



CO-PERMITTEE ACKNOWLEDGEMENT FORM FOR CHAPTER 102 PERMITS INSTRUCTIONS

In accordance with 25 Pa. Code § 102.5(h), operators who are not the permittee shall be co-permittees. An operator is a person who has oversight responsibility of earth disturbance activities on a project site or a portion thereof who has the ability to make modifications to the Erosion and Sediment Control Plan (E&S Plan), the Post-Construction Stormwater Management Plan (PCSM Plan) or site specifications and/or has day-to-day operational control over earth disturbance activities to ensure compliance with the E&S or PCSM Plans.

For example, if a gas station/convenience store company submits a Chapter 102 permit application, Notice of Intent (NOI) or registration identifying itself as the applicant and permit coverage is approved, the gas station/convenience store company then becomes the permittee. If the gas station/convenience store company hires a general contractor to oversee the site construction, the general contractor becomes an operator. The general contractor may then hire an excavating company to handle the bulk earth disturbance, who also becomes an operator. However, if the general contractor hires an electrical contractor to install the underground electric lines, the electrical contractor would not become an operator.

Every time an operator is selected for a project with Chapter 102 permit coverage, the permittee(s) and the operators must complete and sign the Co-Permittee Acknowledgement form when required by the permit. The completed form must be retained by the permittee and co-permittee for a period of time specified in the permit, and must be sent to the office of the Department of Environmental Protection or the delegated county conservation district (DEP/CCD) that approved permit coverage. If an operator completes their job responsibilities, the operator may elect to terminate its responsibilities under the permit, prior to submission of a Notice of Termination (NOT) by the permittee, by completing and signing a Co-Permittee Liability Release form ([3800-FM-BCW0271](#)). This form must also be signed and retained by the permittee and must be sent to DEP/CCD.

Permittee / Project Information – **This section must be completed by permittee(s).** For a permit held by multiple individuals or entities (i.e., co-applicants on the original NOI or application that become co-permittees), each individual or entity must complete this section (use separate sheets).

- Identify the permittee name, address, city, state, ZIP code, contact name and contact phone number as reported on the Chapter 102 NOI or permit application, or as identified on an applicable transfer form.
- Report the municipality(ies) and county(ies) where the construction activity is located.
- Identify the name of the project, as reported on the Chapter 102 application.
- Specify the type of permit coverage the permittee has by checking the appropriate box for PAG-01, PAG-02, IP (individual NPDES permit), ESCGP (erosion and sediment control general permit) or E&S (erosion and sediment control permit). Identify the permit number assigned by the issuing agency; for PAG-01 coverage, identify the permit number if known.
- Report the date of permit issuance and the date construction commenced.

Co-Permittee Information – **This section must be completed by the individual or entity that will be added as a co-permittee.**

- Identify the co-permittee name, address, city, state, ZIP code, contact name and contact phone number.
- Identify the co-permittee's role in the construction project by selecting the appropriate box.
- Report the date on which this role will commence.
- Describe the co-permittee's responsibilities for the project.

Certification

The Certification section of the form must be completed and signed by the permittee(s) and the individual or entity that is seeking to be added as a co-permittee as follows:

- 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.

The Certification statement includes one section specific to permittees only, one section specific to co-permittees only, and one section that applies to both permittees and co-permittees.

For a permit that is held by multiple individuals or entities, provide multiple copies of this section as necessary. Each permittee must sign the certification section.