



COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF WATERSHED MANAGEMENT

OFFICIAL USE ONLY
 PA _____

**TRANSFEEE/CO-PERMITTEE APPLICATION FOR A GENERAL OR
 INDIVIDUAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH
 CONSTRUCTION ACTIVITIES**

TYPE OR PRINT IN BLOCK LETTERS

A. PERMIT INFORMATION				
<input type="checkbox"/> Check here if applying for permit transfer.		<input type="checkbox"/> Check here if applying to be added as a co-permittee.		
GENERAL OR INDIVIDUAL NPDES PERMIT FOR DISCHARGES OF STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES FOR WHICH APPLYING AS TRANSFEEE/CO-PERMITTEE.				
PERMIT NO.: _____		DATE ISSUED: _____		
B. CURRENT PERMITTEE INFORMATION				
DEP Client ID# (if known)		Applicant Type / Code (if known)		
Organization Name or Registered Fictitious Name		Employer ID# (EIN)	Contact Person	
Individual Last Name	First Name	MI	Suffix	SSN
Additional Individual Last Name	First Name	MI	Suffix	SSN
Mailing Address Street				
City	State	ZIP+4	County	Phone
C. SITE INFORMATION				
DEP Site ID# (if known)		Site Name		
DEVELOPMENT NAME (IF APPLICABLE):				
SITE ADDRESS/LOCATION:				
COUNTY: _____		MUNICIPALITY: _____		
DATE OF TRANSFER OF PERMIT RESPONSIBILITY, COVERAGE AND LIABILITY: _____, 20____				
<p>CO-PERMITTEE/TRANSFEEE AGREEMENT: Attach a written agreement signed by all parties involved with the change of operational control. The letter should provide a specific date (not less than 30 days after the date this application is submitted) for the transfer or sharing of permit responsibility, coverage, and liability between the current and new permittee/co-permittee. A SAMPLE Co-Permittee Agreement letter and a SAMPLE Transferee Agreement letter are attached for reference.</p>				

D. TRANSFEREE/CO-PERMITTEE INFORMATION

DEP Client ID# (if known)		Applicant Type / Code (if known)		
Organization Name or Registered Fictitious Name		Employer ID# (EIN)	Contact Person	
Individual Last Name	First Name	MI	Suffix	SSN
Additional Individual Last Name	First Name	MI	Suffix	SSN
Mailing Address Street				
City	State	ZIP+4	County	Phone

E. COMPLIANCE REVIEW

Yes No Does the applicant (owner and/or operator) have or require other environmental permits issued by the Department for this project? If yes, list each permit and the compliance history of the permitted facility or operation.

Permit Program: _____
 Permit Number: _____
 Brief Description: _____
 Compliance History: _____

If the applicant is not in compliance with any environmental law or regulation, or Department permit, order or schedule of compliance, or has failed and continues to fail to comply, or has shown a lack of ability or intent to comply with environmental laws or regulations or any Department permit, order, or schedule of compliance, as indicated by past or continuing violations, provide a narrative description of how the applicant will achieve compliance including the appropriate milestones.

F. CERTIFICATION AND SIGNATURE OF APPLICANT

Applicant Certification

I certify under penalty of law that this application and all related attachments were prepared by me or under my direction or supervision by qualified personnel to properly gather and evaluate the information submitted. Based on my own knowledge and on inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. The responsible official's signature also verifies that the activity is eligible to participate in the General or Individual NPDES Permit, and BMP's and other controls are or will be implemented to ensure that water quality standards and effluent limits are attained. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment or both for knowing violations.

 Print Name and Title of Person Signing

() _____
 Telephone Number of Person Signing

 Signature of Applicant

 Date of Application Signed

**NOTARY
 SEAL**

Notarization:
 Sworn to and Subscribed to Before Me This _____
 _____ Day of _____, 20_____

Commonwealth of Pennsylvania
 County of _____

 Notary Public

My Commission Expires: _____

CO-PERMITTEE AGREEMENT ASSUMPTION OF RESPONSIBILITY UNDER A GENERAL OR INDIVIDUAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

	(Permit Number)
	(Name of Facility/Project)
	(Municipality)
	(County)

The following parties agree to a change in ownership and/or operational control under the above referenced permit effective _____ (date) _____.

_____ (New Co-Permittee name and address) hereby assumes joint and severable responsibility, coverage, and liability under the permit for any obligations, duties, responsibilities and violations under said permit. _____ (Current Permittee) shall remain liable under the permit for violations of the permit conditions up to and including the above referenced date AND until a Notice of Termination is filed and acknowledged by the (Conservation District OR DEP Regional Office).

[The following paragraph should be used for multiple co-permittees.]

Attached is a description of site responsibilities and a map or plan drawing depicting the limits of permit responsibility, coverage, and liability for each co-permittee.

 (Current Permittee(s))
 (Company Name, if applicable)

 (New Co-permittee(s))

TRANSFeree AGREEMENT ASSUMPTION OF RESPONSIBILITY UNDER A GENERAL OR INDIVIDUAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

	(Permit Number)
	(Name of Facility/Project)
	(Municipality)
	(County)

The following parties agree to transfer ownership and/or operational control under the above referenced permit. (Transferee name & address) hereby assumes, effective (date) all responsibility, coverage and liability under the permit for any obligations, duties, responsibilities, and violations under said permit. (Transferor, Name and Address) shall remain liable under the permit for violations of the permit up to and including (date) AND until the (Conservation District/DEP Regional Office) acknowledges the Co-Permittee/Transferee Form. The Department may hold (transferor) and (transferee) jointly and severably liable under said permit for any breach of permit obligations, responsibilities, or violations.

[The following paragraph should be used for multiple transferees.]

Attached is a description of site responsibilities and a map or plan drawing depicting the limits of permit responsibility, coverage, and liability for each transferee.

(Current Permittee(s))	(Transferee(s))

INSTRUCTIONS FOR THE TRANSFeree / CO-PERMITTEE APPLICATION FORM FOR A GENERAL OR INDIVIDUAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

Who may file the Transferee/Co-Permittee Application Form: This form may be used by an applicant seeking to apply for either complete or partial operational control of earth disturbance activities at a site which are already authorized by either an Individual or General NPDES Permit. Federal NPDES Regulations at 40 C.F.R. §122.21(b) require that Operator(s) must become a permittee. An operator is a person who meets either of the following criteria: 1.) You have operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; **OR** 2.) You have day-to-day operational control (supervision) of those activities at the project that are necessary to ensure compliance with the Erosion and Sediment Control Plan for the site or ensure compliance with other permit conditions, i.e., General Contractors. Subcontractors generally do not have supervisory control over earth disturbance activities and therefore usually **should not** become a permittee or co-permittee. If prior to construction activities, there is no operator, the owner must apply for the permit. Once the operator has been selected, the operator must use this application either to be made a co-permittee or to have the permit transferred to the contractor. **Failure of the operator to be added to the permit is a violation of federal and state law and regulation.**

Where to file the Transferee/Co-Permittee Application Form: Send this form to the reviewing entity, either to the local county conservation district that is participating as the reviewing entity or, if the Department is the reviewing entity, to the appropriate DEP Regional Office, Permitting and Technical Services Section.

When to file the Application: This application must be filed at least 30 days prior to the proposed change of ownership and/or operational control which will result in the transfer of permit responsibility, coverage and liability.

Completing the Application: TYPE OR PRINT IN BLOCK LETTERS IN THE APPROPRIATE SPACES

- Section A. Permit Information** - Check the appropriate box and enter the Permit Number and date of issuance of the existing Individual or General NPDES Permit assigned to the construction activity at the site identified in Section C below.
- Section B. Current Permittee Information** - Enter the full name, address and telephone number of the individual or organization and contact person that is the current permittee. The Regional Office can supply the Client ID # and Applicant Code, if known.
- Section C. Site Information** - Enter the DEP Site ID#, site name, site address/location, county and municipality of the site where the construction activity authorized by the NPDES Permit is located. Include the date on which the transfer of Permit responsibility, coverage and liability will occur. The Regional Office can supply the Site ID #.
- Section D. Transferee/Co-Permittee Information** - Enter the full name, address and telephone number of the individual or organization and contact person that is applying to assume operational control of construction activities at the site. The Regional Office can supply the Client ID # and Applicant Code, if known.
- Section E. Compliance Review** - The individual or organization referenced in Section D must indicate if any other environmental permits have been received or are pending from DEP as well as their past compliance history and if they are currently in compliance with environmental laws, rules and regulations, permits, orders and schedules of compliance.
- Section F. Certification and Signature of Applicant** - The new Transferee/Co-Permittee Applicant (named in Section D) must complete the required certification that the information contained in this application is true, accurate, and complete; the BMPs are or will be designed and fully implemented in accordance with the NPDES Permit requirements and will meet the applicable standards and limitations of the permit; and further that the applicant has read, understands and agrees to abide by the terms and conditions of the permit. The application shall be signed as follows:
- a. **For a corporation** -- By a responsible corporate officer, which means: (1) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) The manager of one or more manufacturing, production or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. **For a partnership or sole proprietorship** -- By a general partner or the proprietor, respectively; or
 - c. **For a municipality, State, Federal or other public agency** -- by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

The application shall be notarized in the space provided.