

STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY
195 North 1950 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870

NOT

Notice of Termination (NOT) for Storm Water Discharges Associated with Construction Activity Under the UPDES General Permit No. UTRC00000 or UTRH00000. SEE REVERSE FOR INSTRUCTIONS

Submission of this Notice of Termination constitutes notice that the owner/operator identified in Section II of this form or in the NOI is/are no longer authorized to discharge storm water associated with industrial activity under the UPDES program. The owner for current permit coverage must terminate coverage or surrender permit responsibilities to another party where the other party assumes ownership and responsibility even if the site remains unstabilized. Areas of the site that become finally stabilized should be terminated at one time when all portions of the site are stabilized. If or as lots are sold in a residential development the developer/owner must remove those lot numbers from the lot list in the NOI and adjust the acreage for the project.

I. Permit NOT Transaction

UPDES Storm Water (SW) General Permit Number to be terminated: _____

Please answer the questions below by checking the appropriate box:

NOT for COMPLETED PROJECT: The project is finished, final stabilization is achieved on the entire site according to permit conditions, temporary SW controls have been removed or they remain according to permit conditions, the site is clean, and the design SW system is fully installed.

TRANSFER OF RESPONSIBILITY (NEW OWNER): The NOT is not required if the original NOI is updated with the new owner information. To do this fill out and submit the Ownership Transfer Form (Appendix M of the CGP), OR submit an NOT for the original owner and the new owner must apply under a different NOI ... (Check this box only if old owner NOTs/New owner NOIs)

Transfer Party Assuming Control of Site (new owner filling out a new NOI):

Company/Individual Name _____

Contact person _____

Address _____

City _____ State _____

Telephone Number _____ Email address _____

SUBDIVISIONS:

A developer terminates the permit when all lots are either 1) having a finished home that is possessed by new home owner, 2) the site is stabilized according to permit requirements, or 3) another party buys a lot(s) and assumes ownership providing permit coverage under a different permit tracking number. Until this condition occurs, as lots are sold, the developer must periodically update the lot list, showing lots covered by the permit, in the original NOI (on-line). A developer of a sub-division should not terminate each lot when sold. If a new owner buys the entire site, see "transfer of responsibility" (above). It is common courtesy to **inform a new party of their permit responsibility**.

II. Facility Owner Information (the same as was entered on the NOI who is seeking termination of permit responsibilities)

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

III. Facility Site/Location Information (the same as was entered on the NOI)

Name: _____

Address: _____ County: _____

City: _____ State: _____ Zip: _____

Latitude: _____ Longitude: _____

IV. Certification: I certify under penalty of law that either: a) the entire site is stabilized and all storm water discharges associated with construction activity from the facility identified in the NOI, where I was an operator have ceased or have been eliminated or, b) I am no longer an operator at the construction site and a new operator has assumed operational control for those portions of the construction site where I previously had operational control. I understand that by submitting this notice of termination, I am no longer authorized to discharge storm water associated with construction activity under this general permit, and that discharging pollutants in storm water associated with construction activity to waters of the State is unlawful under the State of Utah Water Quality Act where the discharge is not authorized by a UPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Water Quality Act.

Print Name: _____

Date: _____

Signature: _____

Instructions for Completing Notice of Termination (NOT) Form

Who May File A Notice Of Termination (NOT) Form

Permittees who are presently covered under the State issued Utah Pollutant Discharge Elimination System (UPDES) General Storm Water Permit for Construction Activity may submit a notice of termination (NOT) form when their facilities no longer have any storm water discharges associated with industrial activity (construction activity) as defined in the storm water regulations at UAC R317-8-3.9(6)(d)10 or (e)1, or when they are no longer the legal owner or person responsible for the project and the facilities.

For construction activities, the permittee must eliminate all storm water discharges associated with industrial (construction) activity, stabilize all disturbed soils at the construction site except for arid and semi-arid areas where alternative efforts to control the surface until stabilization can be accomplished, and remove temporary erosion and sediment control measures except where it is acceptable in arid and semi-arid areas where biodegradeable or permanent BMPs may remain. Final stabilization means that all soil-disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% has been established on all unpaved areas and areas not already covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Or for arid and semi-arid areas, the surface must been designed and prepared so that with time vegetation will provide or is expected to provide a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the natural background vegetative cover, or (2) non-vegetative stabilization methods have been implemented to provide effective cover for exposed portions of the site.

Where to File NOT Form

Send this form to the following address:

Division of Water Quality
195 North 1950 West
P.O. Box 144870
Salt Lake City, Utah 84114-4870

Or by Fax
(801) 536-4301

Section I – Permit/Site Information

Enter the existing UPDES Storm Water General Permit number assigned to the facility or site identified in Section III. If you do not know the permit number, contact the Division of Water Quality at (801) 536-4300. Answer all questions and provide information concerning other responsible parties if applicable. If the project is a sub-division and you sell one or more lots, do not submit an NOT. When a lot is sold you must sign on to the account for which you obtained the NOI (the on-line storm water data base) and indicate which lots have been sold and which are not covered under the NOI any longer. Also, update the area in the NOI by subtracting the area of the sold lots. Where another party has assumed responsibility over the entire site either submit the Ownership Transfer Form to DWQ or submit an NOT for the existing owner and inform the new owner they must submit a NOI to continue coverage under a different tracking number.

Section II - Facility Operator Information

This form must be filled out and submitted by the owner or lessee listed on the notice of intent (NOI) that was submitted in the original NOI. In this section give the legal name of the person, firm, public organization, or any other entity that is filed as the owner at the facility or site described in this application that desires to terminate coverage. As the owner's agent, the general contractor can also fill out and submit the NOT. Enter the complete address and telephone number of the operator.

Section III - Facility/Site Location Information

Enter the facility's or site's official or legal name and complete address, including city, state and ZIP code and the latitude and longitude of the facility to the nearest 15 seconds of the approximate center of the site.

Section IV - Certification

State statutes provide for severe penalties for submitting false information on this application form. State regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (i) 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, or if authority to sign documents has been assigned or delegated to a manager in accordance with corporate procedures; or by a duly authorized representative (See for the CGP Appendix G.16, or for the Common Plan permit part 5.16).

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

For a municipality, State, Federal, or other public facility: by either a principal executive officer or ranking elected official.