



AZPDES Construction General Permit — AZG-2008-001

Instructions for Obtaining Authorization to Discharge Stormwater from Construction Activities

Who Must File a Notice of Intent (NOI)?

Each “operator” of a construction site is required to complete an NOI. Generally, “operator” means any person who has operational control over the activities occurring on the site (i.e., control over plans, specifications, day to day activities, stormwater controls, etc.). This term may include the property owner, developer, contractor, and/or sub-contractor(s). Since there are typically more than one operator on a construction project, if any of these persons has operational control of the construction project, EACH PERSON IS REQUIRED TO APPLY AS AN OPERATOR for permit coverage using a separate NOI. Only one person from each company or municipality should submit the NOI for the project. However, if a company manages the site under separate divisions, e.g., land development and vertical development, the company may submit more than one NOI per project.

When to File the NOI Form?

DO NOT FILE THE NOI UNTIL YOU HAVE READ THE CONSTRUCTION GENERAL PERMIT. You will need to refer to the permit to determine your eligibility to apply for this permit (See Part I), prepare your Stormwater Pollution Prevention Plan (SWPPP) (Part III), and correctly answer all questions on the NOI form (Part II) – all of this must be done before you can sign the certification statement on the NOI in “good faith.”

The NOI form must be received, and an authorization issued, by ADEQ before you need permit coverage. Keep in mind that, depending on the location of the project, authorization for permit coverage may be delayed for 32 business days. Refer to Part II.B of the permit for more information on the effective date of permit coverage. CAUTION: In addition, you must allow enough lead time to gather the information necessary to complete the NOI form and develop a site-specific SWPPP.

If any part of your project is in within 1/4 mile of any impaired or unique water, you must submit your SWPPP with the NOI. The 2004 303(d) List and other impaired waters can be found at <http://www.azdeq.gov/envirom/water/assessment/assess.html>.

A list of unique waters (A.A.C. R18-11-112) can be found at http://www.azsos.gov/public_services/Title_18/18-11.htm.

If you have any concerns about the timing for coverage under this permit, YOU ARE ENCOURAGED TO SUBMIT YOUR NOI EARLY!

Where to File the NOI Form?

THERE IS NO FEE FOR PROCESSING YOUR NOI. You may submit your NOI in one of two ways: (1) Through the electronic, user-friendly Smart NOI system available at “Arizona at Your Service,” <http://az.gov/webapp/noi/main.do>, or (2) by certified mail, hand-delivery, regular mail, or facsimile. (If you use the Smart NOI system you must print a copy of the NOI and send the signed NOI to the Phoenix ADEQ Office within 10 business days or use the electronic signature feature.)

Fax NOI to (602) 771-4528 or send to:

Arizona Department of Environmental Quality
Surface Water Section / Stormwater & General Permits Unit
1110 West Washington, 5415A-1
Phoenix, AZ 85007

Make at least three copies of the signed NOI. Place a copy in your SWPPP, send (or fax) a copy to the address above, and send the third copy to the operator of the municipal separate storm sewer system (MS4), if appropriate, in accordance with Part II.C of the permit.

If you submit your application via the Smart NOI System, you must print your NOI Authorization Certificate prior to exiting the Smart NOI System. If you submit your NOI to ADEQ for manual processing, ADEQ will send you a letter regarding authorization status (usually within two business days of our receipt of the NOI). You may also verify receipt of the NOI and check the status of the authorization by either visiting our NOI Construction Database at <http://azdeq.gov/databases/>

azpdessearch.html or by calling the ADEQ NOI Processing Center at (602) 771-4632.

For specific information about the program or the permit, visit our website at <http://www.azdeq.gov/envirom/water/permits/stormwater.html#const> or contact us at (602) 771-4592.

Instructions for Completing the NOI Form

To receive coverage under Construction General Permit (CGP) AZG-2008-001, the NOI form must be COMPLETE and ACCURATE. Refer to Part II of the permit for additional information on the NOI requirements.

BLOCK 1

Indicate whether this project was previously authorized under the 2003 Construction General Permit and if so, provide the 2003 authorization (AZCON) number.

Indicate whether this form is a revision to an NOI form you previously submitted and obtained authorization for under the AZPDES CGP (effective February 29, 2008). Instances where you would check “yes,” could include updating mailing information, changing the name of the contact person, or revising the location of the SWPPP. However, changes to the latitude or longitude will not be accepted and a new NOI will be required. Change to acreage is also not acceptable if the land disturbance has already begun.

BLOCK 2

Indicate whether your site is located on Indian lands. If located solely on Indian lands, you must submit your NOI to EPA for permit coverage. If your site is on both Indian lands and private lands, you will need to break out each area and submit NOIs to both ADEQ and EPA. For more information please see EPA’s NPDES Stormwater Information Page at <http://www.epa.gov/region9/water/npdes/stormwater.html>.

ITEM I. OWNER/OPERATOR INFORMATION

Place the name of the contact, the owner/operator business name and address in the blanks provided. The contact name indicated here is the person responsible for the terms and conditions of the Construction General Permit or the person who serves as a contact between ADEQ and the permittee. In many cases, this will be the same person who signs the certification statement in Block 5.

Check the appropriate box to reflect the operator’s “business status.”

ITEM II. CONSTRUCTION SITE INFORMATION

Identify a name that is consistently used to reference the project under “Project Name.”

Provide the County Parcel Number for the property at the main entrance of the construction site.

Provide a telephone number, preferably at the site where a knowledgeable project representative can be reached.

Indicate what type of project the construction is (examples, ADOT Project, airport, commercial, flood control, mining/sand & gravel, municipal/public, other, recreational area, residence, roads, school, subdivision, or utility).

If the project is a Master Planned Community or Subdivision, you must identify if state or local subdivision approval under A.A.C. R18-5-402 has been obtained. [Note: even subcontractors must complete this portion.] If it has, check “yes” and enter the ‘Certificate of Approval’ number, which was issued by the appropriate state or local entity. If no approvals have been obtained, check “no.”

A “larger common plan of development or sale” is:

(1) A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one project plan. For example, if a developer buys a 20-acre lot and builds roads, installs pipes, and runs electricity with the intention of constructing homes or other structures sometime in the future, this would be considered a larger common plan of development

or sale. If the land is parceled off or sold, and construction occurs on plots that are less than one acre by separate, independent builders, the construction activity would still be part of the common plan of development and subject to stormwater permitting requirements if the smaller plots were included on the original site plan. A larger common plan of development or sale also applies to other types of land development such as industrial parks or well fields.

(2) Where there is any documentation or announcement (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, etc.) that links the separate construction activities or project phases together under a common project plan.

Indicate whether the project has or needs other state or federal environmental permits or approvals. This includes Corps 404 permits, air permits, dust permits, etc. Please provide a list of permits and the associated approval numbers. Attach a separate sheet if more room is needed.

Indicate the address of the project. If no address is available, describe the physical location of the site indicating directions for driving to the site using sufficient detail that the site could be reached from the nearest municipality. (Section, range, and township are not appropriate for driving directions – do not provide.)

Specify the city (if within municipal boundaries), county, and zip code for the project site.

Provide an estimate of the earliest start and latest termination dates (through the completion of final stabilization) for your construction project. Specify a month, day, and year. The end date you provide is only an estimate. If your project continues past the estimated end date, there is no need to revise your NOI. Your permit coverage will continue until the permit expires February 28, 2013 or until you file an NOT.

Specify the total acres to be disturbed with the entire construction project to the nearest 1/2 acre. For instance, if the project is a 12-acre golf course, which is part of a 40-acre master planned project, indicate '40 acres' in this blank.

Specify the total acres to be disturbed by your operations (to the nearest 1/2-acre). For instance, if your construction project is a 12-acre golf course, which is part of a 40-acre master planned project, indicate '12 acres' in this blank.

Identify all "non-stormwater discharges" associated with your construction project. Some non-stormwater discharges are allowed under this stormwater permit in accordance with Parts I.C.2. Other non-stormwater discharges, such as concrete wash out or equipment wash water, are not authorized under this permit and must be prevented from entering a watercourse or flowing off the site (i.e., discharged.).

ITEM III. DISCHARGE LOCATION

Identify the location that stormwater may discharge or flow off of the construction site. The "discharge location" is generally at a low elevation point at the perimeter of the construction site, or at the point closest to a receiving water. A receiving water is a natural watercourse into which stormwater would flow in a storm event and includes dry washes, streams, tributaries, and other waters of the U.S. (such as designated canals). Man-made structures such as retention basins, storm sewer systems, or city storm drains are not receiving waters.

Provide an accurate latitude and longitude for the discharge location of the construction site. Common tools that you can use to determine latitude and longitude include Global Positioning System (GPS) devices, topographic maps, or internet mapping sites. The SMART NOI on-line system also includes a mapping system to enable you to easily determine latitude and longitude. The latitude and longitude must be reported in degrees, minutes, seconds format. The latitude must have at least six digits. The longitude must have at least seven digits. This information is critical for accurately locating your site, mapping it on state geographic information system environmental maps, and for determining which provisions of this permit may apply.

For linear construction projects (projects which are typically longer than wide and have a basically uniform width) such as roads, utility lines, and pipelines, the latitude and longitude of the discharge location should be provided as follows:

- (1) For a linear project where any portion of the construction site is within 1/4 mile of any impaired or unique receiving water, provide the coordinates closest to that water body.
- (2) For a linear project with a single discharge location, provide the coordinates for the discharge location as described in the second paragraph of this Item.

(3) For a linear project with multiple discharge locations, provide the coordinates at the mid-point of the project length.

Specify the closest receiving water(s) adjacent to the site by using a map illustrating water features. If stormwater runoff could discharge to or reach more than one receiving water, list ALL receiving waters. Some receiving waters may be unnamed washes or tributaries, and these must also be indicated on the NOI form as "unnamed." "None" is not an acceptable answer to this question.

Identify whether there is a potential for any discharges from the site to enter a MS4 or privately owned conveyance such as a canal. MS4s include streets gutters, ditches, and flood control channels/structures. Check "yes" if the site is located within or adjacent to an MS4. If you check "yes," identify the name of the system owner (for example: a city, county, irrigation district, or military installation).

ITEM IV. SWPPP STATEMENTS

To obtain permit coverage you must confirm, by checking the appropriate field, that you have a SWPPP that meets the requirements of the permit and that you will implement the SWPPP prior to starting construction. This confirmation also affirms that the SWPPP will be located at the site. A checklist for completing the SWPPP can be found at <http://azdeq.gov/function/forms/ appswater.html#cgp>.

Provide the address where the SWPPP will be available for viewing when construction activities are not actively underway.

Include the name and telephone number of a contact person that has access to and can provide the SWPPP upon request.

If any part of the project is located within 1/4 mile of an impaired or unique waterbody, you must check "yes" and **enclose a copy of the SWPPP with your NOI**. Your NOI will not be considered complete and you are not eligible for permit coverage until a complete SWPPP as described in Part III of the permit is submitted.

ITEM V. CERTIFICATION

The operator applying for coverage must sign the certification statement verifying that the information is true and that the operator will comply with the permit. (CAUTION: An unsigned NOI form will prevent authorization of permit coverage.) State statutes and rules provide for severe penalties for submitting false information on this application form. State regulations require this application to be signed and certified by the proper person as follows:

For a corporation: By a responsible corporate officer. A responsible corporate officer means:

- a. 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
- b. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

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 is the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

NOTE: Operators cannot delegate the responsibility for signature on an NOI form to consultants, agents, or any other third party.