



POST CONSTRUCTION STORMWATER MANAGEMENT (PCSM) INSTRUMENT FILING NOTICE

Regulatory Requirement: This PCSM Instrument Filing Notice serves to fulfill the PCSM obligations referenced in 25 Pa. Code §§ 102.7 (related to permit termination) and 102.8(m) (related to PCSM long-term operation and maintenance requirements).

Applicability: For any property containing a PCSM best management practice (BMP), the permittee or co-permittee, who are presently covered under an Individual National Pollution Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities, the General NPDES Permit for Discharges of Stormwater Associated with Construction Activities (PAG-02), an Erosion and Sediment Control Permit (ESCP), or an Erosion and Sediment Control General Permit (ESCGP) for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities shall use this PCSM Instrument Filing Notice to record an instrument with the Recorder of Deeds Office. ***If the project is associated with a new subdivision, the instrument is to be recorded prior to issuance of the first deeds and is to be explicitly referenced in every first deed recorded in association with the project and subdivision.***

Per 25 Pa. Code §102.8(m)(2), the instrument will assure disclosure of the PCSM BMP(s) and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP(s), provide for the necessary access related to long-term operation and maintenance of the PCSM BMP(s) and provide notice that the responsibility for long-term operation and maintenance of the PCSM BMP(s) is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees, and provide proof of filing with the Notice of Termination under §102.7(b)(5) (relating to permit termination). **Documents attached as Exhibits to this PCSM Instrument Filing Notice shall include: Instrument For the Declaration of Restrictions and Covenants, record drawings/as-builts (the approved PCSM Plan may be attached in lieu of record drawings/as-builts if construction of the PCSM BMP(s) has not been completed by time of filing), all applicable landowner agreements, and the long-term operation and maintenance plan which clearly outlines all applicable operation and maintenance activities necessary for the associated PCSM BMP(s). Be advised, once record drawings/as-builts become available, they are to be included as an amendment to the instrument.**

Unless later dates are approved by the Department of Environmental Protection (Department) in writing, the permittee or co-permittee shall record the instrument within **45 days** from the date of permit issuance or authorization, and provide the conservation district and the Department with the date and place of recording along with a reference to the docket, deed book or other record, within **90 days** from the date of permit issuance or authorization.

1. **Parcel Information (attach additional sheets as necessary):**

Uniform Parcel Identifier (UPI)/Tax Parcel ID #: _____

Municipality: _____ County: _____

Lot(s): _____ Unit(s): _____

2. **Project Information:**

Project Name: _____

Property Owner Name (if not the same as Permittee identified below):

Signature

Date

3. **Index Information:**

Permittee Name (as displayed on the current permit):

Title:

Business Entity (if applicable):

Signature

Date

OR

Co-Permittee Name (as displayed on the current permit):

Title:

Business Entity (if applicable):

Signature

Date

4. **Acknowledgements:**

Commonwealth of Pennsylvania
County of _____

On this, the _____ day of _____, 20__, before me, a Notary Public, personally appeared _____, **the property owner of the premises described in this**

PCSM Instrument Filing Notice, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

NOTARY SEAL

Notary Public My Commission Expires

Commonwealth of Pennsylvania
County of _____

On this, the _____ day of _____, 20__, before me, a Notary Public, personally appeared _____, having a title of _____ within the business entity of _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

NOTARY SEAL

Notary Public My Commission Expires

Commonwealth of Pennsylvania
County of _____

On this, the _____ day of _____, 20__, before me, a Notary Public, personally appeared _____, having a title of _____ within the business entity of _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

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