



MUNICIPAL NOTIFICATION OF PLANNED LAND DEVELOPMENT FOR CHAPTER 102 PERMITS INSTRUCTIONS

Applicants for erosion and sediment control (E&S) permits and National Pollutant Discharge Elimination System (NPDES) permits under 25 Pa. Code Chapter 102 must submit the Municipal Notification form (and all other necessary plans, reports, and other documents as required by the municipality) to the municipality where a proposed construction activity involving earth disturbance will be located. The Project Information section of the form is to be completed by the applicant, and the Municipal Plan / Ordinance Information section is to be completed by the municipality. Both the applicant and a representative of the municipality must complete and sign where indicated in the Certification section of the form. Applicants should submit this form to DEP with the appropriate Chapter 102 Notice of Intent (NOI) or permit application. This form is intended to satisfy municipal notification requirements of Acts 14, 67, 68 and 127. If a project will occur in multiple municipalities, one form should be completed for each municipality. If a municipality does not return this notification to the applicant, the applicant is required to provide proof of receipt of the notification to the municipality with the NOI or permit application.

Project Information – This section must be completed by applicants.

- Identify the applicant name, address, city, state, ZIP code, contact name and contact phone number as reported on the Chapter 102 NOI or permit application.
- Report the municipality and county where the construction activity will be located.
- Provide a description of the proposed land development project and stormwater control measures. Attach a separate sheet as necessary.
- List all Tax Parcel ID numbers that are affected by the proposed land development.
- List the total area of the project and the area of proposed earth disturbance (“Disturbed”), in acres. If the project will be completed in phases, check the box for “Phased” next to “Project Area”, regardless if the land development plans at the time this form is prepared reflect full buildout plans or not.
- Specify the name(s) of the surface waters that will receive stormwater discharges associated with construction activities from the project site, or otherwise the name(s) of surface waters closest to the earth disturbance. If stormwater discharges will be to a municipal separate storm sewer system (MS4), other storm sewer (Other SS) or a combined sewer system (CSS), check the appropriate box and the name(s) of surface waters may remain blank.
- Check the appropriate box(es) to indicate the information that was submitted to the county for the project (Land Development / Subdivision Plan, E&S Plan, Post-Construction Stormwater Management (PCSM) Plan, or other).

Municipal Plan / Ordinance Information – This section must be completed by the municipality.

- Check the appropriate boxes for the following questions:
 1. Is there an adopted municipal or multi-municipal comprehensive plan? Select Yes or No.
NOTE – This information is requested to determine whether Acts 67, 68 and 127 apply to a project.
 2. Is there an enacted municipal or multi-municipal zoning ordinance? Select Yes or No.
 3. If Yes to #2, is the proposed project consistent with the ordinance? Select Yes or No.

NOTE – A selection of No for #3 does not automatically mean that DEP will deny the NOI or permit application; DEP’s action will depend on factors described in its guidance, *Policy for Consideration of Local*

Comprehensive Plans and Zoning Ordinances in DEP Review of Authorizations for Facilities and Infrastructure (012-0200-001).

4. Is there a municipal stormwater management ordinance? Select Yes or No.
5. If Yes to #4, is the proposed project consistent with the ordinance, without waiver? Select Yes or No if #4 is Yes, otherwise leave blank. If a waiver from the need to meet a requirement or specification in an ordinance has been granted or approve, select No.
6. If Yes to #4, indicate type of ordinance; check the box for "Act 167 Model Ordinance" if the municipality has enacted an ordinance from a county Act 167 plan; check the box for "DEP Model Ordinance (MS4s)" if DEP's MS4 Model Ordinance has been enacted; or check the box for "Other" if a different ordinance includes stormwater management provisions.

Certification

- The Certification section of the form should be completed and signed by the applicant and municipality, as follows:
 - Applicant: For individually owned operations, the owner of the facility must complete and sign the Certification section. For a corporation, a responsible corporate officer must complete and sign. 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 proposed construction activity. For a partnership or sole proprietorship, a general partner or the proprietor, respectively, must complete and sign. For a municipality, state, federal or other public agency, either a principal executive officer, ranking elected official or other authorized employee must complete and sign.
 - Municipality: Either an elected municipal official, municipal manager or the municipal employee that completed the form should complete and sign the Certification section.

NOTE – Please be advised that 25 Pa. Code § 102.43 prohibits a municipality or county from issuing a building permit or other permit or approval to those proposing or conducting earth disturbance activities requiring a DEP permit until DEP or a CCD has issued the required permit.