

II. Suggested Notice of Change (NOC) Form

A. Notice of Change Instructions - Permittees covered under the RGP may request a change to certain conditions of this permit without submission of a new NOI. Such changes are not permit modifications as provided for under 40 CFR 122.62. At a minimum, the permittee must provide the following information in a letter or on the suggested NOC form below.

1. General facility/site information.

- a) Provide the **facility/site** name and mailing address in the spaces provided. Provide the site location, including longitude and latitude. Provide the facility SIC code(s).
- b) Provide the site/property **owner's** name, address, telephone and fax numbers, if different from the facility/site information. Indicate whether the owner is a federal, State, Tribal, or private entity.
- c) Provide the **operator's** name, mailing address, and telephone and fax numbers, if different from the owner's information. The "operator" is defined in Part I.B.1. as the person¹ who has operational control over plans and specifications, or the person who has day-to-day supervision and control of activities occurring at the site. For purposes of this permit, the operator is either:
 - i. The owner² (e.g., title holder, developer, or easement holder of the property) if that entity is performing all work related to complying with this permit; **or**
 - ii. Both the owner² (e.g., title holder, developer, or easement holder of the property) and contractor(s) if a contractor(s) has been hired to perform work related to complying with this permit. See NOI instructions in Section I of this Appendix.
- d) Provide the NPDES permit number assigned.

2. Type of changes.

- a) Indicate the type of eligible change being requested by checking the boxes that apply or by providing a narrative as an attachment. Eligible changes consist of:

- 1. Reduction in certain monitoring requirements - Certain monitoring requirements may be reduced upon demonstration by ongoing sampling and analytical data.
 - i. To be eligible for a reduction in **influent** monitoring, the permittee must provide a minimum of **6 consecutive months** of data. This data must be submitted with the NOC.
 - ii. To be eligible for a reduction in **effluent** monitoring, the permittee must provide **12 consecutive months** of data demonstrating compliance with the applicable parameter limits, applicable ML (see Part I.D.1.d), or demonstrating no toxicity, in the case of whole effluent toxicity testing is required. This type of change requires written approval by the Director. Prior to receiving written approval, the permittee must continue to monitor at the frequency specified in the RGP. This data must be submitted with the

¹ Defined in 40 CFR 122.2.

²For purposes of this permit, the "owner" of a property is the person, as defined by 40 CFR 122.2, holding the title, deed, or legal document to the regulated property, facility, or activity, including a party working under an easement on the property.

NOC.

2. Change in flow conditions - A NOC can be used to notify of a change in flow conditions which may increase or decrease the daily average or maximum flow rate by more than twenty-five (25) percent, provided that:

- i. the design flow of the treatment system is **not** exceeded; and
- ii. the dilution factor would not change to a value greater than five (5) dilutions, where the discharge contains metals.

3. Change in treatment - An NOC can be used as notification of a change in treatment if:

- a) the change adds or removes any major operable unit of the system, provided that the permittee continues to meet the effluent limits in the permit; and
- b) the change affects the design flow of the system but does not change the dilution factor to a value greater than five (5) dilutions, where the discharge contains metals.

4. Chemical additives - The permittee may propose the use of chemical treatment additives (e.g., foam control, emulsifiers, chelating agents, flocculating agents, pH adjusting chemicals, etc.) not described in the NOI to enhance the treatment system performance. The permittee must demonstrate that the addition of such agents will not add any pollutants which may cause a violation of receiving water standards or cause the overall effluent to violate effluent limitations. The permittee must attach, with the NOC, the material safety data sheets (MSDS) for the chemical(s) proposed to be added. This type of change requires prior approval by the Director.

5. Change of discharge location - Providing that the receiving water information submitted with the original NOI (or for applicants covered by a prior application for individual permit) remains the same, the location of the discharge may be modified. However, for changes in receiving water, a new NOI is required.

6. Temporary cessation of discharge - For any temporary interruption or cessation of discharge planned to extend greater than 120 days, the permittee must submit a NOC including:

- a) the reasons for the interruption or cessation of discharge,
- b) the estimated time frame when the discharge will cease and be re-started, and
- c) an acknowledgment that “start-up” monitoring will be resumed when the discharge is re-started as required.

7. Change in pH range in MA - For facilities/sites in Massachusetts, the permittee may request that the pH range be widened due to naturally occurring conditions in the receiving water or the naturally occurring source water is unaltered by the permittee’s operation. The scope of any demonstration must receive prior approval from the MA DEP. An NOC must be submitted to the Director upon approval from the State.

8. Change to administrative information - Certain administrative information may be changed via an NOC, including changes in address or contact information and transfer of ownership. For change in ownership, 40 CFR 122.61(b) requires that the permittee submit:

- a) notice to the Director at least 30 days prior to the transfer date;
- b) inclusion of a written agreement between the new and existing permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
- c) the Director does not notify the existing and proposed new permittee of his or her intent to revoke coverage under the RGP.

3. Signature requirements.

The Notice of Change must be signed by the permittee (.i.e., operator) in accordance with the signatory requirements of 40 CFR Section 122.22, including the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

If filling out the suggested NOC form electronically on EPA's website, the signature page must be signed and faxed or mailed to EPA at the phone number or address listed in Section I.C. below.

B. Suggested Form for the Consolidated General Permit Notice of Change (NOC)

1. General site information. Please provide the following information about the site:

a) Name of facility/site :		Facility/site address:			
Location of facility/site : longitude: _____ latitude: _____	Facility SIC code(s):	Street:			
		Town:	State:	County:	Zip:
b) Name of facility/site owner :					
Owner is (check one): 1. Federal _____ 2. State/Tribal _____ 3. Private _____ 4. other _____, if so, describe:		Telephone no. of facility/site owner :			
		Fax no. of facility/site owner :			
Address of owner :		City/Town:			
Street:		State:		Zip:	County:
c) Legal name of operator :		Operator telephone no:			
		Operator fax no.:			
Operator contact name and title:					
Address of operator (if different from owner):		Street:			
Town:		State:	Zip:	County:	

2. Type of changes:

Please check all that apply:	Eligible changes for use of NOC:
	1. Request for a reduction in monitoring requirements based on sampling and analytical data. Written approval by EPA is required.
	a) For a reduction in influent monitoring frequency, the permittee must provide 6 consecutive months of influent monitoring data.
	b) For a reduction in effluent monitoring frequency of an applicable parameter, the permittee must provide 12 consecutive months of data demonstrating compliance with the parameter limits, the minimum level (ML) (see Part I.D.1.d), or demonstrating no toxicity (where whole effluent toxicity testing (WET) is required).
	2. A change in flow conditions which may increase or decrease the daily average or maximum flow rate by more than twenty-five (25) percent, provided the design flow capacity of the treatment system is not exceeded and the dilution factor will not change to a value greater than five (5), where the discharge contains metals.
	3. A change in treatment which:
	a) affects the design flow of the system but does not change the dilution factor to a value greater than five (5), where the discharge contains metals.
	b) adds or removes any major operable unit of the system
	4. The use of chemical treatment additives that will not add any pollutants which may cause a violation of receiving water standards or cause the overall effluent to violate effluent limitations. Attach the material safety data sheets (MSDS) and prior approval from the Director.
	5. Change of discharge location within the same receiving water as submitted in the NOI.
	6. Temporary cessation of discharge greater than 120 days. Describe (using additional sheets as needed):
	a) reasons for the interruption or cessation of discharge:
	b) estimated time frame when the discharge will cease and be re-started:
	c) how "start-up" monitoring will resume when the discharge is re-started:
	7. Change in pH range in MA:
	8. Change to administrative information:

3. Signature requirements. The Notice of Intent must be signed by the permittee in accordance with the signatory requirements of 40 CFR Section 122.22, including the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Facility/Site Name:

Signature of permittee(s):

Title:

Date:

C. Submission of NOC Forms - Signed and completed NOC forms and attachments must be submitted to EPA-NE at either the following address:

US Environmental Protection Agency
Shelly Puleo
Industrial NPDES Permits (CIP),
1 Congress Street, Suite 1100
Boston, MA 02114-2023

or electronically mailed to NPDES.Generalpermits@epa.gov,
or faxed to the EPA Office at 617-918-2064

A copy of the NOC form must also be submitted to the appropriate state agency (see NOI instructions for addresses).