

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY
GENERAL VPDES PERMIT FOR DISCHARGES OF
STORMWATER FROM CONSTRUCTION ACTIVITIES (VAR10)
NOTICE OF TERMINATION 2024**

Permit Coverage Number (VAR10#####): _____

Section I. Operator/Permittee Information. The person or entity that has active permit coverage approval and operational control over construction activities to ensure compliance with the general permit. A person with signatory authority for this operator must sign the certification in Section VII (per Part III K of the VAR10 Permit).

Construction Activity Operator Name: _____

Contact Person: _____

Address: _____

City, State, Zip Code: _____

Phone Number: _____

Primary Email: _____

Section II. Construction Activity Location Information. Project site information.

Construction Activity Name: _____

Address: _____

City and/or County and Zip Code: _____

Latitude and Longitude (6-digit, decimal degrees format): _____

Section III. Requirements for Termination of general permit coverage. The operator of the construction activity shall submit a complete and accurate notice of termination, unless a registration statement was not required to be submitted in accordance with 9VAC25-880-50 A 1 c or A 2 b for a stormwater discharge associated with a small construction activity of a single family detached residential structure, within or outside of a common plan of development or sale, to the VESMP authority after one or more of the following conditions have been met:

- Necessary permanent control measures included in the SWPPP for the construction site are in place and functioning effectively **and** final stabilization has been achieved on all portions of the construction site for which the operator has operational control. When applicable, long-term responsibility and maintenance requirements for permanent control measures shall be recorded in the local land records prior to the submission of a complete and accurate notice of termination, and the construction record drawing prepared.
- Another operator has assumed control over all areas of the construction site that have not been finally stabilized and obtained coverage for the ongoing discharge.
- Coverage under an alternative VPDES permit or other applicable permit has been obtained.
- For individual lots in residential construction only, final stabilization as defined in 9VAC25-880-1 has been completed, including providing written notification to the homeowner and incorporating a copy of the notification and signed certification statement into the SWPPP, and the residence has been transferred to the homeowner.

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Section IV. Participation in a Regional Stormwater Management Plan. If your site discharges to a regional stormwater management facility, provide information related to the regional stormwater management plan. Attach a separate list if discharging to multiple regional facilities.

Regional Stormwater Management Facility Type: _____

Address: _____

City, State, Zip Code: _____

Latitude and Longitude (6-digit, decimal degrees format): _____

Total Site Acres Treated by Regional Facility (report to one-hundredth of an acre): _____

Impervious Site Acres Treated by Regional Facility (report to one-hundredth of an acre): _____

Section V. Perpetual Nutrient Credits. If your site is utilizing nutrient credits, provide information related to the perpetual nutrient credits that were acquired in accordance with § 62.1-44.15:35 of the Code of Virginia. Attach a separate list if needed.

Nonpoint Nutrient Credit Generating Entity (Bank Name): _____

Perpetual Nutrient Credits Acquired (pounds/ acres/year): _____

*An affidavit of sale is required for all nutrient credits acquired.

Section VI. Permanent Control Measures. If applicable, list the permanent stormwater management facilities or best management practices (BMPs) that were constructed and installed as part of this activity to comply with the stormwater management water quality and water quantity technical criteria (structural and nonstructural, on-site and off-site). Attach a separate list if needed.

Was a permanent control measure constructed and installed to comply with the stormwater management water quality and water quantity technical criteria? YES NO

If you have permanent control measures, the following items are required to be submitted with this form to complete your Notice of Termination submittal:

- A. [Engineer's Certification Statement](#)
- B. As-built plans (construction record drawings) – digital
- C. Stormwater Management Plans - digital
- D. [BMP Maintenance Agreement](#) (notarized original for projects where DEQ is the VSMP Authority)
- E. BMP Maintenance Agreement Court Receipt
- F. Affidavit of Sale for any nutrient credit purchases

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Stormwater Management Facility Types (please choose from the following bmp types):

Part V, Article 4 (previously Part IIC) BMPs

Bioretention basin
Bioretention filter
Constructed wetlands
Extended detention (2 x WQ Vol)
Extended detention basin-enhanced
Grassed swale
Infiltration (1 x WQ Vol)
Infiltration (2 x WQ Vol)
Retention basin I (3 x WQ Vol)
Retention basin II (4 x WQ Vol)
Retention basin III (4 x WQ Vol with aquatic bench)
Sand filter
Vegetated filter strip
Other:

- Detention Only BMP
- Forest/Open Space
- Manufactured Treatment Device – Filtering
- Manufactured Treatment Device – Hydrodynamic
- Etc.

Part V, Article 3 (previously Part IIB) BMPs

Bioretention 1
Bioretention 2
Constructed Wetland 1
Constructed Wetland 2
Dry Swale 1
Dry Swale 2
Extended Detention Pond
Extended Detention Pond 2
Filtering Practice 1
Filtering Practice 2
Grass Channel
Infiltration 1
Infiltration 2
Permeable Pavement 1
Permeable Pavement 2
Rooftop Disconnection
Sheet flow to Vegetated Filter or Conserved Open Space 1
Sheet flow to Vegetated Filter or Conserved Open Space 2
Urban Bioretention
Vegetated Roof 1
Vegetated Roof 2
Wet Pond 1
Wet Pond 2
Wet Swale 1
Wet Swale 2
Other:

- Detention Only BMP
- Forest
- Manufactured Treatment Device – Biofilter
- Manufactured Treatment Device – Filtering
- Manufactured Treatment Device – Hydrodynamic
- Regenerative Stormwater Conveyance 1
- Regenerative Stormwater Conveyance 2
- Tree BMP over Impervious
- Tree BMP over Pervious, A/B Soils
- Tree BMP over Pervious, C/D Soils
- Etc.

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Stormwater Management Facility #1 BMP Type:	
Date BMP Became Functional:	
Address (if available):	
City and/or County and Zip Code:	
Latitude and Longitude (6-digit, decimal degrees format):	
Receiving Water(s) (outfall discharge):	
Total Acres Treated (report to one-hundredth of an acre):	
Impervious Acres Treated (report to one-hundredth of an acre):	

Stormwater Management Facility #2 BMP Type:	
Date BMP Became Functional:	
Address (if available):	
City and/or County and Zip Code:	
Latitude and Longitude (6-digit, decimal degrees format):	
Receiving Water(s) (outfall discharge):	
Total Acres Treated (report to one-hundredth of an acre):	
Impervious Acres Treated (report to one-hundredth of an acre):	

Stormwater Management Facility #3 BMP Type:	
Date BMP Became Functional:	
Address (if available):	
City and/or County and Zip Code:	
Latitude and Longitude (6-digit, decimal degrees format):	
Receiving Water(s) (outfall discharge):	
Total Acres Treated (report to one-hundredth of an acre):	
Impervious Acres Treated (report to one-hundredth of an acre):	

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Section VII. Certification. This Certification must be signed by a person representing the operator identified in Section I. and meeting the requirements of Part III K of 9VAC25-880-70.

Certification: "I certify under penalty of law that I have read and understand this notice of termination and that this document and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Printed Name: _____

Signature (signed in ink): _____

Date: _____

Section VIII. Submittal Instructions. Please submit this form to the appropriate Virginia Erosion and Stormwater Management Program (VESMP) authority that has jurisdiction for your construction activity or to DEQ where DEQ serves as the Virginia Stormwater Management Program (VSMP) authority. If the locality is the VESMP Authority, please submit your form directly to the locality; do NOT send this form to DEQ. A list of local VESMP Authorities is available here: [VESMP Authorities](#).

If DEQ is the VSMP Authority, please send to:

**Department of Environmental Quality
Office of Stormwater Management Suite 1400
PO Box 1105
Richmond VA 23218
constructiongp@deq.virginia.gov**

If the locality is the VESMP Authority, please send to:

Local VESMP Authority (*insert address below*)

Frederick County Public Works Attention: Karen Orndorff 107 North Kent Street Suite 200 Winchester, Virginia 22601
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Permit terminations may be delayed if there are outstanding Annual Maintenance Fee balances.

CONSTRUCTION GENERAL PERMIT (VAR10) NOTICE OF TERMINATION 2024 INSTRUCTIONS
PLEASE DO NOT PRINT OR SUBMIT

A complete and accurate notice of termination is required for terminating coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities. Termination shall become effective upon notification from the department that the provisions of termination have been met or 90 days after receipt of a complete and accurate notice of termination, whichever occurs first, unless otherwise notified by the VESMP authority or the department. With terminating coverage, the operator shall submit all permit fees including all outstanding permit maintenance fees in accordance with 9VAC25-875-1290 unless not required.

Permit Coverage Number. Include your existing, active permit coverage number. Example: VAR10#####.

Section I. Operator/Permittee Information. The construction activity operator (permittee). The permittee with active permit coverage and that has operational control over the construction activities to ensure compliance with the general permit. For companies, use the complete, active, legal entity name as registered with a state corporation commission. Entities that are considered operators commonly consist of the property owner, developer of a project (the party with direct operational control of construction plans and specifications), or general contractor (the party with day-to-day operational control of the activities at the project site that are necessary to ensure compliance with the general permit). If an individual person is named as the operator, that person (or a representative of) must sign the certification in Section VII.

Section II. Construction Activity Location Information. Project site information. Complete this section with the same information as listed on the current registration statement. A list of active permits and location information is available on the DEQ website.

Section III. Reason for Terminating Coverage under the General Permit. The operator shall submit the notice of termination in accordance with 9VAC25-880-60, unless a registration statement was not required to be submitted in accordance with 9VAC25-880-50 A 1 c or A 2 b for single-family detached residential structures, to the VESMP authority after one or more of the following conditions being met:

1. Necessary permanent control measures included in the SWPPP for the construction site are in place and functioning effectively and final stabilization has been achieved on all portions of the construction site for which the operator has operational control. When applicable, long-term responsibility and maintenance requirements for permanent control measures shall be recorded in the local land records prior to the submission of a complete and accurate notice of termination and the construction record drawing prepared;
2. Another operator has assumed control over all areas of the construction site that have not been finally stabilized and obtained coverage for the ongoing discharge;
3. Coverage under an alternative VPDES permit or other applicable permit has been obtained; or
4. For individual lots in residential construction only, final stabilization as defined in 9VAC25-880-1 has been completed, including providing written notification to the homeowner and incorporating a copy of the notification and signed certification statement into the SWPPP, and the residence has been transferred to the homeowner.

The notice of termination shall be submitted no later than 30 days after one of the above conditions is met. Termination of authorization to discharge shall become effective upon notification of the department of the provisions of this section have been met or 90 days after receipt of a complete and accurate notice of termination, in accordance with 9VAC25-880-60 C, whichever occurs first, unless otherwise notified by the VESMP authority or the department.

Section IV. Participation in a Regional Stormwater Management Plan. Where applicable, include information for each regional stormwater management facility to which this site contributes. If your site is contributing to more than one regional facility, please include the information for each facility in a separate list.

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PLEASE DO NOT PRINT OR SUBMIT

The following information shall be included for each regional stormwater management facility installed:

- The type of regional facility to which the site contributes (see the list of facility types on page 3 of the notice of termination).
- The location of the facility, including city or county, and latitude and longitude in decimal degrees.
- The number of total and impervious site acres treated by the regional facility to the nearest one-hundredth of an acre.

Section V. Perpetual Nutrient Credits. Where application, the following information related to perpetual nutrient credits that were acquired in accordance with § 62.1-44.15:35 of the Code of Virginia:

- The name of the nonpoint nutrient credit generating entity from which perpetual nutrient credits were acquired, and
- The number of perpetual nutrient credits acquired (pounds per acre per year).

Attach the affidavit(s) of sale for the purchase of all nutrient credits acquired for this activity.

Section VI. Permanent Control Measures. Where applicable, a list of the on-site and off-site permanent control measures (both structural and nonstructural) that were installed to comply with the stormwater management water quality and water quantity technical criteria. Clearly indicate if a permanent control measure was constructed and installed by selecting yes or no. For each permanent measure that was installed, the following information shall be included. Choose the type from the list provided in the notice of termination form Section VI. If you have multiple BMPs, attach a separate list if needed.

The following information shall be included for each permanent control measure installed:

- the type of permanent control measure installed and the date that it became functional as a permanent control measure;
- the location of the permanent control measure, including city or county, and latitude and longitude in decimal degrees (i.e., 37.1234, -77.1234);
- the receiving water(s) to which the permanent control measure discharges; and
- the number of total and impervious acres treated by the permanent control measures to the nearest one-hundredth of an acre.

The following items are required to be submitted with the Notice of Termination if you have permanent control measures:

- [Engineer's Certification Statement](#): Signed by a professional registered in the Commonwealth of Virginia, certifying that the stormwater management facilities were constructed in accordance with the approved plan;
- Construction record drawing(s) (as-built plan) in a format as specified by the VESMP authority for long-term stormwater management facilities in accordance with 9VAC25-875-535 appropriately sealed and signed by a professional registered in the Commonwealth of Virginia, certifying that the stormwater management facilities have been constructed in accordance with the approved plan;
- Stormwater management plans (digital); and
- [BMP Maintenance Agreement](#). Where applicable, evidence that the signed Stormwater Maintenance Agreement has been recorded in an instrument within the local land records; *Termination is not final until you submit the local court record of receipt to DEQ showing that the signed Stormwater Management Maintenance Agreement was recorded with the land deed.*

Section VII. Certification. This Certification must be signed by a person representing the operator identified in Section I and meeting the requirements of Part III K of 9VAC25-880-70.

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PLEASE DO NOT PRINT OR SUBMIT

Section VIII. Submittal Instructions. Submit this form to the VESMP authority that has jurisdiction for your construction activity. Depending on the location and type of project, the appropriate authority may be either your locality or DEQ where DEQ serves as the VSMP authority. If your project is under the jurisdiction of a local VESMP authority, please contact the locality for additional submittal instructions. A blank area is provided for the local VESMP authority to include their mailing address.

Who is the appropriate stormwater management authority for my project? DEQ or the locality?

DEQ: DEQ is the VSMP Authority and administers permit coverage for land-disturbing activities that are:

- within a locality that is not a VESMP Authority;
- owned by the State or Federal government; or
- utilizing approved Standards and Specifications.

Email the completed and signed form to: constructiongp@deq.virginia.gov

The Locality: The local government (locality) is the VESMP Authority and administers permit coverage for all other projects not covered by DEQ as listed above. For these projects, please submit permit forms directly to the Local VESMP Authority. A list of Local VESMP Authorities is available on DEQ's website here: [Local VESMP Authority List](#).

For assistance or questions about the termination process, email constructiongp@deq.virginia.gov.