



SC DEPARTMENT of
**ENVIRONMENTAL
SERVICES**

FORM A
PRIMARY PERMITTEE TRANSFER OF OWNERSHIP
(New Owner/Operator Notifications)
Under South Carolina
NPDES Construction Stormwater General Permit SCR100000

Section 2.4.3 of the Construction General Permit (CGP) requires that New Owner/Operators of prior approved Ongoing Projects notify the Department in writing within fourteen (14) calendar days of the change in ownership. Lending or other institutions taking operational control of a prior approved construction site (due to foreclosure, bankruptcy, abandonment, etc.) must also contact the Department within fourteen (14) business days of taking title to the property. Transfer of Ownership Notifications and information defining the stabilization and construction activity status of the site must also be provided as defined in Section 2.4.3 of the Construction General Permit (CGP).

A new NOI must be submitted and NPDES coverage granted by the Department prior to any new Owner/Operator performing any construction activities at the site. Transferred sites must also be properly stabilized prior to issuance of new coverage. Sites that are properly stabilized are not required to submit a new NOI immediately and may submit this form as initial notification to the Department. New Owner/Operators must agree to comply or not comply with an existing SWPPP and must initial the appropriate SWPPP Acceptance and Compliance Statement in Section E. *If your site is properly stabilized, and you are simply making a notification, a pdf of this form may be submitted electronically to the Department, or, the original signed document may be mailed as defined in the instructions to this form. To apply for new coverage under this permit, attach a completed copy of this form to the new C-SWPPP and NOI.* **NPDES coverage fee of \$125 is required when the NOI application is submitted for NPDES coverage. No fee is required for Transfer of Ownership Notifications.**

Date: _____ County: _____

A. ☐ NOTIFICATION ONLY ☐ NPDES COVERAGE

1. Project/Site Name (As Approved by the Department): _____
2. NPDES Coverage No. or State Permit (File Tracking) No: _____
3. Larger Common Plan (LCP) Name: (If Applicable, As Approved by the Department): _____
4. If Applicable: MS4 Reviewer: _____ MS4 Operator: _____

B. Current Primary Permittee (Owner/Operator) Information

1. Current Primary Permittee (Owner/Operator) Name: _____
Company Name (As Applicable): _____ EIN: _____ - _____
Mailing Address: _____ Email Address: _____
2. Property Owner Name: _____
Company Name (As Applicable): _____ EIN: _____ - _____
Mailing Address: _____ Email Address: _____

C. New Primary Permittee (Owner/Operator) Information

<input type="checkbox"/> Person <input type="checkbox"/> Company	If a Company, are you a <input type="checkbox"/> Lending Institution or <input type="checkbox"/> Government Entity? Company EIN (If applicable): EIN: _____ - _____
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1. **Primary Permittee Name:** _____
Mailing Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____ Email Address: _____
2. **Contact /ODSA Name** (If different from above OR if owner is a company): _____
Mailing Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____ Email Address: _____

D. Transfer of Ownership Information

1. Title Date or Effective Date of Transfer of Ownership to New Owner: _____
2. **Lending/ Government Institution/Other Entity Only** (Select the appropriate option of intent below):
☐ Purchasing this project/site WITH THE INTENT FOR RESALE ONLY (without operational control of site development)
☐ Purchasing this project/site WITH THE INTENT OF CONTINUING CONSTRUCTION ACTIVITIES (for site development)
(Provide a summary of planned proceedings below. Attach additional sheets if necessary).

3. Any Active Warning or Compliance Notice issued by the Department for the current approved project or site? ☐ Yes ☐ No
If yes, Date Issued: _____
4. Select As applicable: ☐ Entire Permit or Site being transferred to the New Owner/Operator, or
☐ A Portion of the Entire Permit or Site being transferred to the New Owner/Operator?
5. Complete both tables A and B below for each site or portion of the site being transferred.

Table A: Site Transfer Information & Status (Attach additional sheets as necessary)

a. Site Name(s) or Portion of Site Being Transferred Name	b. Total Number of Acres Being Transferred (Nearest tenth of an acre)	c. Current Total Number of Disturbed Acres (Nearest tenth of an acre)	d. Identify if Site(s) or Lot(s) are Currently Abandoned or Subject to Pending Foreclosure or Bankruptcy Proceedings?
			<input type="checkbox"/> Abandoned <input type="checkbox"/> Foreclosure <input type="checkbox"/> Bankruptcy <input type="checkbox"/> N/A
	Total: _____	Total: _____	

Table B: Project/Site Stabilization & Construction Activity Status

If the site under the control of the new Owner is inactive and all areas disturbed have not reached stabilization, the new Owner must obtain permit coverage and provide stabilization as defined in this permit.

a. Site Name(s) or Portion of Site Being Transferred Name	b. Is your Site(s) Currently: Active or Inactive or Under Delayed Commencement of Construction Activities?	c. If <u>Inactive or Under Delayed Commencement of Construction Activities</u>	
		Is the Transferred Site or Transferred Portion Currently Stabilized? (If No, provide stabilization completion date below)	Identify Proposed Date for Commencement of Construction Activities?
	<input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Under Delayed Commencement	<input type="checkbox"/> Yes <input type="checkbox"/> No If No, date for completion: _____	
	<input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Under Delayed Commencement	<input type="checkbox"/> Yes <input type="checkbox"/> No If No, date for completion: _____	

E. Signatures & Certifications (Read the Certification statements below (in entirety). Initial the applicable C-SWPPP Compliance Statement below. Sign and date the certification agreement. Initial the applicable C-SWPPP Compliance Certification Statement. **DO NOT SIGN IN BLACK INK!**

Current Owner/Operator Certification

If the signature of the current Owner/Operator cannot be obtained, please check this box: ☐ Provide explanation in the project Narrative.

"As the Current Owner/Operator for this project, I hereby certify that the site or portion of the site described above is covered under the Construction General Permit which has now transferred ownership/responsibility as indicated above. The new owner or operator, has been made aware of the importance of site stabilization in an effort to control pollutant runoff and/or sedimentation. I hereby relinquish the responsibility and ownership of the NPDES Permit or portion of the NPDES permit listed in Section A. I realize that sediment and erosion control compliance responsibilities for the site or portions of the site listed in Section D now belong solely to the new Owner/Operator

Signature of Current Owner/Operator or Duly Authorized Representative _____

Date Signed _____

New Owner/Operator Certifications/Compliance Statement

"As the New Owner/ Operator for this project, I certify that I or, I on behalf of my company and its contractors and agents, as the case may be, am responsible (per this transfer of ownership) for all of the land-disturbing activities, stormwater discharges, and related maintenance thereof for this construction project or construction site.

(Initial the applicable C-SWPPP Compliance statement below)

_____ "I agree to comply with the existing Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) and will follow (construct in accordance to) the previous approved C-SWPP, including Grading & Drainage Provisions and Best Management Practices (BMPs) as identified in the previous NPDES approval."

OR

_____ "I will provide a new Notice of Intent (NOI) and new Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) and will follow (construct in accordance to) the new approved C-SWPP, including Grading & Drainage Provisions, and Best Management Practices (BMPs) as identified in the new C-SWPPP approved by the Department."

"As the New Owner, I also hereby certify that I or I (on behalf of my company and its contractors and agents), as the case may be, am responsible for installing and maintaining the appropriate sediment and erosion control measures to provide continued stabilization for the project or site identified in Section A. I understand that stabilization measures shall be implemented as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than fourteen (14) calendar days after work has ceased, except where stabilization by the 14th day is precluded by snow cover or frozen ground. Where construction activity on a portion of the Site is temporarily ceased, and earth-disturbing activities will be resumed within 14 calendar days, temporary stabilization measures do not have to be initiated on that portion of the Site. I further certify that I also understand that SCDES is authorized to inspect the transferred site pursuant to regulations and standards identified in the NPDES General Permit for Stormwater Discharges from Construction Activities (CGP). " Having understood the above information, I am signing this agreement as the New Owner of the aforementioned property covered under the NPDES general permit."

Signature of New Owner/Operator or Duly Authorized Representative _____

Date Signed _____

Instructions for Completing the Transfer of Ownership form

If you are uncertain whether you need to obtain coverage under the NPDES General Permit for Stormwater Discharges From Construction Activities SCR100000 (CGP), if you cannot access the websites listed in these instructions, or if you have any other questions, contact the Bureau of Water Stormwater Permitting Section (**BOW**) at (803) 898-4300. Please see the Bureau of Water, Stormwater Permitting website (des.sc.gov/stormwater) for guidance and additional information.

This Transfer of Ownership form must be completed by a new Property Owner taking title to or ownership of a previously approved NPDES construction site as the new Primary Permittee. This form must be submitted to the Department or respective Municipal Separate Storm Sewer System (MS4) as notification of changes in ownership. **If your project is located within a Municipal Separate Storm Sewer System (MS4), you must contact the applicable MS4 to determine their requirements and fees for ownership transfers. NO FEE IS REQUIRED FOR SUBMITTING A TRANSFER OF OWNERSHIP NOTIFICATION TO THE DEPARTMENT. A \$125 NPDES COVERAGE FEE IS REQUIRED WHEN THE NOI IS SUBMITTED FOR NPDES COVERAGE OF A NEW OWNER/OPERATOR AS THE PRIMARY PERMITTEE.**

When Do I Need to Complete This Form?

The CGP requires that the Department receive notification within fourteen (14) calendar days of a new Owner taking title to the property or within 14 business days of a Lending or other type institution taking over operational control of a construction site due to abandonment, foreclosure proceedings, or permittee filing for bankruptcy. **If your project or site is being transferred to a new Owner/Operator as the Primary Permittee, you must complete this form and/or the Notice of Intent as defined in Section 2 of the CGP** to make such notifications. This Transfer of Ownership form also identifies the current construction activity status for the property or site being transferred (i.e., active, inactive, under delayed recommencement of construction activity, temporarily stabilized, permanently stabilized, etc.).

What Are the New Owners Responsibilities?

All new Property Owners and lending and other types of institutions taking ownership of a prior approved NPDES construction site become responsible for stormwater discharges from the property. New Owners must ensure that if construction activities have temporarily or permanently ceased, *all disturbed areas are properly stabilized as soon as practicable and within fourteen (14) calendar days of taking title to a property.* New Owners of sites not properly stabilized may be issued a compliance agreement.

Some institutions, such as lending institutions, taking over a construction site, may do so with only the intent for property resale, therefore may not intend to obtain NPDES coverage as a Primary Permittee with the intent to complete construction activities at a site. In such cases, commencement or recommencement of construction activities may be delayed for longer unplanned periods of time. Institutions taking ownership of such sites must ensure that they are properly stabilized to minimize the potential for erosion. **Each new Owner and subsequent owner must provide notification to the Department or respective MS4 within fourteen (14) calendar days of taking ownership. Each new Owner completing this form becomes responsible for stabilization of the site and stormwater discharges from the site until NPDES coverage is granted to a subsequent Owner/Operator as Primary Permittee for the site.**

Prior to initiating construction activity at the site as the new Owner/Operator, a new Notice of Intent (NOI) and a SWPPP Compliance Agreement or, if applicable, a new or modified SWPPP must be submitted to and approved by the Department. ***The NOI must be submitted at a later date if the site is properly stabilized. If your site is INACTIVE & NOT stabilized or properly stabilized, a complete NOI and this form must be submitted to the Department as defined in the CGP.***

Completing the Form

Complete the entire form. Abbreviate if necessary to stay within the space allowed for each item. Submit a completed form to the applicable SCDES office at

Coastal Counties	Non-Coastal Counties
Coastal Stormwater Section 1362 McMillan Avenue Suite 400 Charleston, SC 29405	Stormwater Permitting Section, 2600 Bull Street, Columbia, SC 29201-1708

or the appropriate MS4 or local entity responsible for plan reviews. Provide the date and county and identify if this form is submitted as a Notification ONLY or for new NPDES coverage. If submitted as notification, complete the entire form. Complete sections B, D, and E if submitted with a NOI for NPDES coverage.

Section A – Project/Site Information

Provide the name of the approved project or site, as approved by the Department on the previous approved NOI. Provide the NPDES or State Permit (File Tracking) number. If part of a Larger Common Plan (LCP), identify the LCP name. If this project is in a MS4 area, identify the entity designated as the MS4 Reviewer and Operator (i.e., Lexington County, City of Greer, etc.).

Section B – Current Primary Permittee (Owner/Operator) Information

List the complete legal name of the current Owner/Operator and Property Owner, as applicable. If a company, provide the company name and requested information. Provide complete mail and e-mail information.

Section C – New Primary Permittee (Owner/Operator) Information

List the complete legal name of the new Owner/Operator. If a person, provide the name. If a company, identify if you are a Lending Institution or Government Entity. , Provide the company name and the Employer Identification Number (EIN) as established by the U.S. Internal Revenue Service. Provide the complete mailing address, telephone number, fax and e-mail address. Provide the Contact (ODSA) information.

Section D – Transfer of Ownership Information

Complete this entire section. Complete all tables and information requested to identify the stabilization status and plans for continued construction activities for the site or portions(s) of the site being transferred. Attach additional sheets as necessary.

Section E – Signatures & Certifications

Read the certification statements (in entirety). Provide your signature and the date and initial the applicable Compliance Statement. **DO NOT SIGN IN BLACK INK.** If the signature of the current Owner/Operator cannot be obtained, please check the box provided in this section.