

## **Part 2 – Notice of Change (NOC) Instructions and Suggested Format**

### **I. Notice of Change Instructions**

An operator with coverage under the Remediation General Permit (RGP) may provide notification of or request a change to certain conditions of their authorization to discharge without submission of a new NOI. Unless otherwise noted, a requested change does not become effective until an operator receives written approval from EPA. A NOC must be submitted using either the suggested format below or in a form of correspondence containing all of the information required in A through C, below. If using the suggested NOC format electronically, the signature page must be printed, signed and either scanned and attached to the electronic submittal or mailed in hard copy to EPA at the address listed in D, below.

At a minimum, the operator must provide the following information:

#### **A. General site information**

1. NPDES permit number assigned by EPA.
2. Site name and location, including street address.
3. Site **owner's** name, mailing address, telephone number(s), and email address. Indicate an individual that serves as the point of contact. Also indicate whether the owner is a federal, State, Tribal, or private entity.
4. Site **operator's** name, mailing address, telephone number(s), and email address, if different from the site owner's information. Indicate an individual that serves as the point of contact.
5. Discharge identification, such as the outfall number. Include the discharge location (i.e., longitude and latitude), and receiving water(s).

#### **B. Type of change(s) requested**

1. Indicate the type of eligible change being requested or the notification being provided. Change requests and notifications that should be submitted using a NOC consist of:
  - a. Request for reduction in monitoring requirements: Certain monitoring requirements may be reduced upon demonstration of compliance if the eligibility requirements for reduction are met. Written approval by EPA is required for this change to be effective. Prior to receiving written approval, the operator must continue to monitor the parameters required in this general permit at the frequency specified in this general permit. This request requires supporting rationale and monitoring data as follows:
    - i. To be eligible for a reduction in monitoring required for treatment system startup, restart or shutdown due to technical infeasibility, the operator must provide justification for each analyte for which reduction is being requested that must include a proposed monitoring frequency;

- ii. To be eligible for a reduction in **influent** monitoring, the operator must provide monitoring data for a minimum of six (6) consecutive months and ten (10) samples for each analyte for which reduction is being requested;
  - iii. To be eligible for a reduction in **effluent** monitoring, the operator must provide monitoring data for a minimum of six (6) consecutive months and ten (10) samples for each analyte for which reduction is being requested;
  - iv. Monitoring data must be submitted in support of requests for reduction of monitoring frequency. Monitoring data submitted in support of this change request must be in compliance with the monitoring, reporting and QA/QC BMP requirements specified in the RGP and must be attached in accordance with the instructions in Appendix VIII. Rationale must be provided regarding the representativeness of data;
  - v. Any analyte for which a reduction is requested must be in compliance with the effluent limitation for that analyte;
  - v. A description of measures the operator has taken to ensure discharges of the parameters for which a reduction in monitoring frequency is requested be maintained at or below levels measured in the monitoring data provided; and
  - vi. The maximum reduction requested for the monitoring frequency for a parameter believed to be absent or in compliance with an effluent limitation is no less than once per year.
- b. Request for a change in the site-specific effluent flow limitation: A NOC must be submitted if effluent flow increases, a change in flow conditions may decrease the daily maximum effluent flow by more than 25 percent, or an operator believes use of a flow meter is infeasible. Written approval by EPA is required for this change to be effective. Prior to receiving written approval, the operator must continue to limit flow as required in this general permit at the frequency specified in this general permit. Written rationale provided in the NOC for this request must indicate:
- i. The effluent flow will not exceed 1.0 MGD;
  - ii. The design flow of the treatment system will not be exceeded;
  - iii. WQBEL calculations for all other limited parameters that apply to the discharge that are based on flow; and
  - iv. Certification that any revised effluent limitation or monitoring requirement will be complied with.
- c. Request for a change in pH range for sites in New Hampshire: A NOC must be submitted to request a change in pH range due to naturally occurring conditions in the receiving water or where the naturally occurring source water is unaltered by the remediation/dewatering activities. An operator must request and receive approval from NHDES for a change in pH range prior to submitting a NOC to EPA for this change request (see Part 2.4.3.b of the RGP). Supporting documentation from the State must be provided with the NOC. Written approval by EPA is required for this change to be effective.

- d. Request for a change in authorized pollutants or pollutant parameters: A NOC must be submitted when a parameter limited in this general permit that is not included in the site's authorization to discharge is identified. Written approval by EPA is required for this change to be effective. Additional effluent limitations and/or monitoring requirements may apply. **Changes in a pollutant or pollutant parameter not limited in this general permit require a new NOI or an individual NPDES permit.**
- e. Request to discharge chemical(s) and/or additive(s): A NOC must be submitted when an operator intends to discharge a chemical or additive that was not disclosed in the NOI submitted for a site. Written approval by EPA is required for this change to be effective. Monitoring data submitted in support of this change request must be in compliance with the monitoring, reporting and QA/QC BMP requirements specified in the RGP and must be attached in accordance with the instructions in Appendix VIII. Written rationale provided in the NOC for this change request must include:
- i. All information required in Part 2.5.2.g.iii of the RGP; and
  - ii. An explanation as required in Part 2.5.3.b.i through iii of the RGP; or
  - iii. Monitoring data that demonstrates that each of the 126 priority pollutants are non-detect in discharges with the addition of the requested chemicals and/or additives. All data submitted in support of this change request must be in accordance with the instruction in Appendix VIII and must be in compliance with monitoring requirements and QA/QC BMP requirements included in the RGP.
- f. Notification of change to administrative information: This includes, but is not limited to, expected date of initiation of discharge(s), a change in the address for an owner or operator, a change in contact information for an owner or operator, and a transfer of ownership, so long as the operator authorized to discharge under this general permit remains unchanged. A requested transfer of ownership is automatic unless EPA notifies the existing and proposed new owner(s) otherwise. Examples of when EPA is likely to provide such notification is when EPA intends to revoke and reissue coverage under this general permit or intends to issue an individual permit. **For a change in operator, a new NOI is required.** For a transfer in ownership, the owners must submit:
- i. Notice to EPA at least 30 days prior to the transfer date; and
  - ii. A written agreement between the new and existing owners containing a specific date for transfer of permit responsibility, coverage, and liability between them.
- g. Notification of a change in discharge location: Notification may be provided in a NOC for a change in discharge location so long as the receiving water identified in the NOI remains unchanged. Supporting documentation must indicate the new discharge location. A change in discharge location is automatic unless EPA notifies the operator otherwise. **For changes in receiving water, a new NOI is required.**

- h. Notification of a change in activity area: Notification may be provided in a NOC for a change in activity area so long as the receiving water identified in the NOI and the operator named in the authorization to discharge remain unchanged, and any change in treatment or discharge location are either included in the NOC, or are unchanged. Supporting documentation must indicate the new activity area. A change in discharge location is automatic unless EPA notifies the operator otherwise. **For changes in receiving water and/or operator, a new NOI is required.**
  - i. Notification of a change to a treatment system or process: Notification may be provided in a NOC for a change to a treatment system or process that adds or removes any major component. Written rationale provided in the NOC for this notification must indicate:
    - i. The addition or removal is necessary to meet an effluent limitation included in the RGP; and
    - ii. The discharge continues to meet the effluent limitations in the RGP with the addition or removal.
  - j. Notification of a temporary cessation of discharge planned or encountered which will extend greater than 90 days. Written rationale provided in the NOC for this notification must indicate:
    - i. The reason(s) for the interruption or cessation of discharge;
    - ii. When the discharge ceased or will cease;
    - iii. When the discharge will be re-initiated; and
    - iv. An acknowledgment that the additional monitoring required for system re-start will be conducted and routine sampling will be resumed as required by the RGP.
2. Attach a brief narrative statement that describes the reason(s) for the change request. Include any written rationale or supporting documentation for the change, if required, or is otherwise being provided.
  3. Attach monitoring data, when required or is otherwise being provided, following the instructions in Appendix VIII of the RGP.

### C. Certification requirement

1. The NOC must be signed in accordance with the signatory requirements of 40 CFR Section 122.22 and include the following certification statement:

*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.*

## 2. Notification Requirements

All applicants must certify that notification has been provided to the municipality in which the discharge is located. If a private or municipal storm sewer system is used for a site discharge, then an applicant must certify that notification has been provided to the owner of the storm sewer must be notified. Select “NA” for the purposes of certification, if notification to the owner of a storm sewer system is not applicable.

### **D. Submission of NOCs**

1. Submit NOCs to EPA electronically at [NPDES.Generalpermits@epa.gov](mailto:NPDES.Generalpermits@epa.gov), or, where an operator is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes submittal in electronic format, in hard copy form:

U.S. Environmental Protection Agency  
Office of Ecosystem Protection  
EPA/OEP RGP Applications Coordinator  
5 Post Office Square - Suite 100 (OEP06-01)  
Boston, MA 02109-3912

2. Submit NOCs to the appropriate State, if required

To determine if a copy of a NOC submitted to EPA must also be submitted to the appropriate State, and for submittal addresses, see Part 4.6 of the RGP.

## 3. Notification Requirements

All applicants must provide notification to the municipality in which the discharge is located, including a copy of the NOC submitted to EPA, if requested. Applicants must also provide notification to the owner of a private or municipal storm sewer system, if such system is used for a site discharge. Applicants must provide a copy of the NOC submitted to EPA to the owner of such storm sewer system, if requested.

**II. Suggested Format for the Remediation General Permit Notice of Change (NOC)**

**A. General site information**

1. NPDES permit number assigned by EPA:			
2. Name of site:	Site address:		
	Street:		
	City:	State:	Zip:
3. Site owner     Owner is (check one): <input type="checkbox"/> Federal <input type="checkbox"/> State/Tribal <input type="checkbox"/> Private <input type="checkbox"/> Other, if so, describe:	Contact Person:		
	Telephone:	Email:	
	Mailing address:		
	Street:		
	City:	State:	Zip:
4. Site operator, if different than owner	Contact Person:		
	Telephone:	Email:	
	Mailing address:		
	Street:		
	City:	State:	Zip:
5. Discharge identification:	Discharge location:	Receiving water(s):	

**B. Type of change(s) requested**

<b>Requested change (check all that apply):</b>	
<input type="checkbox"/>	1. Request for reduction in monitoring requirements to no less than once per year, based on monitoring data attached in accordance with Appendix IV, Part 2 instructions. Written approval by EPA is required for this change to be effective.
<input type="checkbox"/>	i. Influent monitoring requirement reduction based on monitoring data for six (6) consecutive months and ten (10) samples.
<input type="checkbox"/>	ii. Effluent monitoring requirement reduction based on monitoring data for six (6) consecutive months and ten (10) samples that are in compliance with the RGP effluent limitations, and data and BMP requirements.
<input type="checkbox"/>	2. Request for site-specific effluent flow limitation, which will not exceed 1.0 MGD or the design flow of the treatment system, or site-specific monitoring requirement that eliminates flow meter requirement based on written rationale attached in accordance with Appendix IV, Part 2 instructions. Written approval by EPA is required for this change to be effective.
<input type="checkbox"/>	3. Request for a change in pH range approved by NHDES, based on supporting documentation attached in accordance with Appendix IV, Part 2 instructions. Written approval by EPA is required for this change to be effective.
<input type="checkbox"/>	4. Request for change in authorized pollutants or pollutant parameters, based on monitoring data attached in accordance with Appendix IV, Part 2 instructions. This type of change requires written approval by EPA. Additional effluent limitations and/or monitoring requirements may apply.
<input type="checkbox"/>	5. Request to discharge chemical(s) and/or additive(s) that were not disclosed in the NOI submitted for the site, based on written rationale and/or monitoring data attached in accordance with Appendix IV, Part 2 instructions. Written approval by EPA is required for this change to be effective.
<input type="checkbox"/>	6. Change to administrative information. Supporting documentation is attached in accordance with Appendix IV, Part 2 instructions.
<input type="checkbox"/>	7. Notification of a change in discharge location. The receiving water information submitted with the NOI for the site remains unchanged. Supporting documentation is attached in accordance with Appendix IV, Part 2 instructions.
<input type="checkbox"/>	8. Notification of a change in activity area. The receiving water information submitted with the NOI for the site and the operator named in the authorization to discharge remain unchanged. Any change in treatment or discharge location are also included in the NOC, or are unchanged. Supporting documentation is attached in accordance with Appendix IV, Part 2 instructions.
<input type="checkbox"/>	9. Notification of a change to a treatment system or process that adds or removes any major component. Supporting rationale is attached in accordance with Appendix IV, Part 2 instructions.
<input type="checkbox"/>	10. Notification of a temporary cessation of discharge greater than 90 days. Supporting rationale is attached in accordance with Appendix IV, Part 2 instructions.

**C. Certification requirement**

<i>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.</i>	
Notification provided to the appropriate State, if required, including a copy of this NOC.	Check one: Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>
Notification has been provided to the municipality in which the discharge is located, including a copy of this NOC, if requested.	Check one: Yes <input type="checkbox"/> No <input type="checkbox"/>
Notification has been provided to the owner of a private or municipal storm sewer system, if such system is used for site discharges, including a copy of this NOC, if requested.	Check one: Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>
Signature:	Date:
Print Name and Title:	