

# INSTRUCTIONS

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

<http://www.dnrec.state.de.us/dnrec2000/>

### WHO MUST FILE A NOTICE OF INTENT FORM

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

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

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

### WHERE TO FILE THE NOI FORM

NOIs must be submitted to the following address:

DNREC, Division of Soil and Water Conservation  
Sediment and Stormwater Program  
89 Kings Highway  
Dover, Delaware 19901

### COMPLETING THE FORM

Type or print, using uppercase letters, all information on the form. If you have any questions while completing the form, please call (302) 739-4411.

### SECTION I. APPLICANT INFORMATION

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

### SECTION II. PROJECT INFORMATION

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

Indicate the county in which the site is located, and if the site falls within an incorporated area, provide the name of the municipality.

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

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

<http://www.census.gov/cgi-bin/gazetteer>.

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

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

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

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

### SECTION III. CERTIFICATION

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

The form certification shall be signed as follows:

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

For a partnership or sole proprietorship: by a general partner of the proprietor, or

For a municipality, state, federal, or other public facility: by either a principal executive or ranking elected official.

### SECTION IV. ATTACHMENTS

The \$195.00 fee must be submitted with the completed NOI in the form of a check made payable to "DNREC, Division of Soil and Water Conservation". Interoffice vouchers and credit cards may also be accepted for payment. Please contact our office if you wish to pay by either of these methods. **NOI forms submitted without the appropriate fee will not be granted permit coverage.**