

APPLICATION FOR NPDES OR WQM PERMIT TRANSFER INSTRUCTIONS

GENERAL INSTRUCTIONS

To Obtain DEP Application Packages. To expedite the processing of the applicant's request, the Department of Environmental Protection (DEP) requests that the most up-to-date application package available be used. The most recent version of the Application for NPDES or WQM Permit Transfer ("transfer application") can be obtained through DEP's website noted below. The application is available in Microsoft Word format at this same web location. Applicants can download the appropriate form to a personal computer, complete the form electronically and print the document for submittal to DEP using the following steps:

Go to DEP's website: www.dep.pa.gov
 Select: Businesses
 Select: Water
 Select: Bureau of Clean Water
 Select: Wastewater Management
 Select: NPDES and WQM Permitting Programs

FOLLOWING SUBMISSION OF YOUR APPLICATION, CHECK DEP'S WEBSITE TO MONITOR THE STATUS OF YOUR APPLICATION.

In general, DEP will not notify you if the Application is considered complete and technically adequate. You may view the status of your application as follows:

Go to DEP's website: www.dep.pa.gov
 Select: Data and Tools
 Select: Tools
 Select: eFACTS
 Select: Authorization Search and search for the record using the permit number. If unknown, you will need to search using other criteria. If necessary, contact DEP's HelpDesk for assistance at 717.705.3768.

General. This package is designed to assist the applicant in completing the application form identified above. Type or print clearly when completing the form. If information needed is more than space allows, attach additional sheets as necessary. If a question is not applicable to the facility, write N/A in the appropriate box.

Who May Use the Transfer Application? The transfer application form (3800-PM-BCW0041b) may be used by anyone holding a National Pollutant Discharge Elimination System (NPDES) permit (individual or general permit coverage) or a Water Quality Management (WQM) permit who wishes to transfer ownership or operation under the permit to a new permittee or add a co-permittee to the authorization, with the exception of:

- Single residence sewage treatment plants (SRSTPs), which should use a separate application (3800-PM-BCW0016b).
- Chapter 102 (earth disturbance) permits adding a co-permittee, which should use the Co-Permittee Acknowledgement Form for Chapter 102 Permits (3800-FM-BCW0271a).

The application may also be used by industrial stormwater facilities who have received a "No Exposure Certification" issued by DEP.

Both the existing and proposed permittees (or co-permittees) must complete the transfer application.

If the transfer involves a change in the permittee's name only for a facility covered by an individual NPDES permit except for Individual Chapter 102 NPDES permits, the permittee should use the Application for a Permit Amendment form (3800-PM-BCW0027b). For facilities covered by a General NPDES Permit, Individual Chapter 102 NPDES permit or a WQM Permit, this form (3800-PM-BCW0041b) should be used for all transfer actions including name changes, except for SRSTPs.

When Must I Submit a Transfer Application? For transfers of ownership or operation, DEP recommends that the transfer application be submitted at least 30 days in advance of the proposed date of transfer. If the following criteria are met, the transfer is effective automatically on the date of transfer:

- 1) The complete transfer application is submitted at least 30 days in advance of the proposed date of transfer;
- 2) DEP does not notify the existing permittee and the proposed permittee of its intent to modify or revoke and reissue the permit; and
- 3) The proposed permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any non-compliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit).

How Will DEP Review My Transfer Application? For applications meeting the criteria above, DEP will memorialize the transfer by issuing a minor amendment to the permit (generally after the date of transfer) reflecting the name of the new permittee. For applications not meeting these criteria, the permit transfer is not effective until DEP takes an action. In either case, DEP may request additional information to process the application.

If DEP determines that the permit can be transferred, an amended permit will be issued. The amended permit will be mailed to the **new** permittee and a copy of the letter of transmittal will be sent to the **prior** permittee. When transferring **sewage NPDES** permits and **sewage WQM permits with a discharge to groundwater**, the **new** permittee must record the permit with the County Recorder of Deeds under the provisions of the Clean Streams Law.

Transfer applications may be denied where the permitted facilities are in violation of the Clean Streams Law or other environmental statutes or regulations (unless the transfer would help to resolve and correct the violation). Requests may also be denied where the proposed permittee has shown a lack of ability or intention to comply with such laws, regulations, permits and orders (as indicated by past or continuing violations). If DEP determines that the permit cannot be transferred, DEP will return the transfer request and permit documents to the prior permittee with notification that the transfer is denied, stating the reason(s) for the denial and the permittee's rights of appeal. A copy of the notification letter will be sent to the proposed permittee. In such cases DEP's notification letter will explain the steps necessary for the proposed permittee to obtain permit coverage.

What Must I Attach to the Transfer Application? Attach the following to the transfer application:

1. The permit to be transferred (if available);
2. A topographic map identifying the facility and discharge points (outfalls) (if applicable);
3. For Chapter 102 NPDES permits only (i.e., discharges of stormwater associated with construction activities), proof that the permittee has recorded an instrument with the Recorder of Deeds that assures disclosure of post-construction stormwater management (PCSM) best management practices (BMPs) and requirements and responsibilities for long-term operation and maintenance of those BMPs; and
4. Electronic Discharge Monitoring Report (eDMR) system registration documents for the proposed permittee or co-permittee, including the eDMR Registration Form (3800-FM-BCW0424) and Trading Partner Agreement (3800-FM-BCW0425), IF any of the following are true:
 - a. The existing permittee is using the eDMR system; or
 - b. The existing permittee has an individual NPDES permit and the facility can be categorized in one of the following sectors: sewage (except small flow treatment facilities (SFTFs) and SRSTPs), industrial waste (except pesticides), and industrial stormwater; or
 - c. The facility is covered by the PAG-03 or PAG-05 NPDES General Permits.

In addition, if 4.a, 4.b, or 4.c above are true, the proposed permittee must submit a copy of the eDMR Registration Form and Trading Partner Agreement to DEP's Bureau of Clean Water (BCW), which is responsible for activating eDMR accounts. Both the eDMR Registration Form and Trading Partner Agreement can be accessed through DEP's eLibrary site (www.depgreenport.state.pa.us/elibrary, select Forms – Clean Water). Completed forms may be mailed, faxed or emailed to BCW using the information on the registration form. More information on DEP's eDMR system is available at www.dep.pa.gov/edmr.

Where Should I Submit the Transfer Application? Applications for all transfers, except for transfers of Chapter 102 E&S and NPDES permits, must be submitted in duplicate to the appropriate DEP regional office that has jurisdiction over the county where the facilities are located. A listing of DEP's regional offices can be found on DEP's website (www.dep.pa.gov) by selecting "Regional Resources". For Chapter 102 E&S and NPDES permits, applications must be submitted in duplicate to the appropriate DEP office or delegated county conservation district office that issued the permit.

Application Fees. The following table presents the fees due with a transfer application. The amount of the fee depends on the type of facility and type of permit. Where a fee is required, a check payable to "Commonwealth of Pennsylvania" must accompany the application. The check or money order should not be more than 10 days old.

Permit Type ⁽¹⁾	Facility Type ⁽²⁾	Transfer Fee ^{(3),(4)}
Individual NPDES Permit	Small Flow Treatment Facility (Sewage ≤ 2,000 gallons per day, not an SRSTP)	\$100
Individual NPDES Permit	Other Domestic Wastewater (All Sewage Facilities > 2,000 gallons per day)	\$200
Individual NPDES Permit	Industrial Waste (including industrial stormwater and pesticides)	\$500
Individual NPDES Permit	Municipal Separate Storm Sewer System (MS4)	\$500
Individual NPDES Permit	Concentrated Animal Feeding Operation (CAFO)	\$0
General NPDES Permit	All facilities covered by general NPDES permits except SRSTPs and CAFOs, including PAG-03, PAG-04 (SFTFs), PAG-05, PAG-06, PAG-10, PAG-11, PAG-13 and PAG-15	\$50
Water Quality Management (WQM) Permit (Including WQG General Permits)	All facilities covered by WQM permits except SRSTPs	\$100
Joint PFBC/DEP Pesticide Permits (Chapter 91.38 Permit")	All facilities covered by this permit type	\$0
No Exposure Certification	All facilities covered by this authorization type	\$50
Construction Stormwater (Chapter 102)	All Individual Chapter 102 NPDES permits and PAG-01 and PAG-02	\$0
Individual Erosion and Sediment Control Permits	All facilities covered by this permit type	\$0

NOTES

- (1) For a change to the permittee's name only (i.e., not a transfer of ownership or operation), a minor amendment fee of \$200 is required for facilities with individual NPDES permits and DEP's Form No. 3800-PM-BCW0027b should be used. For facilities covered by any other permit type (except SRSTPs), this form should be used for name changes.
- (2) For transfers of all permit types related to SRSTPs, use the transfer application specific to SRSTPs (3800-PM-BCW0016b). The transfer fees for SRSTPs are \$50 for Individual NPDES Permits and \$0 for General NPDES Permits (PAG-04) and WQM/WQG-01 Permits.
- (3) If multiple permits are being transferred, the fee that should be attached to the application is the sum of all individual transfer fees identified in this schedule.
- (4) Transfer fees are not required for federal or state agencies that meet the requirements of 25 Pa. Code § 92a.26(i) (contact DEP for clarification if necessary prior to submission).

APPLICATION – GENERAL INFORMATION

If known, enter Client ID, Site ID, APS ID and Facility ID. These are identification numbers specific to the applicant, facility, and the most recent permit(s) issued to the applicant. If unknown, leave these fields blank.

In the space provided, enter the permit number(s) of the DEP-issued permit(s) in which the applicant is requesting transfer to a new permittee or the addition of co-permittee(s).

Enter the date of the proposed sale or transfer of ownership or operation. For requests to add co-permittee(s), this field may remain blank.

Purpose of Application. Identify the purpose of the application by selecting one of the following boxes: 1) the existing permittee is seeking to transfer the permit(s) to a proposed permittee (“Transfer Permit(s)”) or 2) the existing permittee is requesting that DEP add one or more co-permittees.

eDMR System. Check the appropriate box to specify whether eDMR Registration Materials are attached and have been sent to DEP’s BCW. See the section, “What Must I Attach to the Transfer Application?” above for more information.

Chapter 102 NPDES permittees must attach proof that an instrument has been recorded with the Recorder of Deeds that assures disclosure of post-construction stormwater management (PCSM) best management practices (BMPs) and requirements and responsibilities for long-term operation and maintenance of those BMPs.

APPLICATION – PERMIT / FACILITY CATEGORY

Specify the type of permit(s) and facility the transfer application applies to by checking the appropriate box. Sewage facilities with individual NPDES permits should be checked as either “Small Flow Treatment Facility” (if flow is less than or equal to 2,000 GPD and not serving a single residence) or “Other Domestic Wastewater” (all other sewage facilities where flow > 2,000 GPD). Industrial facilities with stormwater discharges only and pesticide activities that are covered by an individual NPDES permit should select “Industrial Waste”. Facilities covered by an NPDES General Permit should select “NPDES General Permit,” and the appropriate General Permit should be identified (e.g., “PAG-03”). If none of the options are applicable, select the box for “Other” and specify the type of permit in the space provided.

APPLICATION – EXISTING PERMITEE INFORMATION

DEP Client ID#. DEP-wide unique identification number assigned by DEP to the client after client information is entered into DEP’s computer system. This one number identifies the client regardless of the program with which the client is working. When replying to DEP, inclusion of this number will make it easier to process the request in a timely manner. If known, enter the Client ID#. If a new client to DEP, skip to the next request for information.

Client Type/Code. Enter the code that represents the type of client acting as the responsible authority for the permitted activity.

Government		Non-Government		Individual	
AUTH	Authority	ASSOR	Association/Organization	INDIV	Individual
CNTY	County	LLC	Ltd. Liability Company		
FED	Federal Agency	LLP	Ltd. Liability Partnership		
MUNI	Municipality	NPACO	Non-Pennsylvania Corporation		
NONPG	Non-PAG Govt	OTHER	Other (Non-Govt)		
OTHG	Other (Govt)	PACOR	Pennsylvania Corporation		
SCHDI	School District	PARTG	Partnership-General		
STATE	State Agency	PARTL	Partnership-Limited		
		SOLEP	Sole Proprietorship		

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NOTE – If two individuals' names are listed as the clients, the Client Type/Code of “Partnership-General” should be used.

Organization Name or Registered Fictitious Name. Clients other than individuals must provide the name under which they conduct the activity or business for which the permit or other authorization will be issued.

Individuals should complete the “Organization Name” if they conduct their business or activity under a name other than their own (for example, “Jones Construction Company,” rather than “Mary Jones”).

For partnerships, be sure to list the business name of the partnership as it appears on legal partnership papers.

If the applicant is an individual(s) or partnership, be sure to also provide the appropriate information on the individual name lines.

Employer ID#. Also referred to as “Federal Tax ID#.” The Employer ID# (EIN) aids DEP in identifying the organization and prevents duplicate data entry from occurring. This information is required.

Dun & Bradstreet ID#. If known, supply the applicant's Dun & Bradstreet Identification Number. This information is optional.

Individual Last Name, First Name, MI, Suffix, Social Security Number. This information, with the exception of the SSN, must be provided for applicants who are individuals or partnerships. The SSN aids DEP in identifying the individual and prevents duplicate data entry, although it is optional. This information is not accessible by the public or other government agencies.

Additional Individual Last Name, First Name, MI, Suffix, Social Security Number. This information, with the exception of the SSN, must be provided for additional applicants who are individuals or partnerships. The SSN aids DEP in identifying the individual and prevents duplicate data entry, although it is optional. This information is not accessible by the public or other government agencies.

Mailing Address. The mailing address of the client identified above (this should *not* include locational data that is not appropriate for a mail piece). In addition to the street number and name, PO Box#, RR#, Box#, or Highway Contract# designations, use any appropriate designation and number to further define the mailing address of the applicant.

e.g.,	APT	(Apartment)	DEPT	(Department)	RM	(Room)
	BLDG	(Building)	FL	(Floor)	STE	(Suite)

City, State, ZIP+4, Country. Enter an appropriate city, borough or town designation (do not enter a township designation in this area). Do *not* use abbreviations for the city name. Use the two-character abbreviation for the state. Include the four-digit extension to the ZIP code. If other than USA, provide country.

Client Contact Information. Clients that are organizations must provide the name of a person representing the client (organization). This client contact must be an employee of the organization and must be located at the mailing address of the client and may receive correspondence on behalf of the client. Include the individual's name, title, daytime phone number and e-mail address. DEP will use this contact information for maintaining client data. This individual should be a high-level employee such as CEO, VP, Operations Manager, etc. or someone capable of answering informational questions regarding the organization such as EIN, fictitious name ownership, address data, related organizations, corporate changes, etc. Project contact information should be entered in the Site Contact found in the Site Information section.

APPLICATION – SITE INFORMATION

DEP Site ID#. DEP-wide unique identification number assigned to the site after site information is entered into DEP's computer system. This one number identifies the site regardless of the program with which the applicant is working. When replying to DEP, inclusion of this number will make it easier to process the application in a timely manner. Enter the Site ID# if known. If identifying a new site to DEP, skip to the next request for information.

Site Name. The name of the site at the specific physical location. Do not use abbreviations, acronyms, etc.

EPA ID#. If known, supply the EPA ID# for the site (this number is also referred to as a FINDS ID#). This is optional.

Estimated Number of Employees to be Present at Site. To assist with future Pollution Prevention and Compliance Assistance initiatives, please include the estimated number of employees to be present at the site once it is active.

Description of Site. Provide a written description of the proposed site (e.g., water treatment plant, sewage treatment plant, toy factory, etc.).

County, Municipality. Indicate the county(ies) and municipality(ies) in which the site is located. Check the appropriate box to identify the type of municipality entered (city, borough, township).

Site Location. Provide the physical address of the location where the permitted activities will occur. No PO Box Numbers will be accepted for site location information. Provide the City (or Municipality), State, and the ZIP+4, if known.

Detailed Written Directions to Site. When providing written directions, do not use PO Box address data. Include landmarks and approximate distances from the nearest highway.

Site Contact Information. Provide the name of the person having overall responsibility for environmental matters at the site. Include the individual's name, title, firm, mailing address, daytime phone number and e-mail address (optional).

NAICS Codes. Clients applying for an authorization from DEP need to provide the appropriate North American Industry Classification System (NAICS pronounced nākes) code(s) at the Sector level (at a minimum). Enter all NAICS codes that pertain to the activity for which the application is being completed. More than one two- or three-digit NAICS code may be entered in the box provided. Enter the six-digit NAICS code if known. This list of NAICS Sector and Subsector level codes is included in this application package or may be found on DEP's website under "Permit and Authorization Packages."

Site to Client Relationship. Enter the relationship code that best describes how the client is related to the activity or operation at the site for which the permit is being sought.

Code	Type
OWN	Owner
AGENT	Agent for the Owner or Operator
OWNOP	Owner/Operator
LESSE	Lessee

Code	Type
LESOP	Lessee/Operator
CONTR	Contractor for the Owner or Operator
OPR	Operator
OTHER	Other (Explain)

APPLICATION – FACILITY INFORMATION

Facility Name. Provide the name of the facility (which may be the same as the site name).

Topographic Map. Identify the facility and discharge points (outfalls) on a USGS topographical map. Attach a copy of the map with the application.

Facility Latitude/Longitude. Provide the latitude and longitude coordinates at the center of the permitted facility or activity.

Existing Permits. List all NPDES and WQM permits that have been issued for this facility or activity. Provide the permit type, issued permit number, the date issued, and the name of the agency which issued the permit.

Facility Description. Provide a brief description of the permitted facility or activity.

APPLICATION – COMPLIANCE HISTORY (EXISTING PERMITTEE)

Check the appropriate box to indicate if the facility owner or operator is in violation of any DEP regulation, permit, order or schedule of compliance at this or any other facility. If the answer is “No,” no further information is needed in this section. If “Yes,” list each permit, order and schedule and provide compliance status of the permitted facility or operation. If needed, use additional sheets to provide information on ALL permits.

If the owner or operator is not in compliance with any permit requirement or DEP regulations, attach a narrative description of how the owner or operator will achieve compliance with the permit requirement or regulation, including the schedule for achieving compliance with appropriate milestones.

APPLICATION – CERTIFICATION (EXISTING PERMITTEE)

The existing permittee must certify that the information contained in the application is true, accurate and complete. The existing permittee must check the appropriate box to indicate that the permit(s) should be relinquished to the proposed permittee, or the existing permittee agrees to include the proposed permittee as a co-permittee on the permit.

The existing permittee must sign the transfer application by one of the following individuals:

For individually owned operations - the owner of the facility must sign the application.

For a Corporation - by a responsible corporate officer. For purposes of this section, a responsible corporate officer means a principal executive officer of at least the level of vice president or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the application originates.

For a Partnership or Sole Proprietorship - by a general partner or the proprietor, respectively.

For a Municipality - state, federal or other public agency - by either a principal executive officer, ranking elected official or other authorized employee. For purposes of this application, 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 Administrator of EPA).

If signed by a person other than the above, written notification of delegation of signatory authority must be submitted to DEP along with the application.

APPLICATION – PROPOSED PERMITTEE / CO-PERMITTEE INFORMATION

Complete this section for the proposed permittee or co-permittee as described in the **APPLICATION – EXISTING PERMITTEE INFORMATION** section of these instructions, above.

APPLICATION – DISCHARGE INFORMATION

Check the appropriate boxes to indicate whether the quantity (flow or pollutant mass loads) or quality (pollutant concentrations) of any discharge at the facility to surface waters will change following the transfer of the permit(s) or the addition of co-permittee(s). If no changes are expected, check the appropriate boxes in the “No Change” column. If changes are expected, explain the reason(s) in the space provided or attach additional sheets.

NOTE – If changes are proposed, DEP may require the submission of a separate application in order to evaluate the proposal further.

APPLICATION – COMPLIANCE HISTORY (PROPOSED PERMITTEE)

The proposed permittee must certify that the information contained in the application is true, accurate and complete. The proposed permittee must accept the Statement of Liability in the application, whereby the proposed permittee is accepting liability for all prior and future violations, unless a written agreement is attached to the application that specifies a different party will be held liable and includes steps for alleviating any existing non-compliance. If the transfer application has been submitted for a No Exposure Certification, the proposed operator of the industrial facility must agree that the facility will remain eligible for No Exposure Certification (otherwise the transfer application may not be used).

NOTE – Compliance history includes any and all outstanding fees. Permit transfer cannot be completed until all fees, past and present, associated with the permit are brought to zero balance.

The proposed permittee must sign the transfer application as described in the **APPLICATION – COMPLIANCE HISTORY (EXISTING PERMITTEE)** section of these instructions, above.

DOCUMENT REVISION HISTORY

Date	Revision Reason
December 2019	Updated application to allow for use by Chapter 102 NPDES and Erosion and Sediment Control permits.
August 2019	Clarification of requirements for outstanding fees under Compliance History
October 2018	Updated application to include purpose of application and eDMR checkboxes on page 1, revisions to Discharge Information section, and revisions to Certification sections. Added option for transfer application to be used to add co-permittees to a permit.
February 2017	Updated to include submission of copies of the eDMR Registration Form and eDMR Trading Partner Agreement Form as a requirement for existing eDMR users.
November 2016	Updated document number and document number references; Updated website references; Updated topographic map requirements.