

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY  
Agricultural Environmental Management Services Division**

**NOTICE OF TERMINATION (NOT) FOR PERMIT AUTHORIZATION TO DISCHARGE STORM WATER ASSOCIATED  
WITH AGRICULTURAL CONSTRUCTION ACTIVITIES**

Submission of this Notice of Termination constitutes notice that the party identified in Section I of this form is no longer authorized to discharge storm water associated with construction activities under the Agricultural Pollutant Discharge Elimination System (AgPDES) program.

**All requested information must be provided on this form. See instructions.**

**Electronic Submission Waiver (skip if submitting through ODAFF's eNOI system)**

I hereby acknowledge my waiver request from the use of ODAFF's electronic Notice of Intent system (eNOI) because my use of eNOI will incur undue burden or expense over my use of this paper NOT form, or if eNOI is otherwise unavailable.

Briefly describe the reason why use of the electronic system causes undue burden or expense.

**SECTION I. PERMIT INFORMATION**

AgPDES Construction Storm Water Permit Authorization Number: OKR14\_\_\_\_\_

Reason for termination (check one box only)

- You have completed earth-disturbing activities at your site and you have met all requirements in Permit Part 8.2.1.
- Another operator has assumed control over all areas of the site and that operator has submitted an NOI and obtained coverage under the Construction General Permit.
- You have obtained coverage under an individual permit or another general NPDES permit addressing storm water discharged from the construction site.

**SECTION II. OPERATOR INFORMATION**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**SECTION III. PROJECT/FACILITY/SITE LOCATION**

Project/Facility/Site Name: \_\_\_\_\_

Project/Facility/Site Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Zip: \_\_\_\_\_

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

County: \_\_\_\_\_

Legal Description:  
\_\_\_\_\_

\*Please submit photos of established vegetation after completion of construction activities.

**SECTION IV. CERTIFICATION**

*I certify under penalty of law that all storm water discharges associated with construction activity from the identified facility/site that were authorized by a general permit have been eliminated or that I am no longer the operator of the facility/site. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge storm water associated with construction activity under this general permit, and that discharging pollutants in storm water associated with construction activity to waters of the State is unlawful under the Clean Water Act and OAC 35:44-1-2 and 35:44-1-1(c)(10) where the discharge is not authorized by an AgPDES permit. I also understand that the submittal of this Notice of Termination does not release me as an operator from liability for any violations of this permit or the Clean Water Act.*

Name (print): \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## INSTRUCTIONS FOR COMPLETING FORM AEMS094

### Who May File an NOT Form

Permittees who are presently covered under the Construction General Permit (CGP) for Storm Water Discharges Associated with Construction Activity may submit an NOT form when:

- (1) earth-disturbing activities at the site are completed and the conditions in Permit Part 8.2.1 are met; or
- (2) the permittee has transferred all areas under its control to another operator, and that operator has submitted and obtained coverage under this permit; or
- (3) the permittee has obtained coverage under a different NPDES permit for the same discharges.

### Completing the Form

Type or print, using uppercase letters, in the appropriate areas only. If you have any questions about this form, telephone ODAFF, AEMS Division at 405-522-5495 or 405-522-5493.

### Section I. Permit Information

Enter the existing AgPDES Storm Water General Permit Authorization Number assigned to the facility or site. If you do not know the permit authorization number, refer to the permit authorization issuance letter from ODAFF-AEMS Division authorizing discharges under this permit or contact ODAFF-AEMS Division at 405-522-5493.

Indicate your reason for submitting this Notice of Termination by checking the appropriate box. Check only one (1) of the three (3) available choices provided in this section. Requirements in Permit Part 8.2.1 mentioned in the first choice are shown below.

#### Part 8.2.1 Requirements

8.2.1.1 For any areas that (1) were disturbed during construction, (2) are not covered over by permanent structures, and (3) over which you had control during the construction activities, you have met the requirements for final vegetative or non-vegetative stabilization.

8.2.1.2 You have removed and properly disposed of all construction materials, waste and waste handling devices, and have removed all equipment and vehicles that were used during construction, unless intended for long-term use following your termination of permit coverage.

8.2.1.3 You have removed all storm water controls that were installed and maintained during construction, except those that are intended for long-term use following your termination of permit coverage or those that are biodegradable.

8.2.1.4 You have removed all potential pollutants and pollutant-generating activities associated with construction, unless needed for long-term use following your termination of permit coverage.

### Section II. Operator Information

Provide the legal name of the person, firm, public organization, or any other entity that operates the project described in this application and is covered by the permit authorization number identified in Section I. Enter the complete mailing address, telephone number, and email address of the operator.

### Section III. Project/Facility/Site Location

Enter the official or legal name and complete physical address, including city, state, zip code, and county. If the project or site lacks a street address, indicate the general location of the site (e.g. Intersection of State Highways 61 and 34). Provide the GPS coordinates of the site. Complete site information must be provided for termination of permit coverage to be valid.

### Section IV. Certification

The NOT must be signed as follows:

- For a corporation: By a responsible corporate officer. A responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- For a partnership or sole proprietorship: By a general partner or the proprietor, respectively.
- For a municipality, state, federal, or other public facility: By either a principal executive officer or ranking elected official.

Include the name and title of the person signing the form and the signing date. An unsigned or undated NOT will not be considered valid termination of permit coverage.

### Where to File NOT

If submitting the NOT prior to December 21, 2020, the CAFO operator must prepare and submit the NOT using this paper NOT form. If submitting the NOT on or after December 21, 2020, the operator must prepare and submit the NOT using ODAFF's electronic Notice of Intent System (eNOI) on ODAFF's website (<http://www.ag.ok.gov/aems/agpdes.htm>) unless eNOI is otherwise unavailable or the operator has obtained a waiver from the requirements to use eNOI for submission of the NOT. Operators waived from the requirement to use eNOI for NOT submission must certify on the paper NOT submitted to ODAFF that use of eNOI will incur undue burden or expense compared to using the paper NOT form and then provide a basis for this determination. Please submit paper NOTs to the following address:

ODAFF - AEMS Division  
P.O. Box 528804  
Oklahoma City, OK 73152