

TERTIARY PERMITTEES - *Current owners of lots within an existing Common Development without a designated Primary Permittee and the current owners intend to initiate construction activities –*

OPTION (1) – the owner may submit a **Notice of Intent – Initial Notification** for **each individual lot** (including individual lots with land disturbances less than one acre) as a Tertiary Permittee at least 14 days prior to commencement of construction activities for coverage and compliance under the current NPDES General Permit No. GAR100003.

A **new Erosion, Sedimentation and Pollution Control Plan** for **each individual lot** must then be prepared and submitted in compliance with the special conditions in Part III and in accordance with Part IV of the current NPDES General Permit No. GAR100003.

The Primary Permittee is solely responsible for the payment of NPDES General Permit fees for all planned land disturbing activities, including land disturbing activities within a Common Development planned by a Secondary Permittees and/or Tertiary Permittees. **Tertiary Permittees are not responsible for paying NPDES General Permit fees.**

For each Notice of Intent submitted, Tertiary Permittees must submit a **Notice of Termination** in compliance with Part VI of the current NPDES General Permit No. GAR100003.

For example, a builder/developer purchases 20 individual lots within a Common Development without a designated Primary Permittee – the builder/developer may submit a NOI as a Tertiary Permittee for each individual lot with a Plan for each individual lot (i.e., 20 Notices of Intent, 20 Plans and 20 Notices of Termination).

OPTION (2) – if the total land disturbance within the owner’s construction site is **less than five acres and the total land disturbance within each individual lot is less than one acre**, the owner may submit a **single** Notice of Intent – **Initial Notification** for the entire construction site as a Tertiary Permittee, Tertiary Permittee must submit the Notice of Intent – **Initial Notification** at least 14 days prior to commencement of construction activities for coverage and compliance under the current NPDES General Permit No. GAR100003.

A **new Erosion, Sedimentation and Pollution Control Plan(s)** for a “**typical**” **individual lot(s)** must then be prepared and submitted in compliance with the special conditions in Part III and in accordance with Part IV of the current NPDES General Permit No. GAR100003. Thus, an Erosion, Sedimentation and Pollution Control plan for the entire construction site is not required.

Tertiary Permittees are not responsible for paying NPDES General Permit fees. The Primary Permittee is solely responsible for the payment of NPDES General Permit fees for all planned land disturbing activities, including land disturbing activities within a Common Development planned by a Secondary Permittees and/or Tertiary Permittees.

If the total land disturbance that is ***less than five acres and the total land disturbance within each individual lot is less than one acre with a Plan(s) for a “typical” individual lot(s)***, the Tertiary Permittee may submit a **Notice of Termination** for **each individual lot** within the construction site.

For example, a builder/developer purchases 20 individual lots within a Common Development without a designated Primary Permittee and ***total land disturbance is less than five acres and the total land disturbance within each individual lot is less than one acre*** – the builder/developer may submit a **single** NOI as a Tertiary Permittee for all 20 lots with a Plan(s) for a typical individual lot(s) (i.e., one Notice of Intent, Plan(s) for typical individual lot(s) and multiple Notices of Termination for individual lots).

OPTION (3) – the owner may submit a **single** Notice of Intent – Initial Notification for the entire construction site as either a **Tertiary Permittee** or a **Primary Permittee of a Common Development** (if the total land disturbance is equal to or greater than one acre) at least 14 days prior to commencement of construction activities for coverage and compliance under the current NPDES General Permit No. GAR100003.

A **new Erosion, Sedimentation and Pollution Control Plan** for **entire construction site** must then be prepared and submitted in compliance with the special conditions in Part III and in accordance with Part IV of the current NPDES General Permit No. GAR100003. The Primary Permittee must provide a copy of the Plan or applicable portions of the Plan to the **Secondary Permittees** conducting any construction activities. Secondary Permittees are allowable only when there is a designated Primary Permittee of a Common Development.

Tertiary Permittees are not responsible for paying NPDES General Permit fees. The **Primary Permittee of a Common Development** is solely responsible for the payment of NPDES General Permit fees for all planned land disturbing activities, including land disturbing activities within a Common Development planned by a Secondary Permittees.

The permittee must submit a **Notice of Termination** in compliance with Part VI of the current NPDES General Permit No. GAR100003.

For example, a builder/developer purchases 20 individual lots within a Common Development without a designated Primary Permittee – the builder/developer may submit a **single** NOI as a Tertiary Permittee for all 20 lots with a Plan for the entire construction site (i.e., one Notice of Intent, one Plan for the entire construction site and one Notice of Termination) or the builder/developer may submit a **single** NOI as a Primary Permittee for all 20 lots with a Plan for the entire construction site (i.e., one Notice of Intent, one Plan for the entire construction site, NPDES General Permit fees and one Notice of Termination).