diligence results in evidence of a release (as defined by DEP's *Management of Fill Policy*) that has affected the fill material, the material must be tested to determine whether the material qualifies as clean fill, and the [electronic Certification of Clean Fill Form \(FP-001\)](#) must be completed. The PAG-01 General Permit requires retention of Form FP-001 on-site, which must be made available upon request by DEP or CCD.

Plan Drawings must include a note explaining the need for permittees and operators to conduct environmental due diligence and comply with DEP's *Management of Fill Policy*.

13. **Act 2 Remediation.** Check the box for Yes if the site is undergoing a remediation in accordance with Act 2, otherwise select the box for No. Act 2 sites undergoing remediation may use PAG-01 for NPDES permit coverage if contaminated soils and groundwater are not disturbed. If Yes, attach the applicant's Notice of Intent that was submitted to DEP to conduct remediation under Act 2.
14. **Act 2 Release.** Check the box for Yes if the site was remediated in accordance with Act 2, cleanup standards have been met, and the proposed earth disturbance will not be in conflict with site remediation. If applicable, attach to the NOI the letter issued by DEP that approved the Act 2 Final Report. These letters generally identify the media and pollutant(s) addressed by the release of liability.
15. **Act 537 Status.** Check the box for Yes if Act 537 sewage planning approval is needed for the project. If Yes, check the box if the approval letter is attached to the NOI.

NOTE 32 – If Act 537 sewage planning is necessary but the approval is not available at the time the PAG-01 NOI is submitted, the NOI will not be considered incomplete. Act 537 approval, if needed, is required prior to conducting earth disturbance activities resulting in a stormwater discharge.

16. **Chapter 105 Permit or Authorization.** Check the box for Yes if the project requires a permit or other authorization under 25 Pa. Code Chapter 105, otherwise select the box for No and skip question #17.
17. If Yes to question #16, identify the type of permit or authorization necessary for the project under 25 Pa. Code Chapter 105 by checking the appropriate box.
18. **Other Required DEP or CCD Permits or Authorizations.** Check the box for Yes if the project requires any other authorizations or permits from DEP or CCD, otherwise select the box for No and skip question #19.
19. If Yes to question #18, identify all other authorizations or permits from DEP or CCD necessary for the project. Include the status of the authorization or permit. If applicable, attach the approval letter to the NOI.

NOI – EXISTING AND PENDING PERMITS

List all permits that have been issued or are pending for this facility or project site by DEP or CCD or EPA within the past five years, including those that have been terminated. Attach a separate sheet as necessary. Include any NPDES and Water Quality Management (WQM) permits, Chapter 105 permits, and any other environmental permits. Provide the permit number, the date of permit issuance (if applicable), and the name of the agency which issued the permit, if applicable.

NOI – COMPLIANCE HISTORY

Check the appropriate box to indicate if the applicant(s) is or has in the past five years been in violation of any DEP regulation, permit, order or schedule of compliance at this or at any other facility or project site. If the answer is No, no further information is needed in this area. If the answer is Yes, list each permit, order, or schedule of compliance and provide compliance status of the permitted facility or operation. If needed, use additional sheets to provide all information.

NOI – TREATMENT OF IMPERVIOUS AREAS

At least one PCSM Plan Drawing must be attached to the NOI (for site restoration projects the PCSM Plan Drawing would illustrate the restoration areas). Check the appropriate box to indicate whether PCSM Plan Drawing(s) are attached to the NOI.

The PCSM Plan Drawing(s) should include notes to address the sequence of PCSM BMP implementation (25 Pa. Code § 102.8(f)(7)), a long-term operation and maintenance (O&M) schedule (25 Pa. Code § 102.8(f)(10)), and procedures for recycling or disposing of materials (25 Pa. Code § 102.8(f)(11)). Alternatively, these requirements may be addressed by attaching a separate narrative to the NOI.

Unless the project is relying entirely upon site restoration, the PCSM Plan Drawing(s) must show all impervious areas and the PCSM BMPs associated with the Concentrated Flow and/or Sheet Flow Standards, including details and specifications of rain gardens and dry wells, if applicable. Each section of impervious surface must be identified on PCSM Plan Drawing(s) for cross-reference to the NOI's Treatment of Impervious Areas table. Make additional copies of the table as necessary to address all impervious areas.

The following provides an explanation of the information that should be reported in this table:

- **Area ID** – The ID listed on the PCSM Plan Drawing(s) for the section of impervious surface to be disconnected and treated. It is recommended that areas be identified in alphabetic sequence (i.e., A, B, C, etc.).
- **Area (sf)** – The area, in square feet (sf), of the section of impervious surface.
- **Standard** – Select the appropriate box to indicate whether treatment of the impervious area will be through the Concentrated Flow (CF) or Sheet Flow (SF) Standard.
- **Pre-Vegetated Filter Strip** – Check the appropriate box(es) to indicate the BMP(s) that will be installed prior to the vegetated filter strip. Note that a level spreader or equivalent is required as part of the Concentrated Flow Standard and a 12-inch gravel verge is required for the Sheet Flow Standard.
- **Vegetated Filter Strip**
 - Length (ft) – The length, in feet, of the proposed vegetated filter strip.
 - Width (ft) – The width, in feet, of the proposed vegetated filter strip.
 - Slope (%) – The percent (%) slope of the proposed vegetated filter strip.
 - Soils – The native HSG soil type within the area of the proposed vegetated filter strip. If native soils are not HSG A or B, **add an asterisk** next to the soil type to indicate that the soil will be amended with sand during construction of the filter strip to achieve HSG A/B soil properties (e.g., "D*").
- **Post-Vegetated Filter Strip** – Select the appropriate box to indicate the BMP that will be installed or used following the vegetated filter strip. If a pervious area or flow path will be used, specify the length of the pervious area and the percent slope. If a berm will be installed at the downstream end of the filter strip, report the planned height of the berm. If a rain garden will be constructed following the vegetated filter strip, specify the area of the rain garden.

Projects relying entirely upon site restoration may skip the Treatment of Impervious Areas table.

NOI – STORMWATER DISCHARGE INFORMATION

1. **Discharge Point Locations and Receiving Waters, During Construction.** Identify all discharge points and the receiving waters to which they discharge during construction. If there will be no discharge points (i.e., all stormwater flows will be sheet flows or shallow concentrated flows as may occur for example with a linear project such as utility installation or replacement where disturbed areas will be restored to approximate original condition), the box for “Not Applicable” may be checked. If “Not Applicable” is checked, the applicant must still complete all information under the heading of “Receiving Waters.”

- **Discharge Point No.** – Provide a three-digit identification number consisting of numerals only (i.e., no letters or other symbols) for each discharge point receiving stormwater discharges associated with small construction activity from the earth disturbance area, starting with 001 and continuing with 002, 003, and so on. If there are more discharge points than space allows, attach an additional sheet. The permittee is authorized to discharge through the discharge points identified in this table if coverage under PAG-01 is approved.

NOTE 33 – Discharge points are all engineered structures, drainageways and areas of concentrated flow where runoff leaves a project site, except for areas of shallow concentrated flow that are controlled by perimeter BMPs. For example, water filtering through a compost sock should not be considered a discharge point. Discharge points are not only pipes (i.e., outlets from BMPs) but also include areas where stormwater flows will concentrate by natural means or by design and areas of concentrated flow prior to level spreaders or other diffusion of flows. Discharge points may be situated at or near surface waters or at another location, at or prior to the project site boundary.

- **Latitude / Longitude** – Report the latitude and longitude coordinates in decimal degrees with at least five digits to the right of the decimal place for the discharge point. This location should correspond to the point where stormwater will enter surface waters or, for discharges to areas other than surface waters, the point where stormwater will leave the project site.
- **Name of Receiving Waters** – Specify the name of the surface waters receiving stormwater discharges (receiving waters) for each discharge point, as specified in 25 Pa. Code Chapter 93. If the receiving waters are not identified in Chapter 93, use the term “Unnamed tributary to XXX”, where XXX is the first named surface water downstream. If the discharge is to a storm sewer, list the name of the receiving waters followed by, “via storm sewer” (e.g., “Muddy Run via storm sewer”). If the discharge is to existing wetlands, list the name of the receiving waters followed by, “via wetland.”
- **Ch. 93 Class.** – Report the existing use or, if DEP’s [Statewide Existing Use Classifications website](#) does not list the water, the designated use of the receiving waters under Chapter 93.

Attach additional sheets as necessary to report all discharge points.

2. **Discharge Point Locations and Receiving Waters, Post-Construction.** Provide the same information in this table as in question #1, except this table requests information concerning post-construction discharges. The information in this table may be the same as in question #1.

NOTE 34 – If there is a discharge point that will exist during construction but is eliminated following construction, then that discharge point should not be used in the post-construction table, and vice-versa for discharge points that are proposed after construction but not during construction.

3. **Discharges to Storm Sewers.** Check the appropriate box (i.e., Yes or No) to indicate whether any of the discharge points identified in questions #1 and #2 above discharge to a storm sewer system. If Yes, indicate whether the storm sewer is also a municipal separate storm sewer system (MS4) (i.e., Yes or No), identify the name of the storm sewer owner/operator and list all discharge point numbers that will discharge to the storm sewer. If unsure whether the storm sewer is also classified as an MS4, contact the municipality in which the facility is located. If there are no discharges to storm sewers, check the box for No and enter N/A for the remaining questions for question #3.

NOTE 35 – If the answer is Yes, an off-site discharge analysis must be provided with the NOI. Refer to DEP's [Frequently Asked Questions \(FAQ\) for Chapter 102 Off-Site Discharges of Stormwater to Non-Surface Waters](#) for additional guidance on what is required with an off-site discharge analysis.

4. **Non-Stormwater Discharges.** Identify and describe all non-stormwater discharges that are expected to occur during permit coverage. Include off-site support areas that are part of the Total Earth Disturbance Area. List each type of non-stormwater discharge anticipated, the discharge point that is expected to receive the discharge, and the expected frequency and volume of discharges. Attach a separate sheet as necessary. Select the appropriate box if no non-stormwater discharges are anticipated.
5. **Discharges to Areas Other Than Surface Waters.** Check the box if the applicant is proposing any stormwater discharge to areas other than surface waters (e.g., swales, ditches, ground surface via level spreader, etc.), either on or off the project site, during or following construction.

NOTE 36 – If the box is checked, an off-site discharge analysis must be provided with the NOI. Refer to DEP's [Frequently Asked Questions \(FAQ\) for Chapter 102 Off-Site Discharges of Stormwater to Non-Surface Waters](#) for additional guidance on what is required with an off-site discharge analysis.

NOTE 37 – If there will be off-site discharges to areas other than surface waters that will flow through a property or properties not owned by the applicant prior to reaching a surface water, the applicant is expected to secure an easement (e.g., common law or express easement) providing legal authority for the off-site discharge, unless waived by the property owner, and to provide for adequate BMPs to prevent accelerated erosion on off-site property. Stormwater management to prevent accelerated erosion is also required for discharges to areas other than surface waters on property owned by the applicant. Submission of an easement for off-site discharges is not required as part of the NOI package. The PAG-01 General Permit does not grant property rights.

NOI – CERTIFICATION FOR PAG-01 APPLICANTS

The applicant(s) must certify that the information contained in the NOI is true, accurate, and complete, and must agree to abide by the terms and conditions of the General Permit. The application shall be signed as follows:

- Corporations:
 - (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.
- Partnerships or sole proprietorships - a general partner or the proprietor, respectively.
- Municipalities, State, Federal or other public agencies - either a principal executive officer or ranking elected official:
 - (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).
- For individuals, no indication of title is necessary.

If the person signing for the applicant is signing pursuant to a Power of Attorney or other legal delegation of contractual authority, documentation of such authority must be provided.

NOI – CERTIFICATION FOR OPERATORS

Operators that are identified in the Operator Information section of the NOI must sign the NOI, acknowledging that the operator is assuming joint and severable responsibility, coverage, and liability under the permit for all duties, responsibilities, and non-compliance with the permit, as a co-permittee of this permit coverage.

E&S MODULE 1

E&S Module 1 ([3800-PM-BCW0406a](#)) must be attached to all PAG-01 NOIs. For the purpose of PAG-01 coverage, completion of E&S Module 1 constitutes an E&S Plan required by 25 Pa. Code § 102.4(b)(5) when accompanied by E&S Plan Drawings. Instructions for completing E&S Module 1 for PAG-01 coverage are presented herein (each Chapter 102 NPDES permit application/NOI instructions document has specific information on how to complete Module 1 for that application/NOI).

For the purpose of PAG-01 coverage, completion of E&S Module 1 also constitutes a PCSM Plan required by 25 Pa. Code § 102.8(a), when accompanied by PCSM Plan Drawing(s). As noted previously, supporting calculations and a stormwater analysis are not required when the Concentrated Flow and/or Sheet Flow Standards are applied, and are not required for site restoration projects.

Enter the name of the applicant, Project Site Name, the receiving surface water name(s), and the receiving surface water use(s) as listed on the PAG-01 NOI.

E&S Plan Information

1. **Topography.** In the space provided, describe the existing topographic features of the project site and the immediate surrounding area. Describe land cover, structures, drainage patterns, surface waters and other features of the pre-construction (i.e., present) land surface.
2. **Soils.** For soils present at the project site, identify in the table provided: 1) the Natural Resources Conservation Service (NRCS) soil survey map unit symbol of soils present at the project site; 2) the NRCS soil survey map unit name; 3) the acres associated with each soil map unit; 4) the HSG associated with each soil map unit; 5) the percentage of each soil map unit within the disturbed area; 6) average depths of each soil map unit; and 7) the presence of hydric soils within the soil map unit on the project site (check the box if True). Discuss the presence of any soil limitations (e.g., steep slopes) and how the E&S Plan was developed to address those limitations. If no limitations exist the applicant may enter, "N/A." If hydric soils are present, a wetland determination should be attached to E&S Module 1. Check the appropriate box to indicate whether a wetland determination is attached (select the box for Yes, No, or N/A if there are no hydric soils on the project site). If soils are known to be contaminated on the project site, identify the pollutants exceeding Act 2 standards (MSCs contained in 25 Pa. Code Chapter 250), attach an E&S Plan Drawing that illustrates the extent of soil contamination, and describe the methods that will be used to avoid or minimize disturbance of the contaminated soils.
3. **Land Use.** Describe past, pre-construction (i.e., present) and post-construction (i.e., proposed) land uses of the project site and how earth disturbance activities will alter the land uses of the project site. For past land uses, provide a description of the historical uses of the land (i.e., at least 50 years ago).
4. **Runoff.** Describe the volume and rate of runoff from the project site and any area upgradient of the project site that flows onto the project site, to supplement supporting E&S BMP design calculations. Discuss the management of this runoff during construction. This may be a qualitative description.
5. **E&S BMPs.** Check all boxes within the table to indicate the E&S BMPs that have been selected for installation or implementation at the project site. The BMP Names are consistent with the E&S Manual and ordered as they appear in the E&S Manual's Table of Contents. Identify the E&S Plan Drawing Number(s) where the E&S BMPs are presented and where operation and maintenance (O&M) requirements are specified.

Table 1 – This table provides a listing of E&S BMPs and requests design-related information and is intended for use by applicants for PAG-01 coverage and individual permits for small construction activities (earth disturbance activities less than 5 acres) only. Complete the information for each selected BMP if that BMP is identified in Table 1. Cells with gray highlight indicate the information is not applicable to the BMP.

Table 1 is used in lieu of attaching Standard Worksheets from the E&S Manual. Not every BMP in the E&S Manual is listed. Table 1 requests certain information that are relevant to BMP design. Column headers and abbreviations are generally consistent with the Standard Worksheets. An applicant for PAG-01 coverage or individual permits for small construction activities may optionally attach the relevant Standard Worksheets in addition to completing Table 1. DEP or CCD may also request submission of Standard Worksheets during the review period to verify BMP design.

The information requested in Table 1 varies by BMP type, with the exception of the Figure or Standard Construction Detail in the E&S Manual (E&S Manual Figure/Detail No.) that will be used for construction (e.g., "Figure 4-2"). Where the applicant plans to use a Figure or Standard Construction Detail in the E&S Manual for construction, separate plan drawings illustrating the BMP design are unnecessary. Where a selected BMP does not include an E&S Manual Figure/Detail No., DEP or CCD expects that plan drawings for the BMP will be attached to the NOI.

Where a selected BMP is not listed in Table 1, a separate table is provided to record the E&S Manual Figure/Detail No. that will be used for construction, if applicable.

6. **Standard E&S Worksheets.** Check the box if all applicable Standard E&S Worksheets from Appendix B of the E&S Manual have been completed and are attached. This is optional for applicants seeking PAG-01 coverage unless DEP or CCD requests submission of the Standard Worksheets during the review period to verify BMP design.
7. **Other Equivalent Worksheets.** Check the box if information and calculations equivalent to the Standard E&S Worksheets from Appendix B of the E&S Manual have been completed and are attached. This is optional for applicants seeking PAG-01 coverage.
8. **Sequence.** In the space provided, identify the E&S Plan Drawing Number(s) that describes the sequence of BMP installation and removal in relation to the scheduling of earth disturbance activities prior to, during, and after earth disturbance activities that ensure the proper functioning of all BMPs. If E&S Module 1 will be utilized to meet the requirements of a PCSM Plan, then ensure that the response to question #8 includes any PCSM BMP specific installation sequence. Attach additional sheets as necessary.
9. **Calculations Completed.** Check the box if supporting calculations for BMP design have been completed and will be provided upon request. For applicants seeking PAG-01 coverage, submission of the calculations is optional, but may be required by DEP or CCD during the review period to verify BMP design.
10. **Calculations Attached.** Check the box if the supporting calculations have been attached to the NOI (optional for PAG-01).
11. **Standard Figures or Details Serve as Plan Drawings.** Check the box if standard Figures and/or Construction Details in the E&S Manual will be used in lieu of site-specific design illustrations for the project.

NOTE 38 – If this box is checked, the location of E&S BMPs will still need to be shown on E&S Plan Drawings.

12. **Plan Drawings Attached.** Check the box if E&S Plan Drawings have been attached to the NOI.
13. **Inspections.** Check the box to confirm the applicant's understanding that inspections of earth disturbance activities must occur weekly and following measurable storm events (i.e., at least 0.25 inch). An inspection must be conducted within 24 hours following a 24-hour period in which at least 0.25 inch of precipitation occurs, or when snowmelt occurs that is sufficient to produce a discharge.
14. **Temporary Stabilization.** In the space provided, identify the E&S Plan Drawing Number(s) that contain the following information relating to temporary vegetative stabilization measures: 1) vegetative species, 2) % pure live seed, 3) seed application rate, 4) fertilizer type, 5) fertilizer application rate, 6) mulch type, 7) mulching rate, and 8) liming rate.
15. **Permanent Stabilization.** In the space provided, identify the E&S Plan Drawing Number(s) that contain the following information relating to permanent vegetative stabilization measures: 1) vegetative species, 2) % pure

live seed, 3) seed application rate, 4) fertilizer type, 5) fertilizer application rate, 6) mulch type, 7) mulching rate, 8) liming rate, 9) anchor material, 10) anchoring method, 11) rate of anchor material application, 12) topsoil placement depth, and 13) seeding season dates.

16. **Recycling or Disposal.** Describe how the applicant will ensure that proper recycling or disposal of materials will be conducted at the project site. If E&S Module 1 will be utilized to meet the requirements of a PCSM Plan, ensure that the response to question #15 includes recycling and disposal of materials from or associated with PCSM BMP(s).
17. **Sensitive Features.** Identify the presence of any naturally occurring soil conditions or geologic formations (e.g., karst) that may have the potential to cause pollution during earth disturbance activities and identify BMPs that will be implemented to avoid or minimize potential pollution caused by these features. If no such features are known, the applicant may report, “unknown” or “none”. These sensitive areas must also be identified on the E&S Plan Drawings.
18. **Thermal Impacts.** Identify whether the potential exists for thermal impacts to surface waters during the earth disturbance activity and, if such potential exists, identify BMPs that will be implemented to avoid, minimize, or mitigate potential thermal impacts. If E&S Module 1 will be utilized to meet the requirements of a PCSM Plan, ensure that the response to question #17 also addresses thermal impacts in the post-construction condition.
19. **Consistency.** Check the appropriate box to indicate that the E&S Plan has been planned, designed and will be implemented to be consistent with the PCSM Plan.
20. **Buffers.** If applicable, in the space provided identify the E&S and PCSM Plan Drawing Number(s) that show existing and proposed riparian forest buffers (select the box for N/A if not applicable).

E&S Plan Developer

The developer of the E&S Plan for the project must complete this section.

If True, check the box next to the statement, “I am trained and experienced in E&S control methods.” In that statement, “trained and experienced” also refers to the size and scope of the project. Check the box next to the statement, “I am a licensed professional” if the E&S Plan Developer is a professional engineer, landscape architect, geologist, or land surveyor licensed to practice in this Commonwealth. Enter the name of the E&S Plan Developer, the business title (if applicable), the company that employs the E&S Plan Developer, mailing address, city, state, ZIP code (including 4-digit extension), phone number and email address. If the E&S Plan Developer is a licensed professional, enter the License Type (i.e., engineer, landscape architect, geologist and/or land surveyor), License No., and Expiration (“Exp.”) Date of the license; otherwise, leave these fields blank.

The E&S Plan Developer must sign and date this section at the location specified. The signature attests to the accuracy of the information provided and the E&S Plan Developer’s understanding that the E&S Plan conforms to Chapter 102 requirements. Note that an E&S Plan Developer need not be a licensed professional, but must be a person trained and experienced in E&S control methods and techniques applicable to the size and scope of the project being designed.

APPLICANT’S CHECKLIST

To ensure the NOI is complete, DEP provides a checklist (3800-PM-BCW0404c). This completed checklist must be submitted with the completed NOI form.