Village of Islandia

1100 Old Nichols Road
Islandia, NY 11749
Suffolk County, New York

Stormwater Management Program Plan

New York State Pollutant Discharge Elimination System (SPDES)
General Permit for Stormwater Discharges
from
Municipal Separate Storm Sewers (MS4s)
General Permit No. GP-0-24-001

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STORMWATER MANAGEMENT PROGRAM PLAN
MS4 SPDES PERMIT NO. NYR20A250

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Acronym List

BI	Building Inspector
BMP	Best Management Practice
CEO	Code Enforcement Officer
CFR	Code of Federal Regulations
CGP	SPDES General Permit for Stormwater Construction Activities, GP-0-25-001
CWA	Clean Water Act
ECL	Environmental Conservation Law
EDC	Effective Date of Coverage
EDP	Effective Date of the Permit
eNOI	Electronic Notice of Intent
EPCRA	Emergency Planning and Community Right-To-Know Act
ERP	Enforcement Response Plan
IDDE	Illicit Discharge Detection and Elimination
MCM	Minimum Control Measure
MS4	Municipal Separate Storm Sewer System
MS4 GP	SPDES General Permit for Stormwater Discharges from the Municipal Separate Storm Sewer Systems, GP-0-24-001
MSGP	SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, GP-0-23-001
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System NYCRR – New York Codes, Rules and Regulations
NYS DEC	New York State Department of Environmental Conservation
O&M	Operations and Maintenance
ORI	Outfall Reconnaissance Inventory
POC	Pollutant of Concern
RSE	Regional Stormwater Entity
SPDES	State Pollutant Discharge Elimination System
SMO	Stormwater Management Officer
SMP	Stormwater Management Practice
SWMP	Stormwater Management Program
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
USEPA	United States Environmental Protection Agency

Definitions

Best Management Practices (BMPs): Schedule of activities, practices, operating procedures, treatment requirements, and prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State.

Minimum Control Measure (MCM): Elements of the MS4 stormwater management program. There are a total of six elements and when implemented together are expected to result in significant reductions of pollutants discharged into receiving water bodies.

Municipal Facility: An MS4 Operator owned and/or operated facility with the potential to discharge pollutants to the MS4 and /or surface water of the State.

Municipal Separate Storm Sewer Systems (MS4): A conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains owned or operated by a State, city, town, village, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law that are designed or used for collecting or conveying stormwater.

MS4 Operator: The person, persons, or legal entity that obtains coverage and is responsible for the MS4.

MS4 Outfall: Any point of stormwater discharge from pipes, ditches, and swales, as well as other points of concentrated flow, to surface water of the State from an MS4 Operator's MS4. Areas of sheet flow which drain to surface waters of the State are not considered MS4 outfalls.

New York State Department of Environmental Conservation (NYSDEC): State body of government that is the Stormwater NPDES Permitting Authority.

Pollutant of Concern (POC): A pollutant causing the impairment of an impaired water segment with an approved TMDL and or listed in Appendix C of GP-0-24-001, including phosphorus, silt/ sediment, pathogens nitrogen and floatables.

State Pollutant Discharge Elimination System (SPDES): The State system for the issuance of wastewater and stormwater permits under the Federal Water Pollution Control Act (Clean Water Act).

Stormwater Management Program (SWMP): The program developed and implemented by the MS4 Operator which provides a comprehensive integrated planning approach involving public participation and, where necessary, intergovernmental coordination, to reduce the discharge of POCs and specified pollutants to the MEP, using management practices, control techniques and systems, design and engineering methods and other appropriate provisions. MS4 Operators are required at a minimum to develop, implement and enforce a SWMP designed to address POCs and reduce the discharge of pollutants from the MS4 to the MEP, to protect water quality, and to satisfy the appropriate water quality requirements of the Environmental Conservation Law and the Clean Water Act. The SWMP must address all permit requirements in the SPDES general permit.

Stormwater Management Program Plan (SWMP Plan): Document used by the covered entity to record, develop, plan, and implement SWMP elements. The SWMP plan must describe how pollutants in stormwater runoff will be controlled.

Stormwater Pollution Prevention Plan (SWPPP): A site-specific, written document that:

- Identifies potential sources of stormwater pollution at the construction site.
- Describes practices to reduce pollutants in stormwater discharges from the construction site.
- Identifies procedures the operator will implement to comply with the terms and conditions of a construction general permit.

Storm-sewershed (sewershed): The catchment area that drains to a waterbody based on the MS4 and surface topography. Adjacent catchment areas that drain to the same waterbody are not separate storm-sewersheds.

Surface Water(s) of the State: Includes lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial seas of the State of New York, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction.

1.0 SWMP PLAN OVERVIEW

This Village of Islandia Stormwater Management Program (SWMP) Plan has been developed to comply with the requirements of the *New York State Department of Environmental Conservation (NYSDEC) General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Permit No. GP-0-24-001*. Under the GP-0-24-001 Permit, permittees must develop, implement and enforce a SWMP designed to reduce the discharge of pollutants from small MS4s to the maximum extent practicable (MEP) in order to protect water quality and satisfy the appropriate water quality requirements of the Environmental Conservation Law and Section 402 of the Clean Water Act.

1.1 INTRODUCTION

The Village of Islandia (Village) is located in the northern region of the Town of Islip in Suffolk County, New York. It has a total area of 2.2 square miles. Incorporated in 1985, the Village of Islandia is home to over 3,000 residents and over 150 businesses. The Connetquot Brook is situated within the Village boundary and receives stormwater discharges from the overland surface runoff and some storm drainage systems constructed in the Village. In addition, stormwater from some areas is channeled to three (3) New York State owned and three (3) Village owned and maintained Recharge Basins.

Village of Islandia has been identified as a Traditional Land Use Control municipality by the NYSDEC under a previous iteration of the MS4 General Permit (GP-02-02) and obtained stormwater permit coverage in 2003. The Village Permit ID number is NYR20A250. In accordance with the United States Environmental Protection Agency (USEPA) Stormwater Phase II rule, MS4 owners/ operators are required to develop a Stormwater Management Plan (SWMP) which includes six (6) program elements - minimum control measures (MCM), to reduce the discharge of pollutants to the maximum extent practicable (MEP). The six (6) required MCMs include:

MCM 1: Public Education and Outreach
MCM 2: Public Involvement/Participation
MCM 3: Illicit Discharge Detection & Elimination (IDDE)
MCM 4: Construction Site Stormwater Runoff Control
MCM 5: Post-Construction Stormwater Management
MCM 6: Pollution Prevention/Good Housekeeping for Municipal Operations

1.2 NOTICE OF INTENT

In accordance with Part II.A of the MS4 General Permit, The Village of Islandia submitted the electronic (eNOI) to NYSDEC on December 12, 2024. With this submission the Village agrees to comply with the permit and conditions of GP-0-24-001. Additionally, with the eNOI submission, the Village has received authorization to discharge stormwater under the terms and conditions noted in GP-0-24-001. The effective dates of coverage under permit GP-0-24-001 are January 3, 2024, through January 2, 2029.

1.3 POLLUTANTS OF CONCERN AND IMPACTS ON STORMWATER POLLUTION

The Village has a single outfall located near the eastern Village boundary. That outfall collects runoff from a 2100 LF segment of Johnson Avenue under Islandia jurisdiction. The outfall also discharges runoff from a subsurface drainage system under Town of Islip jurisdiction that is located adjacent to the Villages eastern boundary line. That system collects no Village runoff. The Islandia segment of Johnson Avenue is surrounded by approximately 90 acres of Suffolk County and Village preserved lands and 15 acres of New York State Department of Transportation (NYSDOT) wetland drainage area. Fourteen residences front Johnson Avenue within the road segment that drains to the outfall; none of these residential properties exceeds one-acre in area. Additional residences back along the Suffolk County preserved lands and NYSDEC wetland drainage area and are generally more than 600' from surface waters. There are no commercial or industrial land uses within the catchment area of the outfall and none surrounding the preserved lands. The outfall contributes runoff to the freshwater segment of the Connetquot River. Connetquot River (Upper and tribs) is identified as the surface water body receiving stormwater discharges from the overland surface runoff and storm drainage systems constructed in the Village. This river segment is not identified as a 303d waterbody nor is there a Total Maximum Daily Load (TMDL) in place. There are currently no use impairments identified. The river is an ecologically sensitive trout-spawning stream that discharges to the Great South Bay segment of the South Shore Estuary Reserve.

Although no use impairments are identified and a TMDL is not required, the Village recognizes the sensitive nature of the river and their responsibility to reduce potential pollutants entering the river to ensure continued water quality. POC for this segment that have the potential of being generated on Village roads and lands include:

- Litter and debris from paved driveways and parking lots;
- Polycyclic aromatic hydrocarbons, oils and greases from paved areas and driveways;
- Salt, sand and de-icing chemicals from winter road maintenance operations;
- Fertilizers, pesticides and herbicides from lawns and gardens; and
- Pathogens from on-site individual septic systems.

In 2002, the Village undertook a construction project to improve the storm drainage system that carries runoff from the Village segment of Johnson Avenue that drains into the Connetquot River. The existing drainage system consists of a stone lined swale to filter runoff prior to entering the Connetquot River. A copy of the design plans has been included in this Plan (Map 1).

1.3.1 LEGAL AUTHORITY

The Village of Islandia has the legal authority to enforce the provisions of GP-0-24-001 through enactment of local laws in conformance with model local laws to prohibit illicit discharges and control erosion.

The Village has adopted the New York State Department of Environmental Conservation Model Local Law to Prohibit Illicit Discharges, Activities, and Connections to Separate Storm Sewer Systems, April 2006 (NYSDEC Model IDDE Local Law 2006). Refer to the Local Law for Storm Sewers in §143-Part 1 of the Village Code (adopted by the Village of Islandia on 03-04-2008 by L.L. No. 2-2008).

The Village has adopted the New York State Department of Environmental Conservation Sample Local Law for Stormwater Management and Erosion & Sediment Control, March 2006 (NYSDEC Sample SM and E&SC Local Law 2006). Refer to the Local Law for Stormwater Management in §143-Part 2 of the Village Code (adopted by the Village of Islandia on 03-04-2008 by L.L. No. 2-2008).

1.3.2 ENFORCEMENT MEASURES AND TRACKING

Enforcement Response Plan
The Enforcement Response Plan (ERP) developed and enforced by the Village is described in the Village Code - Chapter 143 Stormwater Management, Part 1. Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems and Part 2. Stormwater Management and Erosion & Sediment Control (Adopted 3-4-2008 By L.L. No.3-2008). Article II and Article VII- Administration and Enforcement in Part 1 and Part 2 respectively note the actions to be taken for violations of §143 (Stormwater Management) of the Village Code.

Enforcement Tracking
Instances of non-compliance in the SWMP Plan are tracked and addressed by the Village in accordance with the following Village Codes: Chapter 143 Stormwater Management
Part 1 : Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems -
§143-12 - Enforcement, penalties for offenses; §143-13 Appeal of notice of violation; §143-14 Corrective measures after appeal; §143-15 Injunctive relief; §143-16 Alternative remedies; §143-17 Violations deemed public nuisance; §143-18 Remedies not exclusive; §143-19 Severability.
Part 2 : Stormwater Management and Erosion & Sediment Control –
§143-40 - Enforcement, penalties for offenses; §143-41 – Fees for services; §143-42 Severability.

1.3.3 SWMP PLAN RECORD KEEPING AND REPORTING REQUIREMENTS

Record Keeping
The Village must maintain records required by the SPDES General permit GP-0-24-001 for a minimum of five (5) years after they are generated and submitted to the Department within a reasonable specified time period of a written request for such information. Documents may be maintained in electronic format, in accordance with NYCRR 750-2.5 (e) (1). Records, including the NOI and SWMP Plan, must be made available to the public at reasonable times during regular business hours.

Reporting
Reports must be submitted to New York State Department of Environmental Conservation (NYSDEC) electronically. The reporting period for the Annual Report is January 3 of the current year to January 2 of the following year (Reporting Year). The Annual Report, which documents progress in the implementation of this SWMP and compliance with permit GP-0-24-001, must be submitted to the Department by April 1 of the year following the end of the Reporting year.

Twice a year, an Interim Progress Certification must be submitted to the NYSEC that verifies that activities included in GP-0-24-001 have been completed. The Interim Progress Certification for the period of January 3 through June 30 of the same year must be submitted to the NYSDEC by October 1 of the same year. The Interim Progress Certification for the period of July 1 through January 2 of the following year must be submitted to the NYSDEC by April 1 of the following year along with the Annual Report. Submission of the Annual Report is not a substitute for submission of the Interim Progress Certification.

1.3.4 SWMP PLAN VILLAGE OFFICIALS

Village Staff Directory		
Name	**Title**	**Contact Information**
Allan M. Dorman	Mayor	adorman@newvillageofislandia.com
Thomas Annicaro	Deputy Mayor	tannicaro@newvillageofislandia.com
Gerald Peters	Building Inspector/ Superintendent DPW	gpeters@newvillageofislandia.com
Keith Kellner	Building Inspector/ Plans Examiner	kkellner@newvillageofislandia.com
Joseph W. Prokop, Esq.	Village Attorney	JWprokopesq@aol.com
Patricia Dorman	Village Clerk	pdorman@newvillageofislandia.com
Kimberly Davis	Code Enforcement Supervisor/ Public Safety	kdavis@newvillageofislandia.com
Marilyn Griffaton	Deputy Village Clerk	mgriffaton@newvillageofislandia.com
Leslie Murray	Village Court Clerk	lmurray@newvillageofislandia.com

EXECUTIVE OFFICER

Since the inception of the SWMP, the Village Mayor, has been authorized to execute the SWMP Plan in the following activities:

- Appointing the SWMP Plan Local Stormwater Public Contact;
- Hiring of a consultant to assist the Village in developing and implementing the SWMP Plan;
- Establishing the Stormwater Management Program Plan Coordinator and Annual Report Preparer;
- Scheduling of the program's implementation schedule;
- Overseeing the execution of the SWMP Plan;
- Identifying staff needed to carry out the program; and
- Developing a budget for the implementation of the program

In the future the Village Mayor will continue to work closely with the SWMP Plan Local Stormwater Public Contact and Village Consultant, Coordinator and Annual Report Preparer in executing various components critical to the successful implementation of the program.

SWMP PLAN LOCAL STORMWATER COORDINATOR & PUBLIC CONTACT

The Building Inspector/Superintendent DPW has been assigned the role of Stormwater Management Officer (SMO) and the Village Clerk has been assigned the role of local Stormwater Coordinator and Public Contact. The Stormwater Management Officer (SMO) and Village Clerk will continue to be actively engaged in the following activities:

- Coordinating the SWMP Plan implementation activities;
- Scheduling of the program's implementation schedule;
- Overseeing the execution of the consultant work;
- Assisting in the coordination of staffing needed to carry out the program; and
- Assisting the Mayor in the development of the SWMP Plan Budget.

For further information on the ongoing SWMP, the Stormwater Management Officer (SMO) and Village Clerk may be contacted at the following address:

Incorporated Village of Islandia
Village Clerk
1100 Old Nichols Road
Islandia, NY 11749

(631) 348-1133

SWMP PLAN CONSULTANT AND ANNUAL REPORT PREPARER

Since the inception of the SWMP Plan in 2003 the Village has retained a Stormwater Consultant, and annual report preparer. The Village intends to continue to contract with a stormwater professional to address the Villages stormwater requirements. The stormwater consultant will continue to be actively engaged in the following activities:

- Assisting the Village in the preparation, revisions and updates of the SWMP Plan and implementation of the described activities;
- Preparation of newsletters, fact sheets, presentations of activities on the current and ongoing SWMP implementation activities;
- Presenting the program activities at the annual public meeting; and
- Preparation of the Annual Report for NYSDEC submission
- Review site plans with over one-acre of disturbance for compliance with E&SC and SWPPP regulations and procedures.

SWMP PLAN OPERATION AND MAINTENANCE STAFF

The Village's operations and facilities that contribute or potentially contribute POCs' are limited to the following operations:

- Road maintenance
- Village lawn equipment and vehicle maintenance
- Lawn care
- Stormwater drainage maintenance

The Village's Operation and Maintenance (O&M) staff, comprised members of the Highway Department and Grounds Maintenance personnel, will continue to be responsible for lawn care, grounds maintenance, and road repair and operations.

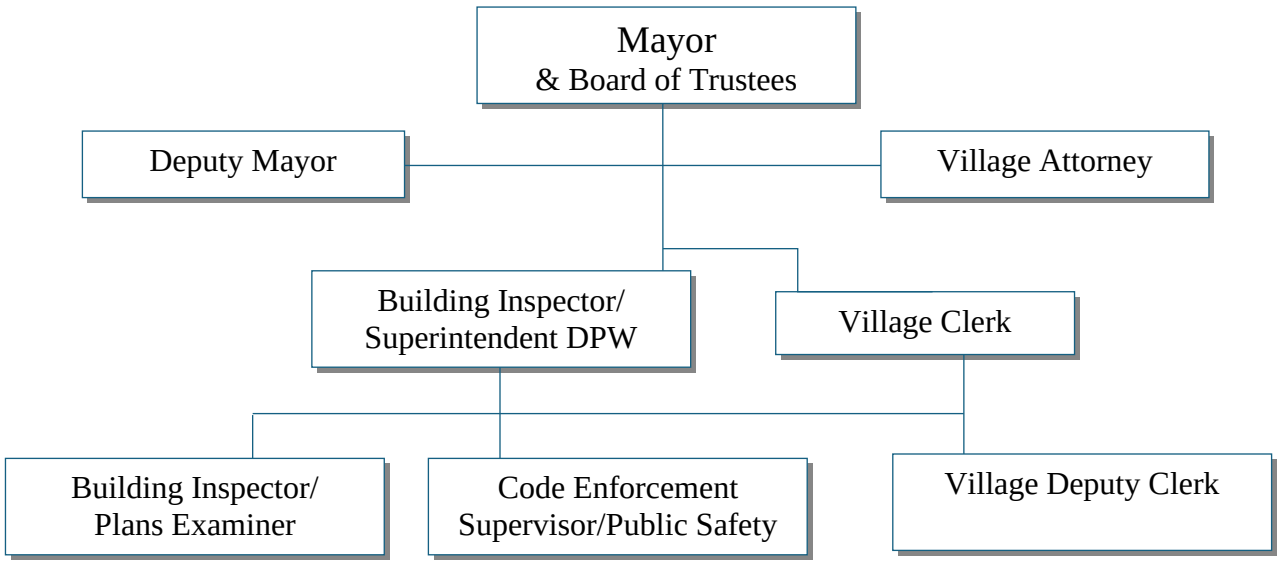
Purchase orders for specific construction projects and maintenance operations, including street sweeping, roadway snow removal, trash and recyclables collection, and storm sewer and catch basin cleaning will be issued to outside vendors, as needed, to perform this work on a contract basis.

The Village will conduct a meeting with appropriate Village staff to identify any issues that may develop regarding reporting, tracking and recordkeeping requirements for Stormwater management and illicit discharge detection and Village operations documentation. Additionally, the Village will conduct a meeting with Stormwater Management Officers (SMO), Building Inspectors (BI) and Highway

Department staff to outline procedures to document stormwater related activities that require documentation for the next NYSDEC annual report.

An annual meeting is held by the Mayor, Village Board, additional involved officials and personnel designated above, the stormwater consultant and interested citizens to discuss the ongoing stormwater program(s) and progress made towards meeting the stormwater BMP permit goals.

ORGANIZATIONAL CHART



1.3.5 SWMP PLAN EVALUATION

Once every five (5) years, the Village must evaluate this SWMP for compliance with the terms and conditions of permit GP-0-24-001 and the status of achieving the requirements outlined in the permit. The SWMP evaluation must be documented in the SWMP Plan.

2.0 STORMWATER MANAGEMENT MINIMUM CONTROL MEASURES (MCMs)

The following section describes the six MCM that are required for compliance with NYSDEC MS4 Permit GP-0-24-001. Each section describes the MCM, outlines the general permit requirements, identifies the best management practices that will be implemented during the permit period from 1/3/2024 through 1/2/2029 and addresses the measurable goals that will be included in the annual reporting.

STORM SEWERSHED IMPROVEMENT STRATEGIES

The following storm sewershed improvement strategies are organized by the MCMs as defined by the NYSDEC MS4 Permit GP-0-24-001. Refer to Part VI of the MS4 Permit in Appendix 2, for MCM description and compliance requirements.

2.1 MCM 1 - PUBLIC EDUCATION AND OUTREACH PROGRAM

The Public Education and Outreach MCM consists of BMPs that focus on development of educational materials that will inform the public about the impact of stormwater discharges on local water bodies. The materials developed will contain information on how various community members can take actions that will reduce pollution levels in local waters. The target pollutant sources are construction site runoff, illicit discharges and the identified pollutant of concerns.

As the operator of a regulated MS4, the Village must:

- Identify watershed pollutants of concern, area of concern and target audiences;
- Develop and implement an ongoing public education and outreach program designed to educate the general public and specific target audiences; on the impacts of stormwater discharges, pollutant of concerns and their sources, steps contributors of these pollutants can take to reduce the level in storm runoff, and steps contributors of non-stormwater dischargers (as defined in Permit GP-0-24-001) can take to reduce pollutants;
- Develop, record and periodically assess and modify measureable goals; and
- Select and conduct appropriate education and outreach activities and measurable goals to ensure reduction of all pollutants of concern in stormwater discharges to the maximum extent practicable.

Existing Program Compliance

The Village has developed public education and outreach program materials designed to describe the impacts of stormwater discharges on waterbodies, identify POC and their sources, and identified steps that the Village is taking in reducing pollutants in runoff.
The education and outreach include stormwater best management practices related topics include, but not limited to:

- Sanitation/recycling information
- Snow removal/salt application
- Pharmaceutical disposal information

- Auto care and auto products disposal
- Pet waste management
- Yard care/landscaping
- Fertilizer and household chemicals management and disposal
- Paint recycling and disposal programs
- Septic maintenance
- Swimming Pool discharges
- Benefits of Rain Gardens, Rain Barrels
- Feeding water bird (geese, ducks)
- Construction site BMPs.

The target audience include public employees, developers, contractors, residential, businesses, general public and school children.

The public education and outreach program includes:

1. Distribution of solid waste disposal information annually.
2. Discussion of Stormwater Management Program at annual meetings.
3. The Village has developed a stormwater webpage. The webpage posting explains the stormwater program requirements, Village compliance efforts, and residential education on ways to reduce pollutants generated and links to other stormwater web sites. https://www.newvillageofislandia.com/government-services/stormwater-management/ Provided sources for additional stormwater information on the Village website and in Village newsletter.
4. Completed the storm drain decaling program.
5. Offer stormwater brochures at Village Hall and at Village Events. Also distributed stormwater information door to door during the storm drain decaling program.
6. Continued to distribute stormwater information including water bottles with the "Only Rain Down the Drain" logo.
7. Identify watershed pollutants of concern, area of concern and target audiences.

The Village added resident information on illicit discharge reporting to Village website and in a Village newsletter, provided copies of manuals and publications related to stormwater management and illicit discharge which are available for review in Village Hall.

MCM 1: Program Compliance Continuation

Activities and Measurable Goals	Responsible Party	Target Year				
		2024	2025	2026	2027	2028
Continue to provide Stormwater Pollution Prevention information at: • the Village Hall information kiosk and from the front desk • at Village events including seasonal events at Village Hall including Easter Egg Hunt, Community Garden Planting Day, Village Barbeque, and Pumpkin Festival • appropriate public locations • when requested by specific groups and	SWMP Coordinator	✓				

organizations						
Identify the document focus areas	SWMP Coordinator			✓		
Identify and document target audiences and associated pollutant generating activities	SWMP Coordinator			✓		
Identify and document education and outreach topics	SWMP Coordinator			✓		
Identify and document illicit discharge education materials. Update the stormwater materials on the Village website, including information on illicit discharge identification, and provide contact number and addresses.	SWMP Coordinator			✓		
Identify and document distribution methods for educational materials	SWMP Coordinator			✓		
Annual review of public education and outreach program	SWMP Coordinator	✓				

MCM 1 Required Annual Reporting

The following data items should be compiled and identified in the Annual Report as required for each year:

- A list of all education materials downloaded and the approximate number distributed by the Village. These may also include IDDE education activities for public employees, businesses and general public, construction site stormwater control training and employee pollution prevention and good housekeeping training.
- A list of all outreach activities performed for the general public and any target audiences including estimated number of people attending and amount of materials distributed.
- Collect data on the effectiveness of the program, BMP and measurable goal assessment.

2.2 MCM 2 - PUBLIC INVOLVEMENT AND PARTICIPATION

The Public Involvement and Participation MCM consists of BMPs that focus on involving the local public in development and implementation of the SWMP. BMPs will include practices designed to seek public input on SWMP and Annual Report accomplishments along with describing specific activities that will encourage public participation. BMPs will also identify target audiences with interest in specific BMPs such as boating or gardening.

As operator of a regulated MS4, The Village of Islandia must:

- Comply with State Open Meeting law and local public involvement requirements to implement this MCM;
- Develop and implement a public involvement and participation program that; indentifies key individuals and groups with interest in the SWMP;
- Identify input the Village will seek from key individuals or groups, describes the public involvement and participation activities the Village will undertake including water quality reporting telephone number, stewardship activities such as stream clean-ups and storm drain marking;
- Identify a local stormwater public contact that residents can contact for concerns over management and compliance;
- Present the Annual Report at a public meeting or on the Village website. Presentation will follow the requirements of Permit GP-0-24-001 for notification and procedures;
- Ensure that copies of the Annual Report and this SWMP Plan are available for public inspection within Village Hall and on the Village website;
- Develop, record, periodically assess and modify measurable goals; and
- Select appropriate public involvement and participation activities and measurable goals to ensure reduction of pollutants of concern in stormwater discharges to the maximum extent practicable.

Existing Program Compliance

The Village has developed an ongoing public education and outreach program designed to describe the impacts of stormwater discharges on waterbodies, identify POC and their sources and identified steps that the Village and its residents are and can take to reduce pollutants in runoff. The public involvement and participation program included:

1. Identified public contact for the stormwater program;
2. Notified public of the availability of the Annual Report for review, advertised the public meetings for annual report presentations and for public comment during and following the meeting;
3. Completed storm drainage decal program with Village volunteers. Included information on efforts in Village newsletter and provided certificates of achievement to volunteers;
4. Volunteers handed out stormwater brochures and information to local residents during decal event;
5. Published photographs and news articles regarding the storm drain decaling program on the Village website; and
6. Provided notification of trash and recycling schedules and researched companies to perform a Village STOP (Stop Throwing Out Pollutants) program.

MCM 2: Program Compliance Continuation

Activities and Measurable Goals	Responsible Party	Target Year				
		2024	2025	2026	2027	2028
Designate a SWMP Public Contact.	Executive Officer	✓				
Complete Interim Report	SWMP Consultant	✓				
Submit Interim Report to NYSDEC	SWMP Consultant	✓				
Complete Annual Report	SWMP Consultant					
Submit Annual Report to NYSDEC	SWMP Consultant					
Promote the availability of the stormwater materials including the SWMP Plan and the Annual Reports for public review and comment and provide access to copies of the stormwater materials upon request	SWMP Coordinator	✓				
Provide access to and/or copies of the Annual Reports	SWMP Coordinator	✓				
Participate through promotion, sponsorship, or other involvement in local activities aimed at increasing public participation to reduce stormwater pollutant loads and improve water quality.	SWMP Coordinator	✓				

MCM 2 Required Annual Reporting

The following data items should be compiled and identified in the Annual Report as required for each year:

- Annual report presentation information including how the report was distributed, and date, time and attendees for any public meeting;
- Comments received and intended responses;
- Public involvement and participation activities including number of people participating, number of calls regarding illicit discharge and pollution concerns, extent of any activities including type and participants; and
- Collect data on the effectiveness of the program, BMP and measurable goal assessment.
    - Maintain catalog of educational materials distributed
    - Track events where residents participate in pollution reduction efforts, such as drainage structure decals application.

2.3 MCM 3 - ILLICIT DISCHARGE DETECTION AND ELIMINATION

The Illicit Discharge Detection and Elimination MCM consists of BMPs that focus on eliminating illicit discharges from the Village. The BMPs includes locating and mapping outfalls, maintaining outfall records, adopting a legal authority mechanism to prohibit illicit discharges, enforcement procedures, and actions, procedures in identifying illicit discharge sources, and procedures for removing illicit discharge sources.

As operator of a MS4, The Village of Islandia must:

- Develop, implement, and enforce a program to detect and eliminate illicit discharges;
- Develop and maintain an updated storm sewer system map, showing the locations of all known outfalls, associated water, impaired waters that received discharge from the outfalls. Field verify outfalls and conduct reconnaissance survey for illicit discharge. Delineate preliminary boundaries of the storm sewershed. Add new outfalls as constructed or discovered;
- Prohibit, through ordinance or other regulatory mechanisms, illicit discharges into storm sewer systems and implement enforcement procedures and actions. Certify that local law is equivalent to New York State (NYS) Model Local Law to Prohibit Illicit Discharges;
- Develop and implement procedures to detect and address non-stormwater discharges, including illegal dumping, to the Village waters;
- Provide education to municipal employees, local businesses and the general public on hazards associated with illegal discharges and improper disposal. Prevent or minimize, to the maximum amount able, hazardous substance or oils discharges from Village lands. Evaluate the program as necessary to develop and implement methods to prevent reoccurrences of these discharges;
- Track the number of illicit discharges identified and how they were controlled or eliminated. Include this information in the annual report;
- Select IDDE BMPs and measurable goals to assess reduction of pollutants in stormwater discharges; and
- Periodically assess MCMs and measurable goals and modify as needed.

Existing Program Compliance

The Village has developed an illicit discharge detection and elimination program designed to describe the impacts of stormwater discharges on waterbodies, identify POC and their sources and identified steps that the Village is taking in reducing pollutants in runoff. The illicit discharge detection and elimination program included adoption and implementation the following BMPs to assessment illicit discharges within the watershed:

1. Field inspected and mapped the Village outfall and connected drainage systems including:
    a. the type of conveyance system – closed pipe or open drainage;
    b. the type of pipe material, shape and size - for closed pipe systems;
    c. the type of channel/ditch lining material, shape and dimensions - for open drainage systems;
    d. the location and dimensions of any culvert crossings;
    e. the locations of drop inlets, catch basins, and manholes;
    f. the number and size of connections (inlets/outlets) to catch basins and manholes;
    g. the direction of flow; and
    h. non-stormwater discharges and illicit connections (hot spots), by:
        i. opening of catch basins and manholes for visual dry weather flow observations of manholes and storm drain network;
        ii. dye testing of catch basins, manholes and storm drain network; and

iii. smoke testing of catch basins, manholes and storm drain network

2. The Village adopted a new code entitled Prohibition of Illicit Discharges, Activities, and Connections to Separate Storm Sewer Systems in accordance with the *NYSDEC Sample Local Law to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems* on March 4, 2008. *See Appendix 4.*
3. Mapped the outfall location and storm drainage system, assess the boundaries of the storm sewershed including the system that extend to adjacent jurisdictions.
4. Public Reporting of Illicit discharges - The Village has a code enforcement complaint form online on the Village website. https://www.newvillageofislandia.com/contact/code-enforcement-online-form/ Additionally, a possible code violation can be made by letter, telephone, email, or in person to the appropriate Village department. Phone and email directory and emergency contact numbers are provided on the Village website. https://www.newvillageofislandia.com/contact/email-directory/

MCM 3: Program Compliance Continuation

Activities and Measurable Goals	Responsible Party	Target Year				
		2024	2025	2026	2027	2028
Inspect the Village outfall drainage system during a rainfall event to observe operation and complete an inspection report.	SMO/Highway Dept.	✓				
Inspect the outfall during dry weather events if IDDE is suspected.	SMO/ Highway Dept.	✓				
Maintain the record of the Village stormwater drainage system that outfalls to Connetquot River including all structures, sewershed limits and inter-municipal jurisdictions. Update the mapped information and maintain a record of routine maintenance visits and response to complaints.	SMO/ Highway Dept.	✓				
If additional outfalls are located or installed, update this MCM to prioritize outfalls.	SWMP Consultant			✓		
Develop and implement a monitoring locations inspection and sampling program	SMO/SWMP Coordinator			✓		
Develop and implement an illicit discharge track down and elimination program	SMO/SWMP Coordinator			✓		
Identify and update discharges exempt from prohibitions in the local law if determined to be substantial pollution contributors by NYSDEC.	SWMP Consultant			✓		
Document names of individuals who received training on the monitoring locations inspections and sampling program	SMO/SWMP Coordinator			✓		
Establish an email or phone number (with message recording capability) for the public to report illicit discharges.	SMO/SWMP Coordinator	✓				

Village Staff that have Received IDDE Training (in Progress)		
Name	Title	Contact Information
Gerald Peters	Building Inspector/ Superintendent DPW	gpeters@newvillageofislandia.com
Keith Kellner	Building Inspector/ Plans Examiner	kkellner@newvillageofislandia.com

MCM 3 Required Annual Reporting

Compile required reporting annually including:

- Number of illicit discharges detected and number eliminated;
- Percent of outfalls for which an outfall inspection or reconnaissance survey has been performed;
- Activities undertaken and results from informing public employees, businesses and general public of hazards associated with illegal discharges and improper disposal of waters;
- Collect data on the effectiveness of the program, BMP and measurable goal assessment.
    - Maintain list of educational materials distributed related to illicit discharge
    - Number of reports of potential illicit discharges received
    - Number of illicit discharges detected and eliminated
    - Number of remediation plans developed to mitigate pollutant discharges
    - Tabulate illicit discharge reductions over the permit periods
    - New outfalls, if identified, and connecting infrastructure

2.4 MCM 4 - CONSTRUCTION SITE RUNOFF CONTROL

The Construction Site Runoff Control MCM consists of BMPs that focus on the reduction of pollutants from construction activities that result from land disturbance of greater than or equal to one acre or less than one acre if part of a larger common development plan. The control measures are applicable to private and municipal projects. The MCM describes the legal authority mechanism that will be used to require construction site runoff control BMPs and will address storm runoff from construction sites, site plan review procedures, structural and non-structural erosion control practices, control construction site waste products, and inspection and enforcement measures.

Under this minimum control measure, the Village will:

- Develop, implement and enforce the requirement of the NYS SPDES General Permit for Stormwater Discharges from Construction Activities including:
  - address stormwater runoff from construction projects with land disturbance greater than or equal to one-acre;
  - includes adoption of a local law for an ordinance that require post-construction runoff controls in accordance with the *NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control (Appendix 3)*.
  - include requirements for erosion control management practices that will reduce pollutant discharge;
  - provide for sanctions to ensure compliance;
  - Describes Stormwater Pollution Prevention Plan (SWPPP) review procedures;
  - Establish and maintain an inventory of appropriate construction stormwater management practices; and
  - Ensure adequate operation and maintenance via inspection as identified in NYS Stormwater Management Design Manual or SWPPP.
- Provide procedures for inspection and enforcement of erosion and sediment control measures by trained staff.
- Provides procedures for receipt and follow-up of public complaints regarding erosion and sediment control practices.
- Assess MCM periodically and modify if deemed necessary for continued stormwater pollution control.

Existing Program Compliance

The Village has developed a construction site runoff control program designed to describe the impacts of stormwater discharges on waterbodies, identify POC and their sources and identified steps that the Village is taking in reducing pollutants in runoff. The construction site runoff control program included the following procedures to assess illicit discharges within the watershed:

1. The Village of Islandia has adopted the *NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control* on March 4, 2008 under Local Law 2-2008.
2. BI and/or SMO or designated consultants conduct site inspections, review construction for compliance with approved plans, order corrective measures and issue violations as required or in response to complaints, when necessary.
3. Site plan and subdivision review and construction inspection includes requiring erosion and sedimentation control on site plans, conducting public hearings, and providing inspections during construction.

4. Village Board reviews and approves all site plan and subdivision permit applications on required alterations.
5. Village board meetings held for all required site development and open to public for review and comment.
6. Village board consults with Village engineer for review of technical aspects of site developments.
7. SWPPPs are required for all commercial and industrial sites over one-acre in area and for all residential subdivision development. When a SWPPP is submitted for review, the Village will hire an outside consultant with expertise in stormwater management and SWPPP requirements to review the submitted SWPPP for compliance with NYS standards and to provide construction inspection requirements using a developer escrow account. The Village has identified hourly costs to be charged for the review and inspection of Erosion and Sediment Control (E&SC) plans, SWPPP plans and inspection services. Actual costs, using the identified hourly costs, will be developed based on specific project size and requirements.
8. Provided copies of new or revised code to all municipal staff with review or inspection responsibilities including Trustees, Planning Board members, BI and/or SMO, Village Engineer and site plan review consultants.
9. Continue construction plan review tracking that includes following any required permitting documents from federal, state or local agencies, local stormwater regulations and temporary erosion control measures.
10. The Village requires all sites to conduct their weekly self-inspections by a qualified inspector in accordance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) and to forward copies of their weekly inspection reports to the Village.
11. The Village Building Department also conducts inspections of active construction sites for compliance with construction regulations and maintains an inventory of active construction. The inventory includes information on the site, owner / operator contact information, when inspections were performed, and any enforcement actions. Additionally, the Building Department maintains a database of enforcement actions for construction activities. Additionally, compliance inspections are also conducted by the Building Inspector in response to a citizen complaint or to assess a non-permitted site. These are known as reconnaissance inspections. Reconnaissance Inspections should respond to:
    - Public complaints
    - Notification of unauthorized discharges and other on-site problems
    - Violations of regulatory requirements

12. SMO has the authority to assess all activities that do not appear to comply with Village ordinances and can order corrective measures and issue summonses for violations as required.
13. When the Village of Islandia determines that a land development activity is not being carried out in accordance with the requirements of this Part 2, it may issue a written notice of violation to the landowner. The notice of violation shall contain:
    The name and address of the landowner, developer or applicant;
    The address when available or a description of the building, structure or land upon which the violation is occurring;
    A statement specifying the nature of the violation;
    A description of the remedial measures necessary to bring the land development activity into compliance with this Part 2 and a time schedule for the completion of such remedial action;
    A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
    A statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within 15 days of service of notice of violation.

14. Stop-work orders. The Village of Islandia may issue a stop-work order for violations of this Part 2. Persons receiving a stop-work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Village of Islandia confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop-work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this Part 2.
15. Violations. Any land development activity that is commenced or is conducted contrary to this Part 2, may be restrained by injunction or otherwise abated in a manner provided by law.
16. Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this Part 2 shall be guilty of a violation punishable by a fine not exceeding $350 or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than $350 nor more than $700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than $700 nor more than $1,000 or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this Part 2 shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.
17. Withholding of certificate of occupancy. If any building or land development activity is installed or conducted in violation of this Part 2, the SMO may prevent the occupancy of said building or land.
18. Restoration of lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice,
19. the Village of Islandia may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

MCM 4: Program Compliance Continuation

Activities and Measurable Goals	Responsible Party	Target Year				
		2024	2025	2026	2027	2028
Establish an email or phone number (with message recording capability) for the public to report complaints related to construction stormwater activity.	SMO/SWMP Coordinator	✓				
Document names of individuals who received construction oversight training.	SMO/SWMP Coordinator	✓				
Develop and maintain an inventory of all applicable construction sites	SMO/SWMP Coordinator	✓				
Set up a recordkeeping for E&SC review at all construction sites.	SMO/SWMP Coordinator	✓				
Prioritize all construction sites on the construction site inventory	SMO/SWMP Coordinator	✓				
Document names of individuals who received erosion and sediment controls training	SMO/SWMP Coordinator	✓				
Provide educational training to planning board and review personnel to identify sites where Erosion and Sediment Control and SWPPP's are required.	SMO/SWMP Coordinator	✓				

Provide SWPPP Inspection reporting forms for SWPPP inspection procedures and results and for E&SC review.	Bldg. Dept./ Storm Water Consultant	✓				
Set up a recordkeeping for E&SC review at all construction sites.	SMO/SWMP Coordinator					
Amend ordinance when necessary to maintain compliance with NYS requirements	SWMP Officer	✓				
Revise code fee schedule as needed.	SWMP Officer	✓				
Provide a list of approved structural and non-structural BMP that meet the requirements of the stormwater regulations, update as new BMPs are developed.	Bldg. Dept./ Storm Water Consultant	✓				

Village Staff that have Received Erosion & Sediment Control Training		
Name	Title	Contact Information
Gerald Peters	Building Inspector/ Superintendent DPW	gpeters@newvillageofislandia.com
Keith Kellner	Building Inspector/ Plans Examiner	kkellner@newvillageofislandia.com

MCM 4 Required Annual Reporting

Compile required annual reporting including:

- Number of construction site authorized for disturbance of more than one acre Village wide;
- Number of construction sites of greater than one acre in the surface water watershed;
- Number of SWPPPs reviewed total /Number of SWPPP for projects within a surface water watershed;
- Number and type of enforcement actions related to site runoff;
- Percent of active construction sites inspected once;
- Percent of active construction sites inspected more than once;
- Update local laws when required by NYSDEC; and
- Report program effectiveness, and assess BMP and measurable goals in addition to the above list to include:
    - Educational materials distributed related to E&SC and SWPP
    - Training record of Village personnel and consultants providing E&SC and SWPPP review and inspection
    - Maintain list of contractors on site development projects with SWPPP in place and names of trained individuals at site
    - Maintain list of construction site in compliance with SWPPP requirements and those with violations.

2.5 MCM 5 - POST-CONSTRUCTION STORMWATER MANAGEMENT

The Post-construction Stormwater Management MCM includes BMPs that minimize or prevent water quality impacts for new development or reconstruction projects that disturb greater than one-acre. Project of less than one-acre that are part of a larger project that discharges into a MS4 or when specifically required by the NYSDEC are also included. The BMPs describe structural and non-structural practices, legal authority mechanisms and procedures for long-term operation and maintenance compliance.

Under this minimum control measure, the Village will:

- Develop, implement and enforce the requirement of the NYS SPDES General Permit for Stormwater Discharges from Construction Activities:
    - address stormwater runoff from new development and redevelopment projects with land disturbance greater than one –acre;
    - includes adoption of a local law for an ordinance that require post-construction runoff controls in accordance with the *NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control(Appendix 3)*;
    - include structural management practices and/or non-structural practices that will reduce pollutant discharge;
    - Describe SWPPP review procedures;
    - Establish and maintain an inventory of appropriate post-construction stormwater management practices; and
    - Ensure adequate operation and maintenance via inspection as identified in NYS Stormwater Management Design Manual or SWPPP.
- Provide adequate resources for inspection and enforcement of development and redevelopment sites by trained staff.
- Assess MCM periodically and modify when deemed necessary for continued stormwater pollution control.

Existing Program Compliance

The Village has developed a program of post-construction stormwater management BMPs to reduce the pollution impacts from stormwater discharges on waterbodies, identify POC and their sources and identified steps that the Village is taking in reducing pollutants in runoff. The post-construction stormwater management program included the following procedures to reduce post construction runoff and pollution within the watershed:

1. The Village of Islandia has adopted the *NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control* on March 4, 2008 under Local Law 2-2008.
2. BI and/or SMO or professional consultants have received appropriate training and conduct site inspections, review construction for compliance with approved plans, order corrective measures and issue violations as required or in response to complaints.
3. SMO and/or maintenance staff review complaints for standing water and flooding – add recordkeeping file for mitigation efforts.
4. Clean streets four times annually.
5. Inspect drainage structures connected to outfalls annually – clean when needed.
6. Clean additional basins as needed when complaints are received.
7. SMO has the authority to assess all activities that do not appear to comply with Village ordinances, permits and certificates of occupancy and can order corrective measures and issue

summonses for violations of all activities found not to comply with Village ordinances including the new E&SC and Illicit Discharge ordinances.

8. Provide copies of new code to all municipal staff with review or inspection responsibilities including Trustees, Board members, BI/ SMO, and Village Engineer.
9. When a SWPPP is required, Village will hire an outside consultant to review SWPPP for compliance with NYS standards and to provide construction inspection requirements using a developer escrow account. Identify hourly costs to be charged for the review and inspection of E&SC and SWPPP plans and inspection services. Actual costs using hourly costs will be developed based on project size and requirements.
10. Provide educational training to planning board members and review personnel to identify sites where E&SC and SWPPP's are required.

MCM 5: Program Compliance Continuation

Activities and Measurable Goals	Responsible Party	Target Year				
		2024	2025	2026	2027	2028
Maintain the post-construction SMP inventory.	SMO/SWMP Coordinator	✓				
Develop and implement a post-construction SMP inspection and maintenance program	SMO/Highway Dept.	✓				
Document names of individuals who received post-construction SMP inspection and maintenance procedure training.	SMO/SWMP Coordinator	✓				
The SMO to assess all activities that do not appear to comply with Village ordinances, permits and certificates of occupancy. The SMO can order corrective measures and issue summonses for violations of all activities found not to comply with Village ordinances including the new Stormwater Management and Erosion and Sediment Control and the Illicit Discharge ordinances.	SMO	✓				
Provide additional training for BI / SMO, new personnel, or professional consultants on new stormwater mitigation procedures, continue to conduct site inspections, review construction for compliance with approved plans, order corrective measures and issue violations as required or in response to complaints.	SWMP Officer/BI/ SMO	✓				
When a SWPPP is required, Village will hire an outside consultant to review the SWPPP for compliance with NYS standards and to provide construction inspection requirements using a developer escrow account. Identify hourly costs to be charged for the review and inspection of E&SC and SWPPP plans and inspection services. Actual costs using hourly costs will be developed based on project size and requirements.	Bldg. Dept.	✓				
Provide educational training to planning board members and review personnel to identify sites where Erosion and Sediment Control and SWPPP's are required.	SWMP Officer	✓				

Adjust ordinance fee structure if required.	SWMP Officer	✓				
Amend ordinances when necessary.	SWMP Officer	✓				
Provide copies of new code to all municipal staff with review or inspection responsibilities including Trustees, Board members, BI/SMO, and Village Engineer.	SWMP Officer	✓				
SMO and/or Highway Dept. staff to review complaints for standing water and flooding and add mitigation efforts undertaken to the recordkeeping file.	SMO/High way Dept.	✓				
Continue to clean streets four times annually	Highway Dept.	✓				
Inspect drainage structures connected to outfalls annually – clean when needed.	Highway Dept.	✓				
Clean basins as needed when complaints are received	Highway Dept.	✓				

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Village Staff that have Received Post Construction SMPs Inspection & Maintenance Training (in progress)		
Name	Title	Contact Information
Gerald Peters	Building Inspector/ Superintendent DPW	gpeters@newvillageofislandia.com
Keith Kellner	Building Inspector/ Plans Examiner	kkellner@newvillageofislandia.com

MCM 5 Required Annual Reporting

Compile required reporting including:

- Number and type of enforcement actions;
- Number and type of post-construction SMPs inventoried;
- Number and type of SMPs inspected;
- Number and type of SMPs maintained;
- Provide certification that regulatory mechanism is equivalent to *NYSDEC Sample Local Law*;
- Educational programs attended, date, subject, and personnel; and
- Report program effectiveness, and assess BMP and measurable goals in addition to the above list to include:
    - List of educational materials distributed related to E&SC and SWPPP
    - Training record of Village personnel and consultants providing E&SC and SWPPP review and inspection
    - Property owners notified of E&SC and SWPP issues on their properties
    - Maintain list of sites and improvement undertaken.

2.6 MCM 6 - POLLUTION PREVENTION AND GOOD HOUSEKEEPING

The Pollution Prevention and Good Housekeeping MCM consists of BMPs that focuses on reduction of pollutants from municipal operations through employee training and operational changes. The BMPs describe the training needs, operational and maintenance BMPs, maintenance activities, inspection procedures and schedules, pollutant control measures from Village streets, municipal parking lots, maintenance yards and Village waste disposal.

Under this minimum measure, the Village will:

- Develop and implement a pollution prevention/good-housekeeping program for municipal operations and facilities that have the potential to contribute pollutants of concern to MS4's contributing to the surface waters or directly to surface waters. Municipal operations and facilities may include maintenance of roads, winter roads, stormwater systems, Village vehicles, municipal buildings, parks and open space, rights-of-way and management of solid waste disposal, land disturbance, and marine habitat modifications;
- Determine the standard practices and operating procedures to reduce or prevent pollution discharge as described in the "*NYS Pollution Prevention and Good Housekeeping Assistance*" document. Prioritize the municipal efforts based on proximity to surface waters, potential for improvement, need and Village capability;
- Once every five years perform a self-assessment of the municipal operations to assess pollutant sources changes and needed modification to municipal operations;
- Update the municipal pollution prevention and good housekeeping operations by prioritizing efforts based on geographic area, potential for water quality improvement, facilities or operation most in need of improvement, and permittee's capabilities;
- Utilize employee pollution prevention and good housekeeping training programs;
- Require third party contractors performing Village services such as street sweeping, snow removal, lawn and grounds care to meet pollution prevention and good housekeeping training requirements;
- If municipal operation are identified that would otherwise be required to obtain a NYS Multisector General Permit (MSGP GP 0-23-001) for industrial stormwater permit, the Village must prepare and implement provisions of the SWMP that comply with Parts III of the MSGP, along with monitoring and recordkeeping in accordance with Part IV of the MSGP. Discharge monitoring reports must be attached to MS4 annual report;
- Periodically assess MCM and modify measurable goals if deemed necessary for continued stormwater pollution reduction; and
- Select appropriate pollution prevention and good housekeeping BMPS and measurable goals to ensure reduction to ensure reduction of any POCs in stormwater discharges to the maximum extent practicable if compliance with TMDL requirements mandate watershed improvement strategies.
- Adopt techniques to reduce the use of fertilizers and pesticides through Integrated Pest Management.

Best Management Practices (BMPs) for Municipal Facilities & Operations- Existing Program Compliance

The Village has developed a program of municipal operations and good housekeeping BMPs to reduce the pollution impacts from stormwater discharges on waterbodies, identified POCs and their sources and identified steps that the Village is taking in reducing pollutants in runoff. The municipal operations and good housekeeping program included the following procedures to assess illicit discharges within the watershed:

Stormwater System Maintenance
Drainage structures that are connected to outfalls to surface waters are inspected annually and cleaned as needed or following receipt of complaint. Highway staff currently reviews the structures and notes if repairs are needed. The Village currently utilizes WASTE Inc., 22 North Dunton Ave, Medford NY 11763 for stormwater system infrastructure cleaning and repair. Village employees and Contractors are required to protect all catch basins during any construction or restoration projects.

New Municipal Construction and Land Disturbance
The Village installed green infrastructure practices on Village property including bioretention swales, rain gardens and permeable pavers. These practices are inspected and maintained approximately twice a year.

Parks and Open Space
The Village provides pet waste bags for public use at several locations on Village property, including all the parks. Dog waste control requirements are included in the local ordinance.
The Village prohibits the use of fertilizers and pesticides on public property.
Accumulated trash and debris at Village parks is removed, when necessary, by the Department of Public Works.

Municipal Building
Each Village department is responsible for maintenance activities required inside and outside of the building(s) they operate from and identifying which activities have an impact on stormwater. The departments maintain safety data sheets and proper hazardous waste materials management is performed.

Street / Right-of-Way Maintenance
The Village utilizes Elite Parking Area Maintenance Inc. for Street Sweeping. The Street sweeper cleans Village streets and parking lots four times per year. Debris from the street sweepings (including salt, sand, leaves) is collected and is disposed of by the contractor at proper disposal sites.

Winter Road Maintenance and Salt Storage
The Village utilizes Kohler Property Management Inc. (dba Snow XNY) for snow plowing and de-icing. The Village does not have a salt storage shed.

Solid Waste Management
The Village enforces several ordinances related to solid waste management in §142- Solid Waste, including the following: ordinances that require residents to properly contain solid waste prior to it being picked up by the Village; a recycling ordinance which establishes a program for the mandatory separation of recyclables from solid waste within the Village; and an ordinance that prohibits throwing or depositing litter or any other material within the Village or in bodies of water.
The Village is responsible for collecting trash twice a week and recyclables once a week from residents. Collection calendar is available on the Village website as well https://www.newvillageofislandia.com/government-services/trash-recycle-calendar/.
The Village utilizes Total Collection Services Inc., NY for solid waste, recycle and leaf collection and maintains a Third- Party Certification with this contractor. Refuse is then sent to garbage incinerator plant, recycling plant and compost facility as applicable.

Vehicle and Fleet Maintenance
The Village currently utilizes Lee Myles Autocare + Transmissions, 929 Middle Country Road, St James, NY 11780 to clean Village owned vehicles. Vehicles and equipment are washed using methods to prevent discharge of pollutants to the municipal storm sewer system or a surface waterbody.

Minor maintenance and repair of the Village's fleet is done by outside contractors on Village property and truck maintenance is done by outside contractors offsite.
Vehicles are maintained according to manufacturer's specifications and vehicle operators conduct frequent inspections of vehicles to identify and eliminate fluid leaks and schedule repairs as needed.
The Village conducts maintenance indoors whenever possible. For maintenance performed outside, operators guard against spillage of materials that could discharge to storm receivers.
Spilled materials are cleaned up immediately, using "dry" methods.

Hazardous and Waste Materials Management
All hazardous materials are stored in closed, labeled containers. If stored outside, drums are placed on pallets, away from storm receivers. Inside storage areas are located away from floor drains.
Secondary containment devices are used where appropriate and inspected.
Materials are properly disposed of.
Material storage areas are inspected.
Any leaking/defective containers, caps, and covers are repaired or replaced as necessary.

Spill Response and Prevention
The Village's conducts annual inspections to confirm no chemical spills/leaks are occurring at their existing water supply facilities. The following are routinely inspected: container leaks, areas near storm receiver inlets and outlets, and floor drains. Drains are protected by using oil absorbent materials.
The Village implements spill response procedures to ensure stormwater quality protection measures are considered during spill response events.
The Village maintains spill prevention equipment and employees receive training on spill response.

MCM 6: Program Compliance Continuation

Activities and Measurable Goals	Responsible Party	Target Year				
		2024	2025	2026	2027	2028
Village personnel and consultants will attend educational or training programs related to pollution reduction. New employees will be informed of pollution prevention and good housekeeping measures and will attend training classes when available.	BI/SMO/Highway Dept./SWMP Officer	✓				
Village personnel will maintain access to the "NYS Pollution Prevention and Good Housekeeping Assistance" document in the office. New related documents will be provided as they become available.	SWMP Officer	✓				
Document all Village operations that can reduce pollutant impacts into waterways such as street sweeping, structures cleaning, stream bank restoration; in addition, to documenting all materials distributed. This will allow the SWMP Annual Report to be completed with less effort.	DPW Dept./ Storm Water Consultant	✓				
Once every five years perform a self-assessment of municipal operations and contractor operations addressed by the SWMP to identify changes in pollution generation and required modification in municipal operation for pollution prevention and good housekeeping.	SWMP Officer					✓

Undertake ongoing inspection and maintenance, repairs and or replacement of catch basins and manhole sumps and outfalls in the early spring and late fall for removal of sediment and debris.	SMO/ SWMP Officer	✓				
Develop a Corrective Action Plan for any conveyance system component identified to require improvement and maintain a file of corrective actions.	Highway Dept.	✓				
Undertake the inspection and maintenance, repairs and or replacement SMPs installed by the permittee.	Highway Dept.	✓				
Follow IPM practices for landscape maintenance and require that contracted landscape services follow the IPM practices including: • Train employees or require training of contractor staff in proper lawn care product application and improvements in maintenance practices • Use slow release fertilizers when possible • Adhere to the Suffolk County law banning fertilizer applicable on existing lawns from November 1 to April 1. • Identify potential opportunities to use Low Impact Development (LID) options for storm runoff including municipal roof runoff for plant watering and parking and directing road drainage to rain gardens.	Highway Dept.	✓				
Follow vehicle and equipment maintenance BMP procedures including: • An inventory of municipal vehicle and equipment • Inspection of vehicle and equipment for fluid leaks • Require that maintenance not be conducted where spillage could discharge or drain to surface water • Clean spills immediately using dry materials • Dispose of wastes at recycling centers or legal disposal locations. • Maintain vehicles in conformance with manufacturer service requirements, maintain vehicle maintenance records, and leak repair activities. • Vehicle washing shall not drain to surface waters. • Conduct maintenance activities at buildings so that materials cannot be carried to surface waters.	Highway Dept.	✓				
Follow BMP to prevent the potential for discharge of hazardous and waste materials from impacting surface waters by:	Highway Dept.	✓				

• Materials are stored in closed containers away from surface waters or drains to surface waters. • Use of non-hazardous materials, when possible. • Recycle when possible or properly and legally dispose of hazardous materials. • Provide self-containment areas to prevent leaching if possibility is identified. • Post no dumping signs in sensitive locations and where dumping has been observed. • Develop spill response procedures, maintain spill prevention material and conduct municipal training.						
Follow road maintenance and cleaning procedures including: • Sweep streets four times per year to reduce sediment and associated pollutant discharge to surface waters. • Clean up reported fluid leaks and spills on Village roads that drain to surface waters as soon as possible after reported. • Require street sweeping contractor to follow BMPs and legally and properly dispose of collected material. • Require paving contractor to follow road paving BMPs including erosion and sedimentation control and allow paving only during dry weather. • Investigate alternative pervious paving materials for possible use on Village properties.	Highway Dept.	✓				
Require contractor to follow BMPs for salt application operations to reduce impact of salt on surface waters, aquatic life and vegetation. If salt materials are required to be stored within the Village boundaries, proper covered storage facilities should be developed.	Highway Dept.	✓				
Follow storm drainage system inspection and cleaning procedure to routinely cleans municipal structures focusing on the system that discharges to Connetquot River, those area that routinely become clogged and those locations where flooding is reported.	Highway Dept.	✓				
Comply with the Stormwater Management and Erosion and Sedimentation Control section of the Village code for all Village construction projects.	Highway Dept./SWMP Officer	✓				

APPENDIX 1

Village Of Islandia

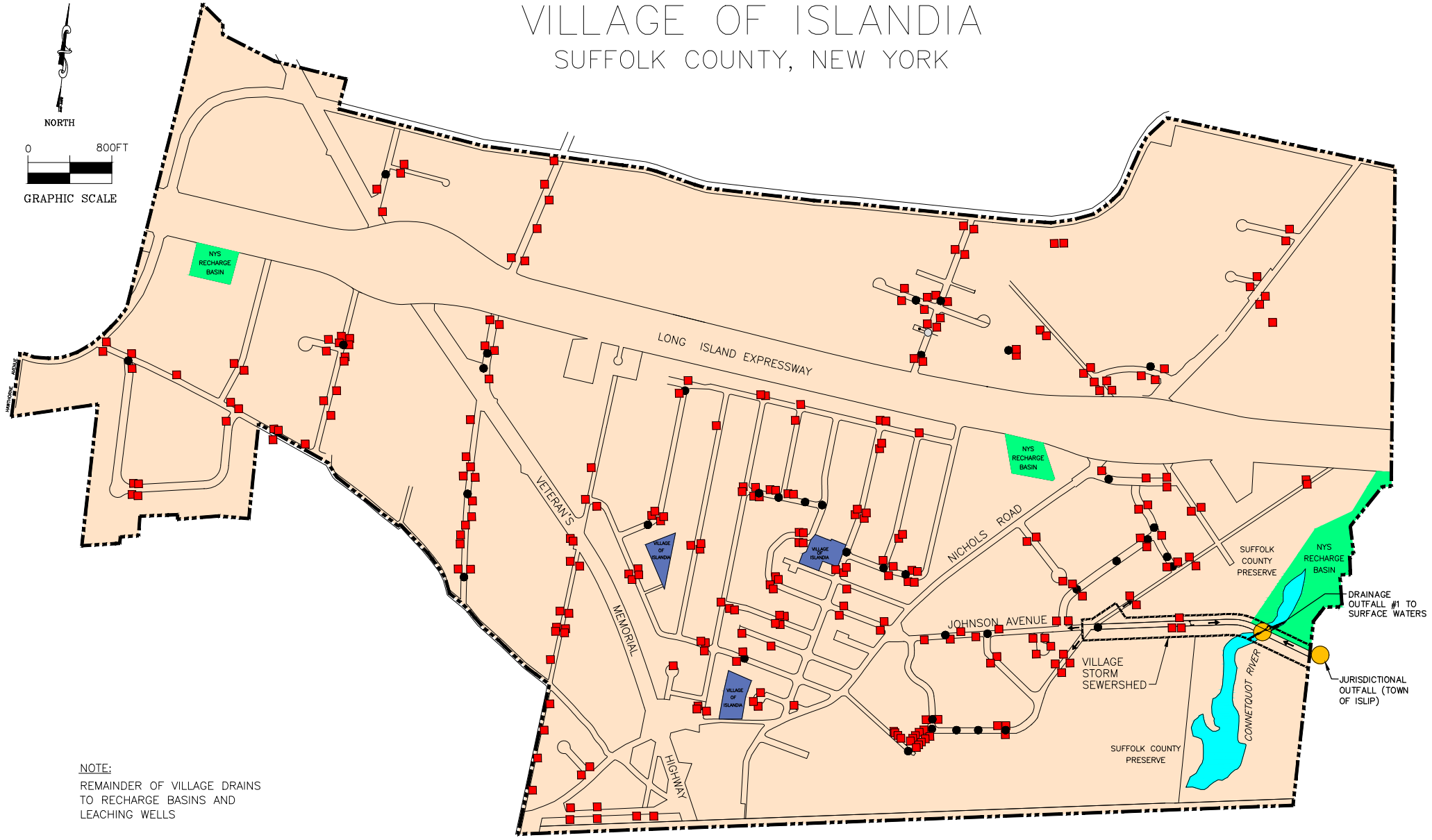
Outfall and Storm Sewershed Map

Zoning Map

Area Tax Map

VILLAGE OF ISLANDIA

SUFFOLK COUNTY, NEW YORK



NOTE:
REMAINDER OF VILLAGE DRAINS TO RECHARGE BASINS AND LEACHING WELLS

LEGEND

DRAINAGE STRUCTURES	SURFACE WATERS OF THE STATE
CATCH BASIN	CONNETQUOT RIVER
MANHOLE	
OUTFALL	
DRAINAGE PIPES	
NYS RECHARGE BASIN	
VILLAGE OF ISLANDIA RECHARGE BASIN	
LEACHING POOLS	

Cashin Associates, P.C.
ENGINEERING·PLANNING·CONSTRUCTION MANAGEMENT

MAP 1
Village Of Islandia
Stormwater Management
SEWERSHEDS AND MS4 INFASTRUCTURE

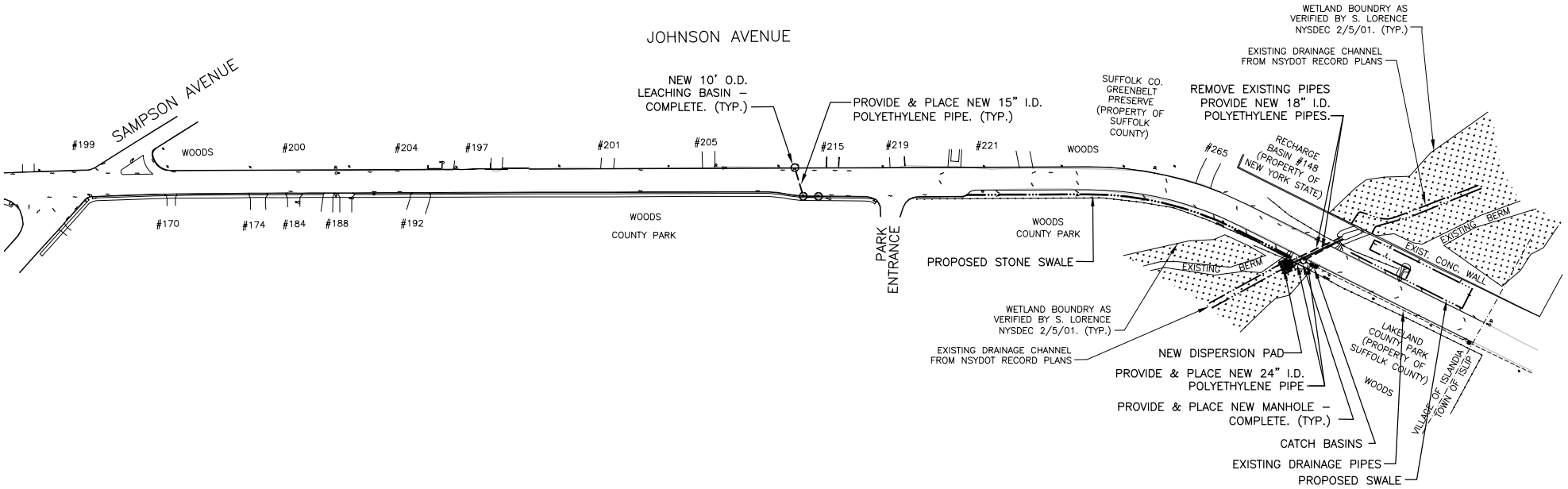
VILLAGE OF ISLANDIA

SUFFOLK COUNTY, NEW YORK

NORTH

0 200FT

GRAPHIC SCALE



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MAP 2

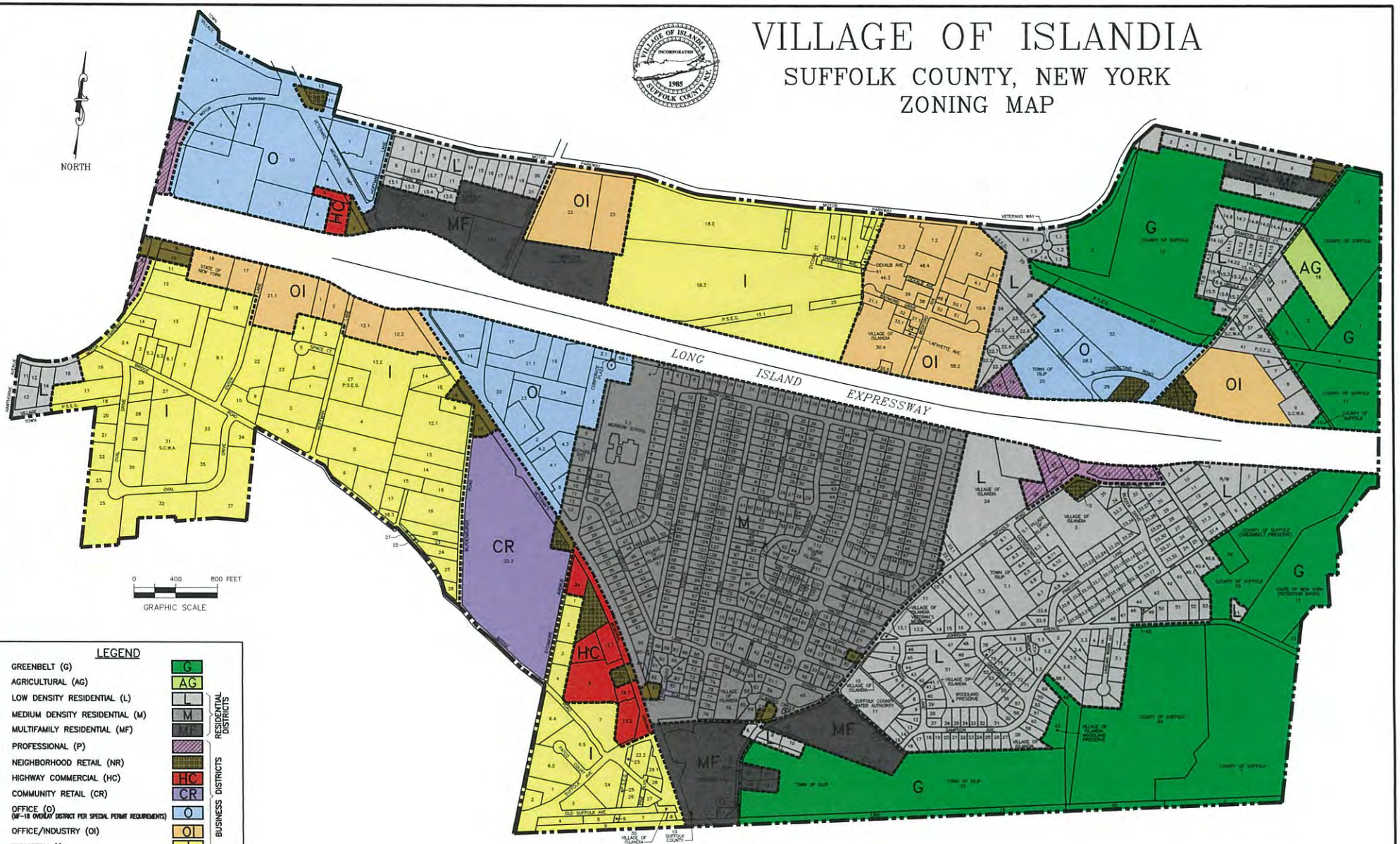
Village Of Islandia
Stormwater Management

OUTFALL #1 STORM DRAINAGE SYSTEM

VILLAGE OF ISLANDIA

SUFFOLK COUNTY, NEW YORK

ZONING MAP



ORIGINALLY ADOPTED JULY 1995
LATEST REVISION DECEMBER 2024

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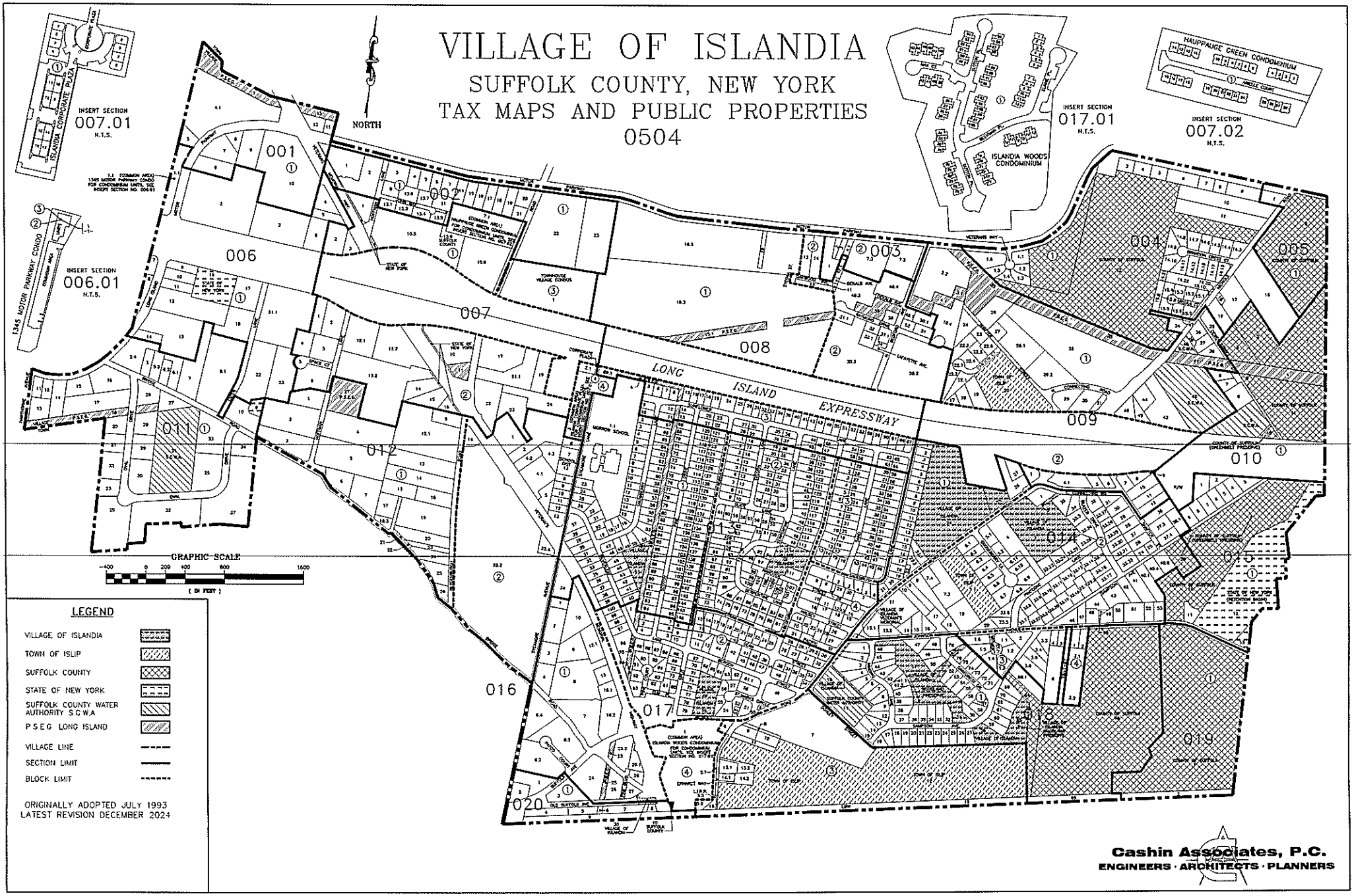
VILLAGE OF ISLANDIA

SUFFOLK COUNTY, NEW YORK

TAX MAPS AND PUBLIC PROPERTIES

0504



LEGEND

- VILLAGE OF ISLANDIA
- TOWN OF ISLIP
- SUFFOLK COUNTY
- STATE OF NEW YORK
- SUFFOLK COUNTY WATER AUTHORITY S.C.W.A
- P.S.E.G. LONG ISLAND
- VILLAGE LINE
- SECTION LIMIT
- BLOCK LIMIT

ORIGINALLY ADOPTED JULY 1993
LATEST REVISION DECEMBER 2024

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ENGINEERS · ARCHITECTS · PLANNERS

APPENDIX 2

SPDES General Permit for Stormwater Discharges

From

Municipal Separate Storm Sewer Systems (MS4s)
(Permit No. GP-0-24-001)

NEW YORK STATE | Department of Environmental Conservation

FINAL

PERMIT

for

NEW YORK STATE

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT

for

STORMWATER DISCHARGES

from

MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

Permit No. GP-0-24-001

Issued Pursuant to Article 17, Titles 7, 8 and Article 70
of the Environmental Conservation Law

Issuance Date: December 13, 2023

Effective Date: January 3, 2024

Expiration Date: January 2, 2029

Scott Sheeley

Chief Permit Administrator

Scott E. Sheeley — DECEMBER 13, 2023

Authorized Signature — Date

Address: NYS DEC
Division of Environmental Permits
625 Broadway, 4th Floor
Albany, NY 12233

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NOTE

All italicized words within this *State Pollutant Discharge Elimination System (SPDES)* general permit are defined in Appendix A.

Part I. Permit Coverage and Limitations

A. Permit Authorization

This *SPDES* general permit authorizes the *discharge* of *stormwater* from small *MS4*s.

1. An *MS4 Operator* is eligible for coverage under this *SPDES* general permit if the *MS4* is *automatically* or *additionally designated (Appendix B)*.

   Only portions of the *MS4* which are located within the *automatically* or *additionally designated areas* are subject to, and authorized to *discharge* by, the requirements of this *SPDES* general permit (Part IV.C.).

2. This *SPDES* general permit contains terms and conditions specific for each of the following types of *MS4 Operators* that are authorized to *discharge* under this *SPDES* general permit, in accordance with Part I.A.1:

   a. *Traditional Land Use Control MS4 Operators;*

   b. *Traditional Non-land Use Control MS4 Operators;* and

   c. Non-traditional MS4 Operators.

   The minimum control measures (MCMs) for *traditional land use MS4 Operators* are listed in Part VI. The MCMs for *traditional non-land use control MS4 Operators* and *non-traditional MS4 Operators* are listed in Part VII. Part III.B, Part VIII, and Part IX. list additional requirements for all *MS4 Operators' MS4*s *discharging* to impaired waters.

3. Non-*stormwater discharges* through outfalls listed in Part 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR) 750-1.2(a)(29)(vi) and 40 CFR 122.34(b)(3)(ii), are authorized by this *SPDES* general permit provided they do not violate Environmental Conservation Law (ECL) Section 17-0501. If the *Department* or *MS4 Operator* determines that one or more of the *discharges* are in violation of ECL Section 17-0501, the identified *discharges* are illicit and the *MS4 Operator* must eliminate such *discharges* by following the *illicit discharge* MCM requirements found in Part VI.C. or Part VII.C, depending on the *MS4 Operator* type.

   Discharges from firefighting activities are authorized only when the firefighting activities are emergencies/unplanned.

B. Exemption and Limitations on Coverage

1. The following *discharges* from *MS4 Operators* are exempt from the requirements of this *SPDES* general permit:
   a. *Stormwater discharges* associated with an *industrial activity* provided the *discharges* are covered by the SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity*,* GP-0-23-001 (MSGP); and
   b. Individual *SPDES* permitted *stormwater discharges* provided the *discharges* are in compliance with their individual *SPDES* permit limitations.
2. The following *discharges* from *MS4 Operators* are not authorized by this *SPDES* general permit:
   a. *Stormwater discharges* that may adversely affect an endangered or threatened species, or its designated critical habitat, unless the *MS4 Operator* has obtained a permit issued pursuant to 6 NYCRR Part 182 or the *Department* has issued a letter of non-jurisdiction.
   b. *Stormwater discharges* which adversely affect properties listed or eligible for listing in the National Register of Historic Places unless the covered entity is in compliance with requirements of the National Historic Preservation Act and has coordinated with the appropriate State Historic Preservation Office any activities necessary to avoid or minimize impacts.
   c. *Stormwater discharges*, the permitting of which is prohibited under 40 CFR 122.4 and 6 NYCRR 750-1.3.
   d. The *discharge* of vehicle and equipment washwater from *municipal facilities*, including tank cleaning operations.
3. All documentation necessary to demonstrate *discharge* eligibility (Part I.B.1. and Part I.B.2.) must be documented in the *Stormwater Management Program Plan (SWMP Plan)* (Part IV.B.).

Part II. Obtaining Permit Coverage

A. *MS4 Operators*, meeting the eligibility requirements in Part I.A.1. of this *SPDES* general permit, must submit the notice of intent (NOI) electronically (eNOI) unless the *MS4 Operator* has obtained a waiver from the electronic submittal requirement (Part II.B.) in order to be authorized to *discharge* under this *SPDES* general permit. Access and directions for use, for electronic submission of the NOI, are located on the *Department*'s website. *MS4 Operators* must submit the eNOI as indicated in Table 1 and in accordance with Part X.J.

Table 1. eNOI Submittal for Permit Coverage			
Type of permit coverage	**Deadline to submit complete eNOI**	**Effective Date of Coverage (EDC)**	**Form to file with the *Department***
Newly designated *MS4 Operator*	180 days[1] from written notification from the *Department*	The submission of the complete eNOI	eNOI
MS4 Operators continuing coverage from GP-0-15-003	Forty-five (45) days from the effective date of the permit (EDP)	EDP	eNOI

MS4 Operators continuing coverage from GP-0-15-003 are eligible for continued coverage under this SPDES general permit (GP-0-24-001) on an interim basis for up to sixty (60) calendar days from the EDP. During this interim period, an MS4 Operator must comply with the requirements of GP-0-15-003.

By submitting the complete e*NOI*, the *MS4 Operator* certifies that the *MS4 Operator* has read and agrees to comply with the terms and conditions of this *SPDES* general permit including the provisions to update the *SWMP Plan* (Part IV.B.) in accordance with the timeframes set forth in this *SPDES* general permit.

MS4 Operators must document the complete NOI in the *SWMP Plan* (Part IV.B.). As information in the completed NOI changes, within thirty (30) days, the *MS4 Operators* must update the information on the NOI and resubmit the completed NOI to the Department. The *MS4 Operator* must document information from the Department acknowledging previous coverage or designation in the *SWMP Plan* (Part IV.B.).

Where there is a permit condition to *develop,* newly designated *MS4 Operators* must create that permit requirement. Where there is a permit condition to *develop, MS4 Operators* continuing coverage must continue to implement their current *SWMP* and update the *SWMP* to comply with the permit requirement.

For newly designated *MS4 Operators*, timeframes for compliance begin on the effective date of coverage (EDC).

B. Electronic Submission Waiver

1. *MS4 Operators* must submit all NOIs electronically unless the *MS4 Operator* has received a waiver from the Department based on one of the following conditions:

   a. If the *MS4 Operator* is physically located in a geographical area (i.e., zip code or census tract) that is identified as under-served for broadband internet

[1] In this *SPDES* general permit, days refer to calendar days.

access in the most recent report from the Federal Communications Commission; or

b. If the *MS4 Operator* has limitations regarding available computer access or computer capability.

2. If an *MS4 Operator* wishes to obtain a waiver from submitting an NOI electronically, the *MS4 Operator* must submit a request using the Application for Electronic Submittal Waiver to the *Department* at the following address:

   NYS DEC Bureau of Water Compliance

   MS4 NOTICE OF INTENT WAIVER

   625 Broadway, 4th Floor

   Albany, New York 12233-3505

3. A waiver may only be considered granted once the *MS4 Operator* receives written confirmation from the *Department*.

4. *MS4 Operators* must document the eNOI waiver in the *SWMP Plan* (Part IV.B.), if applicable.

C. *MS4 Operators* who submit a complete NOI are authorized to *discharge stormwater* under the terms and conditions of this *SPDES* general permit.

1. NOI Content

   The NOI shall include:

   a. Legal name and address of the *MS4 Operator*;

   b. Receiving waterbodies; and

   c. *Municipal Separate Storm Sewer System (MS4)* NPDES Permit-Related Information of 40 CFR Part 127 Appendix A.

Part III. Special Conditions

A. *Discharge* Compliance with *Water Quality Standards*

1. The *MS4 Operator* must implement the required controls contained in Part III. through Part IX. of this *SPDES* general permit. The *Department* expects that compliance with the terms and conditions of this *SPDES* general permit will assure *MS4 discharges* meet applicable *water quality standards*.

2. It shall be a violation of the ECL for any *discharge* authorized by this *SPDES* general permit to either cause or contribute to a violation of *water quality standards* as contained in 6 NYCRR 700-705.

3. The *MS4 Operator* must take all necessary actions to ensure *discharges* comply with the terms and conditions of this *SPDES* general permit. If at any time an *MS4 Operator* becomes aware (e.g., through self-monitoring or by notification from the *Department*) that a *discharge* causes or contributes to the violation of an applicable *water quality standard*, the *MS4 Operator* must implement corrective

actions and the *MS4 Operator* must document these actions in the *SWMP Plan* (Part IV.B.).

4. Compliance with this *SPDES* general permit does not preclude, limit, or eliminate any enforcement activity as provided by Federal and/or State law. Additionally, if violations of applicable *water quality standards* occur, then coverage under this *SPDES* general permit may be terminated by the *Department* in accordance with 6 NYCRR 750-1.21(e), and the *Department* may require an application for an alternative *SPDES* general permit or an individual *SPDES* permit may be issued.

B. Water Quality Improvement Strategies for Impaired Waters

1. List of Impaired Waters (Appendix C)

Part VIII. requirements must be implemented in addition to the applicable requirements of the six (6) MCMs in Part VI. or Part VII, depending on the *MS4 Operator* type.

For *MS4 Operators* whose *MS4 outfall*s and *additionally designated area MS4 outfalls* (*ADA MS4 outfalls*) *discharge* to waters impaired for phosphorus, silt/sediment, pathogens, nitrogen, or floatables (Appendix C), the *MS4 Operator* must *develop* and implement the *pollutant* specific *best management practices (BMPs*), listed in Part VIII, targeted towards the *pollutant of concern (POC)* causing the impairment.

For *MS4 Operators discharging* to waters within a *total maximum daily load (TMDL)* watershed that does not specify a *pollutant* load reduction necessary for *MS4*s and listed in Appendix C, the *MS4 Operator* must implement the enhanced *BMP* requirements of Part VIII. for the applicable *pollutant* of concern of the *TMDL*.

The enhanced *BMP* requirements in Part VIII. are written to address the *POCs* listed in Table 2.

Table 2. *Pollutant* Specific BMPs for Impaired Waters listed in Appendix C

POC	**Part VIII. Reference**
Phosphorus	A
Silt/Sediment	B
Pathogens	C
Nitrogen	D
Floatables	E

2. Watershed Improvement Strategy Requirements for *TMDL* Implementation (Part IX.)

Part IX. requirements must be implemented in addition to the applicable requirements of the six (6) MCMs in Part VI. or Part VII, depending on the *MS4 Operator* type.

a. *MS4 Operators discharging* to waters within the watersheds listed in Table 3 must implement additional *BMPs* and applicable *retrofit* plans as specified in Part IX. to achieve the *pollutant* load reductions specified in the referenced *TMDL* or respective implementation plan.

Table 3. Approved *TMDL* Watersheds with *MS4* Contribution

TMDL	POC	Part IX. Reference
Phase II Phosphorus TMDLs for Reservoirs in the NYC Watershed, June 2000	Phosphorus	A
Total Maximum Daily Load (TMDL) for Phosphorus in Lake Carmel, October 2016		
Total Maximum Daily Load (TMDL) for Phosphorus in Palmer Lake, March 2015		
Impaired Waters Restoration Plan for Greenwood Lake – Total Maximum Daily Load for Total Phosphorus, September 2005	Phosphorus	B
Updated Phosphorus Total Maximum Daily Load for Onondaga Lake, June 2012		
Total Maximum Daily Load (TMDL) for Phosphorus in Lake Oscawana, September 2008		
None	Pathogen	C
TMDL for Nitrogen in the Peconic Estuary Program Study Area, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Sawmill Creek; and Meetinghouse Creek, Terry Creek and Tributaries, September 2007	Nitrogen	D

b. Each *MS4 Operator* is responsible for a waste load reduction as specified in the applicable *TMDL* or *TMDL* implementation plan referenced in Part IX. *MS4 Operators* may form a *Regional Stormwater Entity (RSE)* to implement *stormwater retrofits* collectively where compliance with the *pollutant* reduction requirements would be achieved on a regional basis. The individual load reduction for each participating *MS4 Operator* is aggregated to create a *RSE* load reduction. The *RSE* then designs and installs *retrofits* where they are most feasible within the boundaries of the *RSE*. Each participating *MS4*

Operator of an *RSE* complies if the aggregated *RSE pollutant* load reduction is met.

3. Impaired waters with an approved *TMDL* and listed in Appendix C

Part VIII. and Part IX. requirements must be implemented in addition to the applicable requirements of the six (6) MCMs in Part VI. or Part VII, depending on the *MS4 Operator* type.

An *MS4 discharging* to a waterbody listed in Appendix C must meet the requirements of Part VIII. for the *POC*(s) listed in Appendix C.

An *MS4 discharging* to a waterbody listed in Table 3 must meet the requirements of Part IX. for the specific *POC* identified in the *TMDL*.

Part IV. *Stormwater Management Program (SWMP)* Requirements

MS4 Operators must *develop*, implement, and enforce a *SWMP*. The *SWMP* must be retained in written format, hardcopy or electronic. The written *SWMP* is referred to as the *SWMP Plan* (Part IV.B.). The *MS4 Operator* must use the *SWMP Plan* (Part IV.B.) to document *developed*, planned, and implemented elements of the *SWMP*.

A. Administrative

1. Alternative Implementation Options

a. *MS4 Operators* may utilize other entities or the resources of those entities to assist with any portion of the *SWMP* development, implementation, or enforcement. These entities may consist of other *MS4 Operators*, an *RSE*, a Coalition of *MS4 Operators*, other public entities (e.g., non-*MS4 Operators*), or a private third-party contractor. If the *MS4 Operator* is relying upon another entity for compliance with any portion of this *SPDES* general permit, there must be an agreement in place that:

i. Is legally binding;

ii. Is documented in writing;

iii. Is signed and dated by all parties including a certification statement that explains that the *MS4 Operator* is responsible for compliance with this *SPDES* general permit;

iv. Identifies the activities that the entity will be responsible for including the particular MCM, the location and type of work;

v. Includes the name, address, and telephone number of the contact person representing the entity;

vi. Is kept up-to-date and part of the *SWMP Plan*; and

vii. Is retained by each party for the duration of the permit term.

b. In the *SWMP Plan*, the *MS4 Operator* must *develop* and maintain an inventory of entities assisting in permit implementation that includes the following information:

   i. Name of entity performing permit implementation; and

   ii. Permit requirement being implemented performed by entity.

c. Irrespective of any agreements, each party remains legally responsible for obtaining its own permit coverage, for filing the *NOI,* and satisfying all requirements of this *SPDES* general permit for its own *discharges*.

d. Within thirty (30) days signing, alternative implementation agreements (Part IV.A.1.) must be documented in the *SWMP Plan* (Part IV.B.).

e. Annually review and update any alternative implementation agreements in the *SWMP Plan*, as necessary.

2. Staffing plan/Organizational chart

Individual *SWMP* components may be *developed*, implemented, or enforced by different titles associated with the *MS4 Operator*, or other entities as described in Part IV.A.1. Within six (6) months of the EDC, the *MS4 Operator* must *develop* a written staffing plan/organizational chart which includes job titles and other entities as identified in Part IV.A.1, and the roles and responsibilities for each corresponding to the required elements of the *SWMP*. The staffing plan must describe how information will be communicated and coordinated among all those with identified responsibilities. All staffing plan/organization charts must be documented in the *SWMP Plan* (Part IV.B.).

B. *SWMP Plan*

The *SWMP Plan* must contain, at a minimum, all permit requirements implemented to meet the terms and conditions of this *SPDES* general permit, and documentation required by this *SPDES* general permit. The *SWMP Plan* may incorporate by reference any documents that meet the requirements of this *SPDES* general permit. If an *MS4 Operator* relies upon other documents to describe how the *MS4 Operator* will comply with the requirements of this SPDES general permit, the *MS4 Operator* must attach to the *SWMP Plan* a copy of these documents.

The *SWMP Plan* must identify if any requirements from Part VI. through Part IX. do not require updates and include the rationale behind the determination. The *SWMP Plan* must identify if any requirements from Part VI. through Part IX. are not applicable and include the rationale behind the determination.

1. *Stormwater* Program Coordinator

On the NOI, the *MS4 Operator* must designate a *Stormwater* Program Coordinator who must be knowledgeable in the principles and practices of *stormwater* management, the requirements of this *SPDES* general permit, and the *SWMP*. The *Stormwater* Program Coordinator oversees the *development*, implementation, and enforcement of the *SWMP;* coordinates all elements of the

SWMP to ensure compliance with this *SPDES* general permit; and *develops* and submits the Annual Report (Part V.B.2.). The name, title, and contact information of the *Stormwater* Program Coordinator must be documented in the *SWMP Plan*.

2. Availability of *SWMP Plan*

a. Within six (6) months of the EDC, the *MS4 Operator* must make the current *SWMP Plan*, and documentation associated with the implementation of the *SWMP Plan*, available during normal business hours to the *MS4 Operator*'s management and staff responsible for implementation as well as the *Department* and United States Environmental Protection Agency (USEPA) staff.[2] The completion of this permit requirement must be documented in the *SWMP Plan*.

b. Within six (6) months of the EDC, the *MS4 Operator* must make a copy of the current *SWMP Plan* available for public inspection during normal business hours at a location that is accessible to the public or on a public website. The location of the *SWMP Plan* must be kept current. The completion of this permit requirement must be documented in the *SWMP Plan*.

3. Timeframes for *SWMP* Plan Development or Updates

MS4 Operators must *develop* and implement their *SWMP Plan* in accordance with the timeframes set forth in this *SPDES* general permit. Annually, after the end of the Reporting Year and by April 1, the *SWMP Plan* must be updated to ensure the permit requirements are implemented. More frequent updates to the *SWMP Plan* are noted throughout this *SPDES* general permit in specific permit requirements.

C. Minimum Control Measures (MCMs)

The MCMs for *traditional land use MS4 Operators* are listed in Part VI. while those for *traditional non-land use control MS4 Operators* and *non-traditional MS4 Operators* are listed in Part VII. Parts III.B, Part VIII, and Part IX. list additional requirements for all *MS4 Operators discharging* to impaired waters.

MS4 Operators subject to Part VI.

For *MS4 Operators* subject to Part VI. requirements, all MCMs must be implemented within the *automatically designated area* or an *additionally designated area* subject to Criterion 1 or 2 of the Additional Designation Criteria (Appendix B).

For *MS4 Operators* subject to Part VI. requirements, MCM 4 and MCM 5 must also be implemented within an *additionally designated area* subject to Criterion 3 of the Additional Designation Criteria (Appendix B).

MS4 Operators subject to Part VII.

For *MS4 Operators* subject to Part VII. requirements, all MCMs must be implemented within the *automatically designated area* or an *additionally designated area* subject to Criterion 1 or 2 of the Additional Designation Criteria (Appendix B).

[2] Part X.F. contains the duty for the *MS4 Operator* to provide information.

MS4 Operators subject to Part VIII.

Part VIII. requirements must be implemented in addition to the applicable requirements of the six (6) MCMs in Part VI. or Part VII, depending on the *MS4 Operator* type.

For all *MS4 Operators* subject to Part VIII. requirements, all MCMs must be implemented within the *automatically designated area*.

For *MS4 Operators* subject to Part VI. requirements and subject to Part VIII. requirements*,* MCM 4 and MCM 5 must also be implemented within an *additionally designated area* subject to Criterion 3 of the Additional Designation Criteria (Appendix B)*.*

MS4 Operators subject to Part IX.

Part IX. requirements must be implemented in addition to the applicable requirements of the six (6) MCMs in Part VI. or Part VII, depending on the *MS4 Operator* type.

For all *MS4 Operators* subject to Part IX. requirements, all MCMs must be implemented within the *automatically designated area* or an *additionally designated area* subject to Criterion 1 of the Additional Designation Criteria (Appendix B).

D. Mapping

The *MS4 Operator* must *develop* and maintain comprehensive system mapping to include the mapping components within the MS4 Operator's *automatically designated area* or an *additionally designated area* subject to Criterion 1 or 2 of the Additional Designation Criteria (Appendix B), unless otherwise specified. The comprehensive system mapping must be documented in the *SWMP Plan*. The comprehensive system mapping must be in a readily accessible format, with scale and detail appropriate to provide a clear understanding of the *MS4*, to serve as a planning tool to allow for prioritization of efforts and facilitate management decisions by the *MS4 Operator*. Annually, after Phase I (Part IV.D.2.a.) completion, the *MS4 Operator* must update the comprehensive system mapping including updates to prioritization information of monitoring locations (Part VI.C.1.d. or Part VII.C.1.d, depending on the *MS4 Operator* type), construction sites (Part VI.D.5. or Part VII.D.5, depending on the *MS4 Operator* type), and *municipal facilities* (Part VI.F.2.c.i. or Part VII.F.2.c.i, depending on the *MS4 Operator* type).

1. Within six (6) months of the EDC, the comprehensive system mapping must include the following information:
    a. *MS4 outfall*s (as required for *MS4 Operators* continuing coverage from previous iterations of this *SPDES* general permit);
    b. *Interconnections* (as required for *MS4 Operators* continuing coverage from previous iterations of this *SPDES* general permit);
    c. Preliminary *storm-sewershed* boundaries (as required for *MS4 Operators* continuing coverage from previous iterations of this *SPDES* general permit);

d. *MS4* infrastructure (as required for *MS4 Operators* continuing coverage from previous iterations of this *SPDES* general permit that were subject to Part IX.A. or Part IX.D.), including:
   i. Conveyance system
      a) Type (closed pipe or open drainage);
      b) Conveyance description for closed pipes (material, shape, dimensions);
      c) Conveyance description for open drainage (channel/ditch lining material, shape, dimensions); and
      d) Direction of flow;
   ii. Culvert crossings (location and dimensions)
   iii. Stormwater structures
      a) Type (drop inlet, *catch basin*, or manhole); and
      b) Number of connections to *catch basins*, and manholes;

e. Basemap information:
   i. *Automatically*[3] and *additionally designated areas* (based on criterion 3 of Additional Designation Criteria in Appendix B);[4]
   ii. Names and location of all *surface waters of the State*, including:
      a) Waterbody classification;[5]
      b) Waterbody Inventory/Priority Waterbodies List (WI/PWL);[6]
         i) Impairment status; and
         ii) *POC,* if applicable;
      c) *TMDL* watershed areas;[7]
   iii. Land use, including:
      a) Industrial;
      b) Residential;
      c) Commercial;
      d) Open space; and
      e) Institutional;
   iv. Roads; and
   v. Topography.[8]

2. The comprehensive system mapping must be updated with the data collected for each phase of mapping within the timeframe for each phase as outlined below:
   a. Phase I: Within three (3) years of the EDC, the comprehensive system mapping must include the following information:

[3]Utilizing the Stormwater Interactive Map on the Department's website or the NYS GIS Clearinghouse.
[4]Utilizing the Stormwater Interactive Map on the Department's website.
[5]Utilizing the Stormwater Interactive Map on the Department's website or the NYS GIS Clearinghouse.
[6]Utilizing the Stormwater Interactive Map on the Department's website or the NYS GIS Clearinghouse.
[7]Utilizing the Stormwater Interactive Map on the Department's website.
[8] Utilizing USGS Quadrangle Map or finer.

i. Monitoring locations, with associated prioritization (Part VI.C.1.d. or Part VII.C.1.d, depending on the *MS4 Operator* type);
ii. Preliminary *storm-sewershed* boundaries (for newly designated *MS4 Operators*);
iii. Focus areas (Part VI.A.1.a. or Part VII.A.1.a, depending on the *MS4 Operator* type);
iv. *Publicly owned/operated* post-construction *stormwater management practices* (*SMPs)* (Part VI.E.3. or Part VII.E.3, depending on the *MS4 Operator* type). The *publicly owned/operated* post-construction *SMPs* subject to this requirement are in the *automatically designated area* or an *additionally designated area* subject to Criterion 1, 2, or 3 of the Additional Designation Criteria (Appendix B); and
v. *Municipal facilities,* with associated prioritization (Part VI.F.2.c. or Part VII.F.2.c, depending on the *MS4 Operator* type).

b. Phase II: Within five (5) years of the EDC, the comprehensive system mapping must include the following information:

i. *MS4* infrastructure, including:
a) Conveyance system
i) Type (closed pipe or open drainage); and
ii) Direction of flow;[9]

b) *Stormwater* structures
i) Type (drop inlet, *catch basin*, or manhole); and
ii) Number of connections to and from drop inlets, *catch basins*, and manholes;

ii. *Privately owned/operated* post-construction *SMPs* which *discharge* to the *MS4* (Part VI.E.2.). The *privately owned/operated* post-construction *SMPs* subject to this requirement are in the *automatically designated area* or an *additionally designated area* subject to Criterion 1, 2, or 3 of the Additional Designation Criteria (Appendix B).
a) If the location of the privately-owned post-construction SMPs cannot be determined without accessing the private property, the *MS4 Operator* must map the location of the property that the post-construction SMP is located on using street address or tax parcel.

E. Legal Authority

For *MS4 Operators* continuing coverage from previous iterations of this *SPDES* general permit, adequate legal authority must be maintained in accordance with Part IV.E.1. or Part IV.E.2.

For a newly designated *MS4 Operator*, within three (3) years, the *MS4 Operator* must, to the extent allowable by State and local law, *develop* and implement

[9] Direction of flow can be a written description or indicated as an arrow on the feature.

adequate legal authority to control *pollutant discharges* to implement this *SPDES* general permit. An *MS4 Operator* must either be in conformance with Part IV.E.1. or Part VI.E.2:

1. Adopt the following model local laws and include a copy of the resolution in their *SWMP Plan*:
    a. The New York State Department of Environmental Conservation Model Local Law to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems, April 2006 (NYS DEC Model IDDE Local Law 2006); and
    b. The New York State Department of Environmental Conservation Sample Local Law for Stormwater Management and Erosion & Sediment Control, March 2006 (NYS DEC Sample SM and E&SC Local Law 2006).
2. Enact a legal mechanism or ensure that written policies/procedures are in place with content equivalent to the model local law, with documentation in the *SWMP Plan* from the attorney representing the *MS4 Operator* of the equivalence. Equivalent legal mechanisms or written policies/procedures must include the following:
    a. For *illicit discharges*:
        i. A prohibition of:
            a) *Illicit discharges*, spills or other release of *pollutants*;
            b) Unauthorized connections into the *MS4*;
        ii. A mechanism to:
            a) Receive and collect information related to the introduction of *pollutants* into the *MS4*;
            b) Require installation, implementation, and maintenance of post-construction *SMPs*;
            c) Require compliance and take enforcement action; and,
            d) Access property for inspection.
    b. To be adequate the legal mechanism must also ensure:
        i. Applicable *construction activities* are effectively controlled and include post-construction runoff controls for new development and redevelopment projects; and
        ii. Post-construction *SMPs* are properly operated and maintained by requiring the following:
            a) A stormwater pollution prevention plan (SWPPP) with erosion and sediment controls that meets or exceed the New York State, Standards and Specifications for Erosion & Sediment Control, November 2016 (NYS E&SC 2016) and requires post-construction *SMPs* for applicable *construction activity* described in Part VI.D.1 in conformance with the

SPDES General Permit for Stormwater from Construction Activities, GP-0-20-001 (CGP);

b) Post-construction *SMPs* as required by CGP meet the *sizing criteria* specified in the New York State Stormwater Management Design Manual, January 2015 (NYS SWMDM 2015), and performance criteria, or equivalent, including Operation & Maintenance Plans for long term maintenance;

c) Construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste, all of which may cause adverse impacts to water quality; and

d) Receive and collect information related to compliance with the approved SWPPP including verification of maintenance of post-construction *SMPs* (if conducted by private entities).

F. Enforcement Measures & Tracking

1. Enforcement Response Plan

Within six (6) months, the *MS4 Operator* must *develop* and implement an enforcement response plan (ERP) which clearly describes the action(s) to be taken for violations that the *MS4 Operator* has enacted for illicit *discharge* (Part VI.C. or Part VII.C, depending on the MS4 Operator type), construction (Part VI.D. or Part VII.D, depending on the MS4 Operator type), and post-construction (Part VI.E. or Part VII.E, depending on the MS4 Operator type). The ERP must be documented in the *SWMP Plan*. The ERP must set forth a protocol to address repeat and continuing violations through progressively stricter responses (i.e., escalation of enforcement) as needed to achieve compliance with the terms and conditions of this *SPDES* general permit.

a. The ERP must describe how the *MS4 Operator* will use the following types of enforcement responses or combination of responses:

   i. Verbal warnings;

   ii. Written notices;

   iii. Citations (and associated fines);

   iv. Stop work orders;

   v. Withholding of plan approvals or other authorizations affecting the ability to *discharge* to the *MS4*; and

   vi. Additional measures, supported in local legal authorities, such as collecting against the project's bond or directly billing the responsible party to pay for work and materials to correct violations.

b. Enforcement responses are based on the type, magnitude, and duration of the violation, effect of the violation on the receiving water, compliance history of the operator, and good faith of the operator in compliance efforts.

c. Efforts to obtain a voluntary correction of deficiencies through informal enforcement, such as verbal warnings or written notices, must not exceed sixty (60) days in duration (from the time of the *MS4 Operator's* initial determination until a return to compliance).

2. Enforcement Tracking

The *MS4 Operator* must track instances of non-compliance in the *SWMP Plan*. The enforcement case documentation must include, at a minimum, the following:

a. Name of the owner/operator of the facility or site of the violation (can be redacted from the publicly available SWMP Plan);

b. Location of the *stormwater* source (e.g., construction project);

c. Description of the violation;

d. Schedule for returning to compliance;

e. Description of enforcement response used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner;

f. Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violations);

g. Any referrals to different departments or agencies; and

h. Date violation was resolved.

Part V. Recordkeeping, Reporting, and *SWMP* Evaluation

A. Recordkeeping

The *MS4 Operator* must keep records required by this *SPDES* general permit for five (5) years after they are generated. Records must be submitted to the *Department* within a reasonable specified time period of a written *Department* request for such information. Documents can be maintained in electronic format if the manner reasonably assures the integrity of the records, in accordance with NYCRR 750-2.5(e)(1). Records, including the NOI and the SWMP Plan, must be made available to the public at reasonable times during regular business hours.

B. Reporting

1. Report Submittal

a. Reports must be submitted electronically to the *Department* using the forms located on the Department's website (http://www.dec.ny.gov/).

b. Electronic Submission Waiver

ii. *MS4 Operators* must submit all reports electronically unless the *MS4 Operator* has received a waiver from the *Department* based on one of the following conditions:

a) If the *MS4 Operator* is physically located in a geographical area (i.e., zip code or census tract) that is identified as under-served for broadband internet access in the most recent report from the Federal Communications Commission; or

b) If the *MS4 Operator* has limitations regarding available computer access or computer capability.

iii. If an *MS4 Operator* wishes to obtain a waiver from submitting a report electronically, the *MS4 Operator* must submit a request using the Application for Electronic Submittal Waiver to the *Department* at the following address:

NYS DEC Bureau of Water Compliance

MS4 NOTICE OF INTENT WAIVER

625 Broadway, 4th Floor

Albany, New York 12233-3505

iv. A waiver may only be considered granted once the *MS4 Operator* receives written confirmation from the *Department*.

v. *MS4 Operators* must document the electronic submission waiver in the *SWMP Plan*, if applicable.

2. Annual Reports

a. Annually, *MS4 Operators* must submit an Annual Report to the *Department* using the form provided by the *Department*. The completion of this permit requirement must be documented in the *SWMP Plan*.

b. The reporting period for the Annual Report is January 3 of the current year to January 2 of the following year (Reporting Year).

c. For *MS4 Operators* continuing coverage, the Annual Report must be submitted to the *Department* by April 1 of the year following the end of the Reporting Year.

d. For newly designated *MS4 Operators*, if authorization to discharge is granted:

i. Before September 30, the first Annual Report must be submitted by April 1 of the year following the end of the Reporting Year; or

ii. After September 30, the first Annual Report must be submitted by April 1 following their first complete Reporting Year.

3. Interim Progress Certifications

a. Twice a year, *MS4 Operators* must submit to the *Department* an Interim Progress Certification that verifies the activities included in this *SPDES* general permit have been completed by the date specified using the form provided by the *Department*. The completion of this permit requirement must be documented in the *SWMP Plan*.

b. *MS4 Operators* located within the watersheds listed in Table 3 must include additional information to identify the activities that have been performed during the reporting period to demonstrate progress made by the *MS4 Operator* towards completion of the reduction requirements, prescribed in Part IX.

c. An Interim Progress Certification for the period of January 3 through June 30 of the same year must be submitted to the *Department* by October 1 of the same year. An Interim Progress Certification for the period of July 1 through January 2 of the following year must be submitted to the *Department* by April 1 of the following year along with the Annual Report. Submission of the Annual Report is not a substitute for submission of the Interim Progress Certification.

4. Shared Annual Reporting

MS4 Operators working together to implement their *SWMPs* may complete and submit a shared Annual Report to satisfy the reporting requirements specified in Part V.B.2.

a. The shared Annual Report must outline and explain group activities, but also include the tasks performed by each individual *MS4 Operator*.

b. On or before the reporting deadline, April 1, each *MS4 Operator* within the group, must sign the certification section of the Annual Report to take responsibility for the information in the Annual Report, which includes specific endorsement or acceptance of both the shared Annual Report information and Annual Report information on behalf of the individual *MS4 Operator.*

5. Certification

All reports specified within this Part must be signed and certified in accordance with Part X.J.

6. Annual Report and Interim Progress Certification Content

The Annual Report and Interim Progress Certifications shall summarize the activities performed throughout the Reporting Year, including:

a. The status of compliance with permit requirements;

b. Information documented in the *SWMP Plan*, as specified throughout this *SPDES* general permit; and

c. A certification statement in accordance with 40 CFR 122.22(d).

C. *SWMP* Evaluation

Once every five (5) years, the *MS4 Operator* must evaluate the *SWMP* for compliance with the terms and conditions of this *SPDES* general permit, including the effectiveness or deficiencies of components of the individual *SWMP Plan*, and

the status of achieving the requirements outlined in this *SPDES* general permit. The *SWMP* evaluation must be documented in the *SWMP Plan*.

Part VI. Minimum Control Measures (MCMs) for *Traditional Land Use Control MS4 Operators*

In addition to the requirements contained in Part I. through Part V, *traditional land use control MS4 Operators* must comply with the MCMs contained in this Part.

A. MCM1 – Public Education and Outreach Program

The *MS4 Operator* must *develop* and implement an education and outreach program to increase public awareness of *pollutant* generating activities and behaviors. This MCM is designed to inform the public about the impacts of *stormwater* on water quality, the general sources of *stormwater pollutants*, and the steps the general public can take to reduce *pollutants* in *stormwater* runoff.

1. Development

a. Focus Areas

Within three (3) years of the EDC, the *MS4 Operator* must identify and document the focus areas in the *SWMP Plan*. The focus areas to be considered are as follows:

i. Areas *discharging* to waters with Class AA-S, A-S, AA, A, B, SA, or SB (mapped in accordance with Part IV.D.1.e.ii.a));

ii. *Sewersheds* for impaired waters listed in Appendix C (subject to Part VIII. requirements; mapped in accordance with Part IV.D.1.c. for *MS4 Operators* continuing coverage and Part IV.D.2.a.ii. for newly designated *MS4 Operators*);

iii. *TMDL* watersheds (subject to Part IX. requirements; mapped in accordance with Part IV.D.1.e.ii.c));

iv. Areas with *construction activities*;

v. Areas with on-site wastewater systems (subject to Part VIII. or Part IX. requirements);

vi. Residential, commercial, and industrial areas (mapped in accordance with Part IV.D.1.e.iii.);

vii. *Stormwater hotspots*; and

viii. Areas with *illicit discharges*.

b. Target Audiences and Associated *Pollutant* Generating Activities

Within three (3) years of the EDC, the *MS4 Operator* must identify and document the applicable target audience(s) and associated *pollutant* generating activities that the outreach and education will address for each focus area identified by the *MS4 Operator* in Part VI.A.1.a. in the *SWMP Plan*. The target audiences are as follows:

i. Residents;

ii. Commercial:[10] Business owners and staff;

iii. Institutions:[11] Managers, staff, and students;

iv. Construction: Developers, contractors, and design professionals;

v. Industrial:[12] Owners and staff; and

vi. *MS4 Operator*'s *municipal* staff.

c. Education and Outreach Topics

Within three (3) years of the EDC, the *MS4 Operator* must identify and document in the *SWMP Plan* the education and outreach topics and how the education and outreach topics will reduce the potential for *pollutants* to be generated by the target audience(s) (Part VI.A.1.b.) for the focus area(s) (Part VI.A.1.a.).

d. *Illicit Discharge* Education

Within six (6) months of the EDC, the *MS4 Operator* must make information related to the prevention of *illicit discharges*, available to *municipal* employees, businesses, and the public and document the completion of this requirement in the *SWMP Plan*. The information related to the prevention of illicit discharges must include the following:

i. What types of *discharges* are allowable (Part I.A.3.);

ii. What is an *illicit discharge* and why is it prohibited (Part VI.C.);

iii. The environmental hazards associated with *illicit discharges* and improper disposal of waste;

iv. Proper handling and disposal practices for the most common behaviors within the community (e.g., septic care, car washing, household hazardous waste, swimming pool draining, or other activities resulting in *illicit discharges* to the *MS4*); and

v. How to report *illicit discharges* they may observe (Part VI.C.1.a.).

2. Implementation and Frequency

a. Distribution Method of Educational Messages

Once every five (5) years, the *MS4 Operator* must identify and document in the *SWMP Plan* which of the following method(s) are used for the distribution of educational messages:

i. Printed materials (e.g., mail inserts, brochures, and newsletters);

ii. Electronic materials (e.g., websites, email listservs);

[10] Business, retail stores, and restaurants.
[11] Hospitals, churches, colleges, and schools.
[12] Factories, recyclers, auto-salvage, and mines.

iii. Mass media (e.g., newspapers, public service announcements on radio or cable);

iv. Workshops or focus groups;

v. Displays in public areas (e.g., town halls, library, parks); or

vi. Social Media (e.g., Facebook, Twitter, blogs).

b. Frequency

Following the completion of Part VI.A.1.a, Part VI.A.1.b, and Part VI.A.1.c, within five (5) years of the EDC, and once every five (5) years, thereafter, the *MS4 Operator* must:

i. Deliver an educational message to each target audience(s) (Part VI.A.1.b.) for each focus area(s) (Part VI.A.1.a.) based on the defined education and outreach topic(s) (Part VI.A.1.c.); and

ii. Document the completion of this requirement in the *SWMP Plan*.

c. Updates to the Public Education and Outreach Program

Following the completion of Part VI.A.1.a, Part VI.A.1.b, and Part VI.A.1.c, annually, by April 1, the *MS4 Operator* must:

i. Review and update the focus areas, target audiences, and/or education and outreach topics; and

ii. Document the completion of this requirement in the *SWMP Plan*.

B. MCM 2 - Public Involvement/Participation

The *MS4 Operator* must provide opportunities to involve the public in the development, review, and implementation of the *SWMP*. This MCM is designed to give the public the opportunity to include their opinions in the implementation of this *SPDES* general permit.

1. Public Involvement/Participation

a. Annually, the *MS4 Operator* must provide an opportunity for public involvement/participation in the development and implementation of the *SWMP*. The *MS4 Operator* must document the public involvement/participation opportunities in the *SWMP Plan*. The opportunities for public involvement/participation are as follows:

i. Citizen advisory group on *stormwater* management;

ii. Public hearings or meetings;

iii. Citizen volunteers to educate other individuals about the *SWMP*;

iv. Coordination with other pre-existing public involvement/participation opportunities;

v. Reporting concerns about activities or behaviors observed; or

vi. Stewardship activities.

b. Annually, the *MS4 Operator* must inform the public of the opportunity (Part VI.B.1.a.) for their involvement/participation in the development and implementation of the *SWMP* and how they can become involved. The *MS4 Operator* must document the method for distribution of this information in the *SWMP Plan*. The methods for distribution are as follows:

i. Public notice;

ii. Printed materials (e.g., mail inserts, brochures and newsletters);

iii. Electronic materials (e.g., websites, email listservs);

iv. Mass media (e.g., newspapers, public service announcements on radio or cable);

v. Workshops or focus groups;

vi. Displays in public areas (e.g., town halls, library, parks); or

vii. Social Media (e.g., Facebook, Twitter, blogs).

c. Within six (6) months of the EDC, the *MS4 Operator* must identify a local point of contact to receive and respond to public concerns regarding *stormwater* management and compliance with permit requirements. The name or title of this individual, with contact information, must be published on public outreach and public participation materials and documented in the *SWMP Plan*.

2. Public Notice and Input Requirements

a. Public Notice and Input Requirements for *SWMP Plan*

Annually, the *MS4 Operator* must provide an opportunity for the public to review and comment on the publicly available *SWMP Plan* (Part IV.B.2.b.). The public must have the ability to ask questions and submit comments on the *SWMP Plan*. The completion of this permit requirement must be documented in the *SWMP Plan*. This requirement may be satisfied by Part VI.B.1.

b. Public Notice and Input Requirements for Draft Annual Report

i. Annually, the *MS4 Operator* must provide an opportunity for the public to review and comment on the draft Annual Report. The completion of this permit requirement must be documented in the *SWMP Plan*. This requirement may be satisfied by either:

a) Presentation of the draft Annual Report at a regular meeting of an existing board (e.g., administrative, planning, zoning) or a separate meeting specifically for *stormwater*, as designated by the *MS4* or if requested by the public. The public must have the ability to ask

questions about and make comments on the draft annual report during that presentation; or

b) Posting of the draft Annual Report on a public website. The website must provide information on the timeframes and procedures to submit comments and/or request a meeting. However, if a public meeting is requested by two or more persons, the *MS4 Operator* must hold such a meeting.

c. Consideration of Public Input

i. Annually, the *MS4 Operator* must include a summary of comments received on the *SWMP Plan* and draft Annual Report in the *SWMP Plan*.

ii. Within thirty (30) days of when public input is received, the *MS4 Operator* must update the *SWMP Plan*, where appropriate, based on the public input received.

C. MCM 3 - *Illicit Discharge* Detection and Elimination

The *MS4 Operator* must *develop*, implement, and enforce a program which systematically detects, tracks down, and eliminates *illicit discharges* to the *MS4*. This MCM is designed to manage the *MS4* so it is not conveying *pollutants* associated with flows other than those directly attributable to *stormwater* runoff.

1. *Illicit Discharge* Detection

a. Public Reporting of *Illicit Discharges*

i. Within six (6) months of the EDC, the *MS4 Operator* must establish and document in the *SWMP Plan* an email or phone number (with message recording capability) for the public to report *illicit discharges*.

ii. Within thirty (30) days of an *illicit discharge*, the *MS4 Operator* must document each report of an *illicit discharge* in the *SWMP Plan* with the following information:

a) Date of the report;

b) Location of the *illicit discharge;*

c) Nature of the *illicit discharge;*

d) Follow up actions taken or needed (including response times); and

e) Inspection outcomes and any enforcement taken.

b. Monitoring Locations

The monitoring locations used to detect *illicit discharges* are identified as follows:

i. *MS4 outfalls;*[13]

[13] *MS4 outfall*s can be found at a *municipal facility*.

ii. *Interconnections*;[14] and
iii. *Municipal facility intraconnections*.[15]

c. Monitoring Locations Inventory

i. Within three (3) years of the EDC, the *MS4 Operator* must *develop* and maintain an inventory of the monitoring locations in the *SWMP Plan*. The following information must be included in the inventory:[16]

a) Inventory information for *MS4 outfall*s

i) ID;
ii) Prioritization (high or low) (Part VI.C.1.d.);
iii) Type of monitoring location (Part VI.C.1.b.);
iv) Name of *MS4 Operator's municipal facility*, if located at a *municipal facility*;[17]
v) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));
vi) Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));
vii) Land use in drainage area;
viii) Type of conveyance (open drainage or closed pipe);
ix) Material;
x) Shape;
xi) Dimensions;
xii) Submerged in water; and
xiii) Submerged in sediment.

b) Inventory information for *interconnections*

i) ID;
ii) Prioritization (high or low) (Part VI.C.1.d.);
iii) Type of monitoring location (Part VI.C.1.b.);
iv) Name of *MS4 Operator* receiving *discharge* or private storm system;
v) Name of *MS4 Operator*'s *municipal facility*, if located at a *municipal facility*; and
vi) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a)).

c) Inventory information for *municipal facility intraconnections*

i) ID;
ii) Prioritization (high or low) (Part VI.C.1.d.);

[14] *Interconnections* can be found at a *municipal facility*.
[15] *Municipal facility intraconnections* can be found only at a *municipal facility*.
[16] The information included in the inventory is collected during inspections on the Monitoring Locations Inspection and Sampling Field Sheet (Appendix D) unless otherwise specified by the permit conditions.
[17] This information is collected as part of the *municipal facility* inventory.

iii) Type of monitoring location (Part VI.C.1.b.);
iv) Name of *MS4 Operator*'s *municipal facility*; and
v) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a)).

ii. Annually, the *MS4 Operator* must update the inventory if monitoring locations are created or discovered.

d. Monitoring Locations Prioritization

i. Within three (3) years of the EDC, the *MS4 Operator* must prioritize monitoring locations which are included in the monitoring locations inventory (Part VI.C.1.c.) as follows:
   a) High priority monitoring locations include monitoring locations:
      i) At a high priority *municipal facility*, as defined in Part VI.F.2.c;
      ii) *Discharging* to impaired waters (subject to Part VIII. requirements; mapped in accordance with Part IV.D.1.e.ii.b));
      iii) *Discharging* within a TMDL watershed (subject to Part IX. requirements; mapped in accordance with Part IV.D.1.e.ii.c));
      iv) *Discharging* to waters with Class AA-S, A-S, AA, A, B, SA, or SB (mapped in accordance with Part IV.D.1.e.ii.a)); and/or
      v) Confirmed citizen complaints on three or more separate occasions in the last twelve (12) months.
   b) All other monitoring locations are considered low priority.

ii. Within thirty (30) days of when a monitoring location is constructed or the *MS4 Operator* discovers it, the *MS4 Operator* must prioritize those monitoring locations; and

iii. Annually, after the initial prioritization (Part VI.C.1.d.i.), the *MS4 Operator* must update the monitoring location prioritization in the inventory (Part VI.C.1.c.) based on information gathered as part of the monitoring location inspection and sampling program (Part VI.C.1.e.). The completion of this permit requirement must be documented in the *SWMP Plan*.

e. Monitoring Locations Inspection and Sampling Program

Within two (2) years of the EDC, the *MS4 Operator* must *develop* and implement a monitoring locations inspection and sampling program. The monitoring locations inspection and sampling program must be documented in the *SWMP Plan* specifying:

i. The monitoring locations inspection and sampling procedures including:

a) During *dry weather,*[18] one (1) inspection of each monitoring location identified in the inventory (Part VI.C.1.c.) every five (5) years following the most recent inspection;

b) Documentation of all monitoring location inspections, including any sampling results, using the Monitoring Locations Inspection and Sampling Field Sheet (Appendix D) or an equivalent form containing the same information and include the completed monitoring location inspections and sampling results in the *SWMP Plan* (e.g., the completed Monitoring Locations Inspection and Sampling Field Sheets);

c) Provisions to sample all monitoring locations which had inspections which resulted in a *suspect* or *obvious illicit discharge* characterization. The sampling requirement is based on the number and severity of *physical indicators present in the flow* to better inform track down procedures (Part VI.C.2.). If the source of the *illicit discharge* is clear and discernable (e.g., sewage), sampling is not necessary;

d) Sampling may be done with field test kits or field instrumentation that are sufficiently sensitive to detect the parameter below the sampling action level used[19] and are not subject to 40 CFR Part 136 requirements for approved methods and certified laboratories;

e) Provisions to initiate, or cause to initiate,[20] track down procedures (Part VI.C.2.a.), in accordance with the timeframes specified in Part VI.C.2.a.iii, for monitoring locations with an overall characterization[21] as *suspect illicit discharge* or *obvious illicit discharge* or that exceed any sampling action level used;

f) Provisions to re-inspect the monitoring location within thirty (30) days of initial inspection if there is a *physical indicator not related to flow*, potentially indicative of *intermittent* or *transitory discharges,* utilizing techniques described in Chapter 12.6 of the Center for Watershed Protection Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance, October 2004 (CWP 2004) or equivalent.

    i) If those same physical indicators persist, the *MS4 Operator* must initiate *illicit discharge* track down procedures (Part VI.C.2.a.).

[18] MS4 Operators can reference the Center for Watershed Protection Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance, October 2004 (CWP 2004) for other factors to consider when determining when to conduct monitoring location inspection and sampling.
[19] Refer to Chapter 12 of the CWP 2004 for parameters, sampling action levels, and procedures.
[20] If track down is conducted by individuals or entities other than those conducting the monitoring locations inspections.
[21] Reference to the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Monitoring Location Characterization based on the Relative Severity Index of physical indicators for flowing monitoring locations only.

ii. The training provisions for the *MS4 Operator*'s monitoring locations inspection and sampling procedures (Part VI.C.1.e.i.).

a) If new staff are added, training on the *MS4 Operator*'s monitoring locations inspection and sampling procedures (Part VI.C.1.e.i.) must be given prior to conducting monitoring locations inspections and sampling procedures;

b) For existing staff, training on the *MS4 Operator*'s monitoring locations inspection and sampling procedures (Part VI.C.1.e.i.) must be given prior to conducting monitoring locations inspections and sampling and once every five (5) years, thereafter; and

c) If the monitoring locations inspection and sampling procedures (Part VI.C.1.e.i.) are updated (Part VI.C.1.e.iv.), training on the updates must be given to all staff prior to conducting monitoring locations inspections and sampling.

iii. The names, titles, and contact information for the individuals who have received monitoring locations inspection and sampling procedures training and update annually; and

iv. Annually, by April 1, the *MS4 Operator* must:

a) Review and update the monitoring location inspection and sampling procedures (Part VI.C.1.e.i.) based on monitoring location inspection results (e.g., trends, patterns, areas with *illicit discharges*, and common problems); and

b) Document the completion of this requirement in the *SWMP Plan*.

2. *Illicit Discharge* Track Down Program

Within two (2) years of the EDC, the *MS4 Operator* must *develop* and implement an *illicit discharge* track down program to identify the source of *illicit discharges* and the responsible party. The *illicit discharge* track down program must be documented in the *SWMP Plan* specifying:

a. The *illicit discharge* track down procedures including:

i. Procedures as described in Chapter 13 of CWP 2004 or equivalent;

ii. Steps taken for *illicit discharge* track down procedures;

iii. The following timeframes to initiate *illicit discharge* track down:

a) Within twenty-four (24) hours of discovery, the *MS4 Operator* must initiate track down procedures for flowing *MS4* monitoring locations with *obvious illicit discharges;*[22]

[22] Reference to the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Monitoring Location Characterization based on the Relative Severity Index of physical indicators for flowing monitoring locations only.

b) Within two (2) hours of discovery, the *MS4 Operator* must initiate track down procedures for *obvious illicit discharges* of sanitary wastewater that would affect bathing areas during bathing season, shell fishing areas or public water intakes and report orally or electronically to the Regional Water Engineer and local health department; and

c) Within five (5) days of discovery, the *MS4 Operator* must initiate track down procedures for *suspect illicit discharges*.

b. The training provisions for the *MS4 Operator*'s *illicit discharge* track down procedures (Part VI.C.2.a.).

i. If new staff are added, training on the *MS4 Operator*'s *illicit discharge* track down procedures (Part VI.C.2.a.) must be given prior to conducting *illicit discharge* track downs;

ii. For existing staff, training on the *MS4 Operator*'s *illicit discharge* track down procedures (Part VI.C.2.a.) must be given prior to *conducting illicit discharge* track downs and once every five (5) years, thereafter; and

iii. If the *illicit discharge* track down procedures (Part VI.C.2.a.) are updated (Part VI.C.2.d.), training on the updates must be given to all staff prior to conducting *illicit discharge* track downs.

c. The names, titles, and contact information for the individuals who have received *illicit discharge* track down procedures training and update annually; and

d. Annually, by April 1, the *MS4 Operator* must:

i. Review and update the *illicit discharge* track down procedures (Part VI.C.2.a.); and

ii. Document the completion of this requirement in the *SWMP Plan*.

3. *Illicit Discharge* Elimination Program

Within two (2) years of the EDC, the *MS4 Operator* must *develop* and implement an *illicit discharge* elimination program. The *illicit discharge* elimination program must be documented in the *SWMP Plan* specifying:

a. The *illicit discharge* elimination procedures including:

i. Provisions for escalating enforcement and tracking, both consistent with the ERP required in Part IV.F. of this *SPDES* general permit;

ii. Provisions to confirm the corrective actions have been taken;

iii. Steps taken for *illicit discharge* elimination procedures; and

iv. The following timeframes for *illicit discharge* elimination:

a) Within twenty-four (24) hours of identification of an *illicit discharge* that has a reasonable likelihood of adversely affecting human health or the environment, the *MS4 Operator* must eliminate the *illicit discharge*;

b) Within five (5) days of identification of an *illicit discharge* that does not have a reasonable likelihood of adversely affecting human health or the environment, the *MS4 Operator* must eliminate the *illicit discharge;* and

c) Where elimination of an *illicit discharge* within the specified timeframes (Part VI.C.3.a.iv.) is not possible, the *MS4 Operator* must notify the Regional Water Engineer.

b. The training provisions for the *MS4 Operator*'s *illicit discharge* elimination procedures (Part VI.C.3.a.).

i. If new staff are added, training on the *MS4 Operator*'s *illicit discharge* elimination procedures (Part VI.C.3.a.) must be given prior to conducting *illicit discharge* eliminations;

ii. For existing staff, training on the *MS4 Operator*'s *illicit discharge* elimination procedures (Part VI.C.3.a.) must be given prior to conducting *illicit discharge* eliminations and once every five (5) years, thereafter; and

iii. If the *illicit discharge* elimination procedures (Part VI.C.3.a.) are updated (Part VI.C.3.d.), training on the updates must be given to all staff prior to conducting *illicit discharge* eliminations.

c. The names, titles, and contact information for the individuals who have received *illicit discharge* elimination procedures training and update annually; and

d. Annually, by April 1, the *MS4 Operator* must:

i. Review and update the *illicit discharge* elimination procedures (Part VI.C.3.a.); and

ii. Document the completion of this requirement in the *SWMP Plan*.

D. MCM 4 - Construction Site *Stormwater* Runoff Control

The *MS4 Operator* must *develop*, implement, and enforce a program to ensure construction sites are effectively controlled. This MCM is designed to prevent *pollutants* from construction related activities,[23] as well as promote the proper planning and installation of post-construction *SMPs*.

1. Applicable Construction Activities/Projects/Sites

a. The construction site *stormwater* runoff control program must address *stormwater* runoff to the *MS4* from sites with *construction activities* that:

i. Result in a total land disturbance of greater than or equal to one acre; or

[23] Projects that comply with the terms and conditions of the CGP or an individual *SPDES* permit for *stormwater* for which they obtained coverage and local erosion and sediment control requirements are effectively controlled.

ii. Disturb less than one acre if part of a larger common plan of development or sale.

b. For *construction activities* where the *MS4 Operator* is listed as the owner/operator on the Notice of Intent for coverage under the CGP:

i. The *MS4 Operator* must ensure compliance with the CGP; and

ii. The additional requirements for construction oversight described in Part VI.D.6 through Part VI.D.9 are not required.

2. Public Reporting of Construction Site Complaints

a. Within six (6) months of the EDC, the *MS4 Operator* must establish and document in the *SWMP Plan* an email or phone number (with message recording capability) for the public to report complaints related to construction *stormwater* activity.

b. The *MS4 Operator* must document reports of construction site complaints in the *SWMP Plan* with the following information:

i. Date of the report;

ii. Location of the construction site;

iii. Nature of complaint;

iv. Follow up actions taken or needed; and

v. Inspection outcomes and any enforcement taken.

3. Construction Oversight Program

Within one (1) year of the EDC, the *MS4 Operator* must *develop* and implement a construction oversight program. The construction oversight program must be documented in the *SWMP Plan* specifying:

a. The construction oversight procedures including:

i. When the construction site *stormwater* control program applies (Part VI.D.1.);

ii. What types of *construction activity* require a SWPPP;

iii. The procedures for submission of SWPPPs;

iv. SWPPP review requirements (Part VI.D.6.)

v. Pre-construction oversight requirements (Part VI.D.7.)

vi. Construction site inspection requirements (Part VI.D.8.);

vii. Construction site close-out requirements (Part VI.D.9.);

viii. Enforcement process/expectations for compliance; and

ix. Other procedures associated with the control of *stormwater* runoff from applicable *construction activities*.

b. The training provisions for the *MS4 Operator*'s construction oversight procedures (Part VI.D.3.a.).
    i. If new staff are added, training on the *MS4 Operator*'s construction oversight procedures (Part VI.D.3.a.) must be given prior to conducting any construction oversight activities;
    ii. For existing staff, training on the *MS4 Operator*'s construction oversight procedures (Part VI.D.3.a.) must be given prior to conducting any construction oversight activities and once every five (5) years, thereafter; and
    iii. If the construction oversight procedures (Part VI.D.3.a.) are updated (Part VI.D.3.a.), training on the updates must be given to all staff prior to conducting construction oversight.
c. The names, titles, and contact information for the individuals who have received construction oversight training and update annually;
d. Procedures to ensure those involved in the *construction activity* itself (e.g., contractor, subcontractor, *qualified inspector*, SWPPP reviewers) have received four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity; and
e. Annually, by April 1, the *MS4 Operator* must:
    i. Review and update the construction oversight procedures (Part VI.D.3.a.); and
    ii. Document the completion of this requirement in the *SWMP Plan*.

4. Construction Site Inventory & Inspection Tracking

a. Within six (6) months of the EDC, the *MS4 Operator* must *develop* and maintain an inventory of all applicable construction sites (Part VI.D.1.a.) in the *SWMP Plan*. The following information must be included in the inventory:
    i. Location of the construction site;
    ii. Owner/operator contact information, if other than the *MS4 Operator*;
    iii. Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));
    iv. Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));
    v. Prioritization (high or low) (Part VI.D.5.);
    vi. Construction project *SPDES* identification number;
    vii. SWPPP approval date;
    viii. Inspection history, including dates and ratings (satisfactory, marginal, or unsatisfactory, when available); and

ix. Current status of the construction site/project (i.e., active, temporarily shut down, complete[24]).

b. Annually, the *MS4 Operator* must update the inventory if construction projects are approved or completed.

5. Construction Site Prioritization

a. Within one (1) year of the EDC, the *MS4 Operator* must prioritize all construction sites which are included in the construction site inventory (Part VI.D.4.) as follows:

i. High priority construction sites include construction sites:

a) With a direct conveyance (e.g., channel, ditch, storm sewer) to a *surface water of the State* that is:

i) Listed in Appendix C with silt/sediment, phosphorus, or nitrogen as the POC;

ii) Classified as AA-S, AA, or A (mapped in accordance with Part IV.D.1.e.ii.a)); or

iii) Classified with a trout (T) or trout spawning (TS) designation (mapped in accordance with Part IV.D.1.e.ii.a));

b) With greater than five (5) acres of disturbed earth at any one time;

c) With earth disturbance within one hundred (100) feet of any lake or pond (mapped in accordance with Part IV.D.1.e.ii.b)); and/or

d) Within fifty (50) feet of any rivers or streams (mapped in accordance with Part IV.D.1.e.ii.b));

ii. All other construction sites are considered low priority.

b. Within thirty (30) days of when a construction site becomes active, the *MS4 Operator* must prioritize those construction sites; and

c. Annually, after the initial prioritization (Part VI.D.5.a.), the *MS4 Operator* must update the construction site prioritization in the inventory (Part VI.D.4.a.) based on information gathered as part of the construction oversight program (Part VI.D.3.). The completion of this permit requirement must be documented in the *SWMP Plan*.

i. If the prioritization of the construction site changes priority based on information gathered as part of the construction oversight program, the *MS4 Operator* must comply with the requirements that apply to that prioritization.

[24] Construction projects listed on the inventory must be inspected and tracked as described in Part VI.D.8. until a final site inspection has been completed as specified in Part VI.D.9. and the construction site status changes to complete.

6. SWPPP Review

The *MS4 Operator* must:

a. Ensure individual(s), responsible for reviewing SWPPPs for acceptance, receive:

   i. Four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity. This training must be completed within three (3) years of the EDC and every three (3) years thereafter.

   ii. Document the completion of this requirement in the *SWMP Plan*.

b. Ensure SWPPP reviewers receive this training (Part VI.D.6.a.) prior to conducting SWPPP reviews for acceptance.

   i. Individuals without these trainings cannot review SWPPPs for acceptance.

   ii. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

c. Ensure individuals responsible for reviewing SWPPPs review all SWPPPs for applicable *construction activities* (Part VI.D.1.) and for conformance with the requirements of the CGP, including:

   i. Erosion and sediment controls must be reviewed for conformance with the NYS E&SC 2016, or equivalent;

   ii. Individuals responsible for review of post-construction *SMPs* must be *qualified professionals* or under the supervision of a *qualified professional*; and

   iii. Post-construction *SMPs* must be reviewed for conformance with the NYS SWMDM 2015 or equivalent, including:

      a) All post-construction *SMPs* must meet the *sizing criteria* contained in the CGP and NYS SWMDM 2015.

      b) Deviations from the performance criteria of the NYS SWMDM 2015 must demonstrate that they are equivalent.

      c) The SWPPP must include an O&M plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction *SMP*. The SWPPP must identify the entity that will be responsible for the long-term operation and maintenance of each practice.

d. In the *SWMP Plan*, document and update annually the names, titles, and contact information for the individuals who have received the trainings listed in Part VI.D.6.a.

e. In the *SWMP Plan*, document the SWPPP review including the information found in Part III.B. of the CGP;

f. Prioritize new *construction activities* (Part VI.D.5.a.); and

g. Notify construction site owner/operators that their SWPPP has been accepted using the *MS4* SWPPP Acceptance Form[25] created by the *Department* and required by the CGP, signed in accordance with Part X.J.

7. Pre-Construction Meeting

Prior to commencement of *construction activities*, the *MS4 Operator* must ensure a pre-construction meeting is conducted. The date and content of the pre-construction inspection/meeting must be documented in the *SWMP Plan*. The owner/operator listed on the CGP NOI (if different from the *MS4 Operator*), the *MS4 Operator*, contractor(s) responsible for implementing the SWPPP for the *construction activity,* and the *qualified inspector* (if required for the *construction activity* by Part IV.C. the CGP) must attend the meeting in order to:

a. Confirm the approved project has received, or will receive[26], coverage under the CGP or an individual *SPDES* permit;

b. Verify contractors and subcontractors selected by the owner/operator of the *construction activity* have identified at least one individual that has received four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District or other endorsed entity as required by the CGP and Part VI.D.3.d; and

c. Review the construction oversight program (Part VI.D.3.) and expectations for compliance.

8. Construction Site Inspections

The *MS4 Operator* must:

a. Ensure individuals(s), responsible for construction site inspections, receive:

   i. Four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity. This training must be complete, within three (3) years of the EDC and every three (3) years thereafter.

   ii. Document the completion of this requirement in the *SWMP Plan*.

b. Ensure all *MS4* Construction Site Inspectors receive this training prior to conducting construction site inspections.

   i. Individuals without these trainings cannot inspect construction sites.

   ii. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

[25] The *MS4* SWPPP Acceptance Form can be found on the Department's website.

[26] Preconstruction meetings may occur prior to the issuance of the MS4 SWPP Acceptance Form, however, the MS4 Operator must confirm coverage under the CGP will be applied for by the construction site owner/operator prior to commencement of construction of *construction activities*.

c. Annually inspect all sites with *construction activity* identified in the inventory (Part VI.D.4.) during active construction after the pre-construction meeting (Part VI.D.7.), or sooner if deficiencies are noted that require attention.

   i. Follow up to construction site inspections must confirm corrective actions are completed within timeframes established by the CGP and the *MS4 Operator's* ERP (Part IV.F.1.).

d. In the *SWMP Plan*, document and update annually the names, titles, and contact information for the individuals who have received the trainings listed in Part VI.D.8.a.

e. Document all inspections using the Construction Site Inspection Report Form (Appendix D) or an equivalent form containing the same information. The *MS4 Operator* must include the completed Construction Site Inspection Reports in the *SWMP Plan*.

9. Construction Site Close-out

a. The *MS4 Operator* must ensure a final construction site inspection is conducted and documentation of the final construction site inspection must be maintained in the *SWMP Plan*. The final construction site inspection must be documented using the Construction Site Inspection Report Form (Appendix D), or an equivalent form containing the same information, or accept the construction site owner/operator's *qualified inspector* final inspection certification required by the CGP.

b. The Notice of Termination (NOT)[27] must be signed by the *MS4 Operator* as required by the CGP for projects determined to be complete. The NOT must be signed in accordance with Part X.J.

E. MCM 5 – Post-Construction *Stormwater* Management

The *MS4 Operator* must *develop*, implement, and enforce a program to ensure proper operation and maintenance of post construction *SMPs* for new or redeveloped sites. This MCM is designed to promote the long-term performance of post-construction *SMPs* in removing *pollutants* from *stormwater* runoff.

1. Applicable Post-Construction *SMPs*

The post-construction *SMP* program must address *stormwater* runoff to the *MS4* from *publicly owned/operated* and *privately owned/operated* post-construction *SMPs* that meet the following:

a. Post-construction *SMPs* that have been installed as part of any CGP covered construction site or individual *SPDES* permit (since March 10, 2003); and

[27] The NOT can be found on the Department's website.

b. All new post-construction *SMPs* constructed as part of the construction site *stormwater* runoff control program (Part VI.D.).

2. Post-Construction *SMP* Inventory & Inspection Tracking[28]

a. The *MS4 Operators* continuing coverage must:

   i. Maintain the inventory from previous iterations of this *SPDES* general permit for post-construction *SMPs* installed after March 10, 2003; and

   ii. *Develop* the inventory for post-construction *SMPs* installed after March 10, 2003 including post-construction *SMPs:*

      a) As they are approved or discovered; or

      b) After the owner/operator of the *construction activity* has filed the NOT with the *Department* (Part VI.D.9.b.).

b. The newly designated *MS4 Operators* must *develop* and maintain the inventory for post-construction *SMPs* installed after March 10, 2003 including post-construction *SMPs:*

   i. As they are approved or discovered; or

   ii. After the owner/operator of the *construction activity* has filed the NOT with the *Department* (Part VI.D.9.b.).

c. Annually, the MS4 Operator must update the inventory of post-construction SMPs to include the post-construction *SMPs* in Part VI.E.2.a. and Part VI.E.2.b.

d. Within five (5) years of the EDC, the following information must be included in the inventory either by using the *MS4 Operator* maintenance records or by verification of maintenance records provided by the owner of the post-construction *SMP*:

   i. Street address or tax parcel;

   ii. Type;[29]

   iii. Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));

   iv. Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));

   v. Date of installation (if available) or discovery;

   vi. Ownership;

   vii. Responsible party for maintenance;

[28] Post-construction *SMPs* can be found at a *municipal facility*.
[29] Post-construction *SMP* types are defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017).

viii. Contact information for party responsible for maintenance;

ix. Location of documentation depicting O&M requirements and legal agreements for post-construction *SMP*;

x. Frequency for inspection of post-construction *SMP*, as specified in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017) or as specified in the O&M plan contained in the approved SWPPP (Part VI.D.6.);

xi. Reason for installation (e.g., new development, redevelopment, *retrofit*, flood control), if known;

xii. Date of last inspection;

xiii. Inspection results; and

xiv. Any corrective actions identified and completed.

e. *MS4 Operators* must document the inventory of post-construction *SMPs* in the *SWMP Plan*.

3. SWPPP Review

For post-construction *SMP* SWPPP review requirements, see Part VI.D.6.

4. Post-Construction *SMP* Inspection & Maintenance Program

Within one (1) year of the EDC, the *MS4 Operator* must *develop* and implement a post-construction *SMP* inspection and maintenance program. The post-construction *SMP* inspection and maintenance program must be documented in the *SWMP Plan* specifying:

a. The post-construction *SMP* inspection and maintenance procedures including:

i. Provisions to ensure that each post-construction *SMP* identified in the post-construction *SMP* inventory (Part VI.E.2.) is inspected at the frequency specified in the NYS DEC Maintenance Guidance 2017 or as specified in the O&M plan contained in the approved SWPPP (Part VI.D.6.), if available;

a) The *MS4 Operator* can only accept Level 1 inspections (NYS DEC Maintenance Guidance 2017) by private owners inspecting post-construction *SMPs*.

ii. Documentation of post-construction *SMP* inspections using the Post-Construction SMP Inspection Checklist[30] or an equivalent form containing the same information. The *MS4 Operator* must include the completed

[30] The *Department* developed checklist forms specific to each post-construction *SMP* designed to assist *MS4 Operators* in conducting inspections and maintenance activities of standard practices. The Post-Construction SMP Inspection Checklist, March 31, 2017, can be found on the Department's website.

post-construction *SMP* inspections (i.e., the completed Post-Construction SMP Inspection Checklist) in the *SWMP Plan*;

iii. Provisions to initiate follow-up actions (i.e., maintenance, repair, or higher-level inspection) within thirty (30) days of post-construction *SMP* inspection; and

iv. Provisions to initiate enforcement within sixty (60) days of the inspection if follow-up actions are not complete.

b. The training provisions for the *MS4 Operator*'s post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.).

i. If new staff are added, training on the *MS4 Operator*'s post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.) and procedures outlined in the *Department* endorsed program must be given prior to conducting any post-construction *SMP* inspection and maintenance;

ii. For existing staff, training on the *MS4 Operator*'s post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.) and procedures outlined in the *Department* endorsed program must be given prior to conducting any post-construction *SMP* inspection and maintenance and once every five (5) years, thereafter; and

iii. If the post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.) are updated (Part VI.E.4.d.), training on the updates must be given to all staff prior to conducting post-construction *SMP* inspection and maintenance.

c. The names, titles, and contact information for the individuals who have received post-construction *SMP* inspection and maintenance procedures training and update annually; and

d. Annually, by April 1, the *MS4 Operator* must:

i. Review and update the post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.); and

ii. Document the completion of this requirement in the *SWMP Plan*.

F. MCM 6 – Pollution Prevention and Good Housekeeping

The *MS4 Operator* must *develop* and implement a pollution prevention and good housekeeping program for *municipal facilities* and *municipal operations* to minimize *pollutant discharges*. This MCM is designed to ensure the *MS4 Operator*'s own activities do not contribute *pollutants* to *surface waters of the State*.

1. *Best Management Practices (BMPs)* for *Municipal Facilities & Operations*

Within three (3) years of the EDC, the *MS4 Operator* must incorporate *best management practices* (*BMPs*) into the *municipal facility* program *and municipal operations* program to minimize the *discharge* of *pollutants* associated with *municipal facilities* and *municipal operations, respectively*. The *BMPs* to be considered are as follows and must be documented in the *SWMP Plan*:

a. Minimize Exposure

i. Exposure of materials to rain, snow, snowmelt, and runoff must be minimized, unless not technologically possible or not economically practicable and achievable in light of best industry practices, including areas used for loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations, with the following *BMP*s:

a) Locate materials and activities inside or protect them with storm resistant coverings;

b) Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;

c) Locate materials, equipment, and activities so leaks and spills are contained in existing containment and diversion systems;

d) Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the *discharge* of *pollutants*;

e) Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;

f) Use spill/overflow protection equipment;

g) Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also captures any overspray;

h) Drain fluids, indoors or under cover, from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks; and/or

i) Minimize exposure of chemicals by replacing with a less toxic alternative (e.g., use non-hazardous cleaners).

ii. *No Exposure* Certification for High Priority *Municipal Facilities*

a) *Municipal facilities* may qualify for *No Exposure* Certification (Appendix D) when all activities and materials are completely sheltered from exposure to rain, snow, snowmelt and/or runoff.

b) High priority *municipal* facilities (Part VI.F.2.c.i.a)) with uncovered parking areas for vehicles awaiting maintenance may be considered a low priority *municipal facility* (Part VI.F.2.c.i.c)) if only routine maintenance is performed inside and all other n*o exposure* criteria are met.

c) *Municipal* facilities accepting or repairing disabled vehicles and/or vehicles that have been involved in accidents are not eligible for the *No Exposure* Certification.

d) *Municipal* facilities must maintain the *No Exposure* Certification and document in the *SWMP Plan*. The *No Exposure* Certification ceases to apply when activities or materials become exposed.

b. Follow a Preventive Maintenance Program

i. Implement a preventative maintenance program that includes routine inspection, testing, maintenance, and repair of all fueling areas, vehicles and equipment and systems to prevent leaks, spills and other releases. This includes:

a) Performing inspections and preventive maintenance of *stormwater* drainage, source controls, treatment systems, and plant equipment and systems;

b) Maintaining non-structural *BMPs* (e.g., keep spill response supplies available, personnel appropriately trained, containment measures, covering fuel areas); and

c) Ensure vehicle washwater is not *discharged* to the *MS4* or to *surface waters of the State*. Wash equipment/vehicles in a designated and/or covered area where washwater is collected to be recycled or *discharged* to the sanitary sewer (Part I.B.2.d.).

ii. Routine maintenance must be performed to ensure *BMPs* are operating properly.

iii. When a *BMP* is not functioning to its designed effectiveness and needs repair or replacement:

a) Maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of *stormwater* controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable; and

b) Interim measures must be taken to prevent or minimize the *discharge* of *pollutants* until the final repair or replacement is implemented,

including cleaning up any contaminated surfaces so that the material will not be *discharged* during subsequent storm events.

c. Spill Prevention and Response Procedures

i. Minimize the potential for leaks, spills and other releases that may be exposed to *stormwater* and *develop* plans for effective response to such spills if or when they occur. At a minimum, the *MS4 Operator* must:
   a) Store materials in appropriate containers;
   b) Label containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides”) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
   c) Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the *discharge* of *pollutants* from these areas;
   d) *Develop* procedures for stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;
   e) Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made;
   f) *Develop* procedures for notification of the appropriate facility personnel, emergency response agencies, and regulatory agencies when a leak, spill, or other release occurs. If possible, one of these individuals should be a member of the *stormwater* pollution prevention team (Part VI.F.2.d.i.a)). Any spills must be reported in accordance with 6 NYCRR 750-2.7; and
   g) Following any spill or release, the *MS4 Operator* must evaluate the adequacy of the *BMPs* identified in the *municipal facility* specific SWPPP. If the *BMPs* are inadequate, the SWPPP must be updated to identify new *BMPs* that will prevent reoccurrence and improve the emergency response to such releases.

ii. Measures for cleaning up spills or leaks must be consistent with applicable petroleum bulk storage, chemical bulk storage, or hazardous waste management regulations at 6 NYCRR Parts 596-599, 613 and 370-373.

iii. This *SPDES* general permit does not relieve the *MS4 Operator* of any reporting or other requirements related to spills or other releases of petroleum or hazardous substances. Any spill of a hazardous substance must be reported in accordance with 6 NYCRR 597.4. Any spill of petroleum must be reported in accordance with 6 NYCRR 613.6 or 17 NYCRR 32.3.

d. Erosion and Sediment Controls[31]

i. Stabilize exposed areas and control runoff using structural and/or non-structural controls to minimize onsite erosion and sedimentation.

ii. The *MS4 Operator* must consider:

a) Structural and/or non-structural controls found in the NYS E&SC 2016;

b) Areas that, due to topography, land disturbance (e.g., construction), or other factors, have potential for significant soil erosion;

c) Whether structural, vegetative, and/or stabilization *BMPs* are needed to limit erosion;

d) Whether velocity dissipation devices (or equivalent measures) are needed at *discharge* locations and along the length of any channel to provide a non-erosive flow velocity from the structure to a water course; and

e) Address erosion or areas with poor vegetative cover, especially if the erosion is within fifty (50) feet of a *surface water of the State*.

e. Manage Vegetated Areas and Open Space on *Municipal* Property

i. Maintain vegetated areas on *MS4 Operator* owned/operated property and right of ways:

a) Specify proper use, storage, and disposal of pesticides, herbicides, and fertilizers including minimizing the use of these products and using only in accordance manufacturer's instruction;

b) Use lawn maintenance and landscaping practices that are protective of water quality. Protective practices include: reduced mowing frequencies; proper disposal of lawn clippings; and use of alternative landscaping materials (e.g., drought resistant planting);

c) Place pet waste disposal containers and signage concerning the proper collection and disposal of pet waste at all parks and open space where pets are permitted; and

d) Address waterfowl congregation areas where needed to reduce waterfowl droppings from entering the *MS4*.

f. Salt[32] Storage Piles or Pile Containing Salt

Enclose or cover storage piles of salt, or piles containing salt, used for deicing or maintenance of paved surfaces, except during loading, unloading, and handling. Implement appropriate measures (e.g., good housekeeping, routine sweeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.

[31] The use of the term "controls" in Part VI.F.1.d. aligns with the use of the term "controls" in the CGP.
[32] For purposes of this *SPDES* general permit, salt means any chloride-containing material used to treat paved surfaces for deicing, including sodium chloride, calcium chloride, magnesium chloride, and brine solutions.

g. Waste, Garbage, and Floatable Debris

i. Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids and could leak, ensure that *discharges* have a control (e.g., secondary containment, treatment); and

ii. Keep exposed areas free of waste, garbage, and debris or intercept them before they are *discharged*:

a) Manage trash containers at parks and open space (scheduled cleanings; sufficient number);

b) Pick up trash and debris on *MS4 Operator* owned/operated property and rights of way; and

c) Clean out *catch basins* within the appropriate timeframes (Part VI.F.3.c.iii.).

h. Alternative Implementation Options

When alternative implementation options (Part IV.A.1.) are utilized, require the parties performing *municipal operations* as contracted services, including but not limited to street sweeping, snow removal, and lawn/grounds care, to meet permit requirements as the requirements apply to the activity performed.

2. *Municipal Facilities*[33]

a. *Municipal Facility* Program

Within three (3) years of the EDC, the *MS4 Operator* must *develop* and implement a *municipal facility* program. The *municipal facility* program must be documented in the *SWMP Plan* specifying:

i. The *municipal facility* procedures including:

a) The *BMPs* (Part VI.F.1.) incorporated into the *municipal facility* program;

b) The high priority *municipal facility* requirements (Part VI.F.2.d.) as applied to the specific *municipal facility*; and

c) The low priority *municipal facility* requirements (Part VI.F.2.e.) as applied to the specific *municipal facility*.

ii. The training provisions for the *MS4 Operator*'s *municipal facility* procedures (Part VI.F.2.a.i.).

a) If new staff are added, training on the *MS4 Operator*'s *municipal facility* procedures (Part VI.F.2.a.i.) must be given prior to conducting *municipal facility* procedures;

b) For existing staff, training on the *MS4 Operator*'s *municipal facility* procedures (Part VI.F.2.a.i.) must be given prior to conducting

[33] *Municipal facilities* that have coverage under a separate *SPDES* permit (either individual or MSGP) must comply with the terms and conditions of that permit and the requirements set forth in this Part are not applicable.

municipal facility procedures and once every five (5) years, thereafter; and

c) If the *municipal facility* procedures (Part VI.F.2.a.i.) are updated (Part VI.F.2.a.iv.), training on the updates must be given to all staff prior to conducting *municipal facility* procedures.

iii. The names, titles, and contact information for the individuals who have received *municipal facility* training and update annually; and

iv. Annually, by April 1, the *MS4 Operator* must:

a) Review and update the *municipal facility* procedures (Part VI.F.2.a.i.); and

b) Document the completion of this requirement in the *SWMP Plan*.

b. *Municipal Facility* Inventory

i. Within two (2) years of the EDC, the *MS4 Operator* must *develop* and maintain an inventory of all *municipal* facilities in the *SWMP* Plan. The following information must be included in the inventory:

a) Name of *municipal facility*;

b) Street address;

c) Type of *municipal facility*;

d) Prioritization (high or low) (Part VI.F.2.c.);

e) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a)) ;

f) Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));

g) Contact information;

h) Responsible department;

i) Location of SWPPP (if high priority; when completed);

j) Type of activities present on site;

k) Size of facility (acres);

l) Date of last assessment;

m) *BMPs* identified; and

n) Projected date of next comprehensive site assessment (Part VI.F.2.d.ii.c) or Part VI.F.2.e.ii.c), depending on the *municipal facility* prioritization (Part VI.F.2.c.)).

ii. Annually, the *MS4 Operator* must update the inventory if new *municipal* facilities are added.

c. *Municipal Facility* Prioritization

i. Within three (3) years of the EDC, the *MS4 Operator* must prioritize all known *municipal* facilities as follows:

a) High priority *municipal facilities* include *municipal* facilities that have one or more of the following on site and exposed to *stormwater*:

i) Storage of chemicals, salt, petroleum, pesticides, fertilizers, anti-freeze, lead-acid batteries, tires, waste/debris;

ii) Fueling stations; and/or

iii) Vehicle or equipment maintenance/repair.

b) Low priority *municipal facilities* include any *municipal* facilities that do not meet the criteria for a high priority (Part VI.F.2.c.i.a)) *municipal facility*.

c) High priority *municipal facilities* (Part IV.F.2.c.i.a)) which qualify for a *No Exposure* Certification (Part VI.F.1.a.ii.) are low priority *municipal* facilities.

ii. Within thirty (30) days of when a *municipal facility* is added to the inventory, the *MS4 Operator* must prioritize those *municipal* facilities; and

iii. Annually, after the initial prioritization (Part VI.F.2.c.i.), the *MS4 Operator* must update the *municipal facility* prioritization in the inventory (Part VI.F.2.b.i.) based on information gathered as part of the *municipal facility* program (Part VI.F.2.a.), including cases where a *No Exposure* Certification (Part VI.F.1.a.ii.) ceases to apply. The completion of this permit requirement must be documented in the *SWMP Plan*.

d. High Priority *Municipal Facility* Requirements

i. Municipal Facility Specific SWPPP

Within five (5) years of the EDC, *MS4 Operators* must *develop* and implement a *municipal facility* specific SWPPP for each high priority *municipal facility* (Part VI.F.2.c.i.a)) and retain a copy of the *municipal facility* specific SWPPP on site of the respective *municipal facility*. The SWPPP must contain:

a) *Stormwater* Pollution Prevention Team

The *municipal facility* specific SWPPP must identify the individuals (by name and/or title) and their role/responsibilities in *developing*, implementing, maintaining, and revising the *municipal facility* specific SWPPP. The activities and responsibilities of the team must address all aspects of the *municipal facility* specific SWPPP.

b) General Site Description

A written description of the nature of the activities occurring at the *municipal facility* with a potential to *discharge pollutants*, type of

pollutants expected, and location of key features as detailed in the site map (Part VI.F.2.d.i.e)).

c) Summary of potential *pollutant* sources

The *municipal facility* specific SWPPP must identify each area at the *municipal facility* where materials or activities are exposed to *stormwater* or from which authorized non-*stormwater discharges* (Part I.A.3.) originate, including any potential *pollutant* sources for which the *municipal facility* has reporting requirements under the Emergency Planning and Community Right-To-Know Act (EPCRA), Section 313.

i) Materials or activities include: machinery; raw materials; intermediate products; byproducts; final products or waste products; and, material handling activities which includes storage, loading and unloading, transportation or conveyance of any raw material, intermediate product, final product or waste product.

ii) For each separate area identified, the description must include:

(a) Activities - A list of the activities occurring in the area (e.g., material storage, equipment fueling and cleaning);

(b) *Pollutants* - A list of the associated *pollutant(s)* for each activity. The *pollutant(s)* list must include all materials that are exposed to *stormwater*; and

(c) Potential for presence in *stormwater* - For each area of the *municipal facility* that generates *stormwater discharges,* a prediction of the direction of flow, and the likelihood of the activity to contaminate the *stormwater discharge*. Factors to consider include the toxicity of chemicals, quantity of chemicals used, produced or *discharge*d, the likelihood of contact with *stormwater*; and history of leaks or spills of toxic or hazardous *pollutants*.

d) Spills and Releases

For areas that are exposed to precipitation or that otherwise drain to a *stormwater* conveyance to be covered under this *SPDES* general permit, the *municipal facility* specific SWPPP must include a list of spills or releases[34] of petroleum and hazardous substances or other *pollutants*, including unauthorized *non-stormwater discharges*, that may adversely affect water quality that occurred during the last three-year period. The list must be updated when spills or releases occur.

e) Site Map

[34] This may also include releases of petroleum or hazardous substances that are not in excess of reporting quantities but which may still cause or contribute to significant water quality impairment.

The *municipal facility* specific SWPPP must include a site map identifying the following, as applicable:

i) Property boundaries and size in acres;

ii) Location and extent of significant structures (including materials shelters), and impervious surfaces;

iii) Monitoring locations (mapped in accordance with Part IV.D.2.a.i.) with its approximate *sewershed*. Each monitoring location must be labeled with the monitoring location identification;

iv) Location of all post-construction *SMPs* (mapped in accordance with Part IV.D.2.a.iv.) and *MS4* infrastructure (mapped in accordance with Part IV.D.2.b.i.);

v) Locations of *discharges* authorized under other *SPDES* permits;

vi) Locations where potential spills or releases can contribute to *pollutants* in *stormwater discharges* and their accompanying drainage points;

vii) Locations of haul and access roads;

viii) Rail cars and tracks;

ix) Arrows showing direction of *stormwater* flow;

x) Location of all receiving waters in the immediate vicinity of the *municipal facility*, indicating if any of the waters are impaired and, if so, whether the waters have *TMDLs* established for them (mapped in accordance with Part IV.D.1.e.ii.);

xi) Locations where *stormwater* flows have significant potential to cause erosion;

xii) Location and source of run-on from adjacent property containing significant quantities of *pollutants* and/or volume of concern to the *municipal facility*; and

xiii) Locations of the following areas where such areas are exposed to precipitation or *stormwater*:

(a) Fueling stations;
(b) Vehicle and equipment maintenance and/or cleaning areas;
(c) Loading/unloading areas;
(d) Locations used for the treatment, storage or disposal of wastes;
(e) Liquid storage tanks;
(f) Processing and storage areas;
(g) Locations where significant materials, fuel or chemicals are stored and transferred;
(h) Locations where vehicles and/or machinery are stored when not in use
(i) Transfer areas for substances in bulk;

(j) Location and description of non-*stormwater discharges* (Part I.A.3.);
(k) Locations where spills[35] or leaks have occurred; and
(l) Locations of all existing structural *BMP*s.

f) *Stormwater Best Management Practices (BMPs)*

The *municipal facility* specific SWPPP must document the location and type of *BMPs* implemented at the *municipal facility* (Part VI.F.1.). The *municipal facility* specific SWPPP must describe how each *BMP* is being implemented for all the potential *pollutant* sources.

g) *Municipal facility* assessments
The *municipal facility* specific SWPPP must include a schedule for completing and recording results of routine and comprehensive site assessments (Part VI.F.2.d.ii.c)).

ii. Municipal Facility Assessments

a) Wet Weather Visual Monitoring

i) Once every five (5) years, the *MS4 Operator* must conduct wet weather visual monitoring of the monitoring locations (Part VI.C.1.b.) and other sites of *stormwater* leaving the site that are *discharging stormwater* from fueling areas, storage areas, vehicle and equipment maintenance/fueling areas, material handling areas and similar potential *pollutant* generating areas (Part VI.F.2.d.i.e)xiii)).

(a) All samples must be collected from *discharges* resulting from a *qualifying storm event*. The storm event must be documented using the Storm Event Data Form (Appendix D) and kept with the *municipal facility* specific SWPPP. The sample must be taken during the first thirty (30) minutes (or as soon as practical, but not to exceed one hour) of the *discharge* at the monitoring location.

(b) No analytical tests are required to be performed on the samples for the purpose of meeting the visual monitoring requirements.

(c) The visual examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and any other obvious indicators of *stormwater* pollution.

(d) The visual examination of the sample must be conducted in a well-lit area.

[35] A spill includes: any spill of a hazardous substance that must be reported in accordance with 6 NYCRR 597.4 and any spill of petroleum that must be reported in accordance with 6 NYCRR 613.6 or 17 NYCRR 32.3.

(e) Where practicable, the same individual should carry out the collection and examination of *discharges* for the entire permit term for consistency.

(f) The *MS4 Operator* must document the visual examination using the Visual Monitoring Form (Appendix D) and keep it with the *municipal facility* specific SWPPP to record:

(i) Monitoring location ID;

(ii) Examination date and time;

(iii) Personnel conducting the examination;

(iv) Nature of the *discharge* (runoff or snowmelt);

(v) Visual quality of the *stormwater discharge* including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of *stormwater* pollution; and

(vi) Probable sources of any observed *stormwater* contamination.

(vii) Corrective and follow up actions – If the visual examination indicates the presence of color, odor, floating solids, settled solids, suspended solids, foam, oil sheen, or other indicators of *stormwater* pollution, the *MS4 Operator* must, at minimum, complete and document the following actions:

(1) Evaluate the facility for potential sources;

(2) Remedy the problems identified;

(3) Revise the *municipal facility* specific SWPPP; and

(4) Perform an additional visual inspection during the first *qualifying storm event* following implementation of the corrective action. If the first *qualifying storm event* does not occur until the next visual monitoring period, this follow up action may be used as the next visual inspection.

b) The monitoring locations inspection and sampling program must be implemented at the *municipal facility* (Part VI.C.1.e.).

c) Comprehensive Site Assessments

i) Once every five (5) years following the most recent assessment, the *MS4 Operator* must complete a comprehensive site assessment for each high priority *municipal facility* as identified in the inventory (Part VI.F.2.b.) using the Municipal Facility Assessment Form (Appendix D) or an equivalent form containing

the same information, and document in the *municipal facility* specific SWPPP and *SWMP Plan* that:

(a) The *municipal facility* is in compliance with the terms and conditions of this *SPDES* general permit;

(b) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which has a reasonable likelihood of adversely affecting human health or the environment;

(i) Within twenty-four (24) hours, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented; or

(c) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which does not have a reasonable likelihood of adversely affecting human health or the environment;

(i) Within seven (7) days, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented.

e. Low Priority *Municipal Facility* Requirements

i. The *MS4 Operator* must identify procedures outlining *BMPs* for the types of activities that occur at the low priority *municipal* facilities as described in Part VI.F.1. A *municipal facility* specific SWPPP is not required.

ii. *Municipal Facility* Assessments

a) Low priority *municipal* facilities are not required to conduct wet weather visual monitoring.

b) The monitoring locations inspection and sampling program must be implemented at the *municipal facility* (Part VI.C.1.e.).

c) Comprehensive Site Assessments

i) Once every five (5) years following the most recent assessment, the *MS4 Operator* must complete a comprehensive site assessment for each low priority *municipal facility* as identified in the inventory (Part VI.F.2.b.) using the Municipal Facility Assessment Form (Appendix D) or an equivalent form containing the same information, and document in the *SWMP Plan* that:

(a) The *municipal facility* is in compliance with the terms and conditions of this *SPDES* general permit;

(b) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which

has a reasonable likelihood of adversely affecting human health or the environment;

(i) Within twenty-four (24) hours, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented; or

(c) Deficiencies were identified and all reasonable steps will be to minimize any *discharge* in violation of the permit, which does not have a reasonable likelihood of adversely affecting human health or the environment;

(i) Within seven (7) days, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented.

3. *Municipal Operations* & Maintenance

a. *Municipal Operations* Program

Municipal operations are: street and bridge maintenance; winter road maintenance; *MS4* maintenance; open space maintenance; solid waste management; new construction and land disturbances; right-of-way maintenance; marine operations; or hydrologic habitat modification.

Within three (3) years of the EDC, the *MS4 Operator* must *develop* and implement a *municipal operations* program. The *municipal operations* program must be documented in the *SWMP Plan* specifying:

i. The *municipal operations* procedures including:

a) The *BMPs* (Part VI.F.1.) incorporated into the *municipal operations* program;

b) The *municipal operations* corrective actions requirements (Part VI.F.3.b.);

c) *Catch basin* inspection and maintenance requirements (Part VI.F.3.c.);

d) Roads, bridges, parking lots, and right of way maintenance requirements (Part VI.F.3.d.); and

e) All other *municipal operations* maintenance requirements.

ii. The training provisions for the *MS4 Operator*'s *municipal operations* procedures (Part VI.F.3.a.i.).

a) If new staff are added, training on the *MS4 Operator*'s *municipal operations* procedures (Part VI.F.3.a.i.) must be given prior to conducting *municipal operations* procedures;

b) For existing staff, training on the *MS4 Operator*'s *municipal operations* procedures (Part VI.F.3.a.i.) must be given prior to conducting *municipal operations* procedures and once every five (5) years, thereafter; and

c) If the *municipal operations* procedures (Part VI.F.3.a.i.) are updated (Part VI.F.3.a.iv.), training on the updates must be given to all staff prior to conducting *municipal operations* procedures.

iii. The names, titles, and contact information for the individuals who have received *municipal operations* training and update annually; and

iv. Annually, by April 1, the *MS4 Operator* must:

a) Review and update the *municipal operations* procedures (Part VI.F.3.a.i.); and

c) Document the completion of this requirement in the *SWMP Plan*.

b. *Municipal Operations* Corrective Actions

i. For *municipal operations*, *MS4 Operators* must either:

a) Ensure compliance with the terms and conditions of this *SPDES* general permit; or

b) Implement corrective actions according to the following schedule and, after implementation, ensure the operations are in compliance with the terms and conditions of this *SPDES* general permit:

i) Within twenty-four (24) hours of discovery for situations that have a reasonable likelihood of adversely affecting human health or the environment;

ii) Initiated within seven (7) days of inspection and completed within thirty (30) days of inspection for situations that do not have a reasonable likelihood of adversely affecting human health or the environment; and

iii) For corrective actions that require special funding or construction that will take longer than thirty (30) days to complete, a schedule must be prepared that specifies interim milestones that will ensure compliance in the shortest reasonable time.

c. *Catch Basin* Inspection and Maintenance

Within three (3) years of the EDC, the MS4 Operator must:

i. Identify when *catch basin* inspection is needed with consideration for:

a) Areas with *construction activities* (mapped in accordance with Part IV.D.2.a.iii.);

b) Residential, commercial, and industrial areas (mapped in accordance with Part IV.D.1.d.iii.);

c) Recurring or history of issues; or

d) Confirmed citizen complaints on three or more separate occasions in the last twelve (12) months.

ii. Inventory *catch basin* inspection information including:

a) Date of inspection;

b) Approximate level of trash, sediment, and/or debris captured at time of clean-out (no trash, sediment, and/or debris, <50% of the depth of the *sump*, >50% of the depth of the *sump*);

c) Depth of structure;

d) Depth of *sump*; and

e) Date of clean out, if applicable (Part VI.F.3.c.iii.).

iii. Based on inspection results, clean out *catch basins* within the following timeframes:

a) Within six (6) months after the *catch basin* inspection, *catch basins* which had trash, sediment, and/or debris exceeding 50% of the depth of the *sump* as a result of a *catch basin* inspection must be cleaned out;

b) Within one (1) year after the *catch basin* inspection, *catch basins* which had trash, sediment, and/or debris at less than 50% of the depth of the *sump* as a result of a *catch basin* inspection must be cleaned out; and

c) MS4 Operators are not required to clean out *catch basins* if the *catch basins* are operating properly and:

i. There is no trash, sediment, and/or debris in the *catch basin*; or

ii. The *sump* depth of the *catch basin* is less than or equal to two (2) feet.

iv. Properly manage (handling and disposal) materials removed from *catch basins* during clean out so that:

a) Water removed during the *catch basin* cleaning process will not reenter the *MS4* or *surface waters of the State*;

b) Material removed from *catch basins* is disposed of in accordance with any applicable environmental laws and regulations; and

c) Material removed during the *catch basin* cleaning process will not reenter the *MS4* or *surface waters of the State*.

v. Determine if there are signs/evidence of *illicit discharges* and procedures for referral/follow-up if *illicit discharges* are encountered.

d. Roads, Bridges, Parking Lots, & Right of Way Maintenance

i. Sweeping

Within six (6) months of the EDC, the *MS4 Operator* must *develop* and implement procedures for sweeping and/or cleaning *municipal* streets, bridges, parking lots, and right of ways owned/operated by the *MS4 Operator*. The procedures and completion of permit requirements must be documented in the *SWMP Plan* specifying:

a) All roads, bridges, parking lots, and right of ways must be swept and/or cleaned once every five (5) years in the spring (following winter activities such as sanding). This requirement is not applicable to:

   i) Uncurbed roads with no *catch basins*;

   ii) High-speed limited access highways; or

   iii) Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

b) Annually, from April 1 through October 31, roads in business and commercial areas must be swept. This requirement is not applicable to:

   i) Uncurbed roads with no *catch basins*;

   ii) High-speed limited access highways; or

   iii) Roads defined as interstates, freeways and expressways, or arterials by the USDOT 2013.

ii. Maintenance

Within five (5) years of the EDC, in addition to the *BMPs* (Part VI.F.1.), the *MS4 Operator* must implement the following provisions:

a) Pave, mark, and seal in dry conditions;

b) Stage road operations and maintenance activity (e.g., patching, potholes) to reduce the potential discharge of pollutants to the *MS4* or *surface waters of the State*;

c) Restrict the use of herbicides/pesticide application to roadside vegetation; and

d) Contain *pollutants* associated with bridge maintenance activities (e.g., paint chips, dust, cleaning products, other debris).

iii. Winter Road Maintenance

Within five (5) years of the EDC, in addition to the *BMPs* (Part VI.F.1.), the *MS4 Operator* must implement the following provisions:

a) Routinely calibrate equipment to control salt/sand application rates; and

b) Ensure that routine snow disposal activities comply with the Division of Water Technical and Operation Guidance Series 5.1.11, Snow Disposal.[36]

[36] The Division of Water Technical and Operation Guidance Series 5.1.11, Snow Disposal can be found on the Department's website.

Part VII. Minimum Control Measures (MCMs) for *Traditional Non-Land Use Control & Non-Traditional MS4 Operators*

In addition to the requirements contained in Part I. through Part V*, traditional non-land use* and *non-traditional MS4 Operators* must comply with the MCMs contained in this Part. These *MS4 Operators* should consider their public to be:

- Employees (i.e., staff, faculty);
- User population/visitors;
- Students;
- Tenants; and
- Contractors & developers working for *MS4 Operator*.

A. MCM1 – Public Education and Outreach Program

The *MS4 Operator* must *develop* and implement an education and outreach program to increase public awareness of *pollutant* generating activities and behaviors. This MCM is designed to inform the public about the impacts of *stormwater* on water quality, the general sources of *stormwater pollutants*, and the steps the general public can take to reduce *pollutants* in *stormwater* runoff.

1. Development

a. Focus Areas

Within three (3) years of the EDC, the *MS4 Operator* must identify and document the focus areas in the *SWMP Plan*. The focus areas to be considered are as follows:

i. Areas *discharging* to waters with Class AA-S, A-S, AA, A, B, SA, or SB (mapped in accordance with Part IV.D.1.e.ii.a));

ii. *Sewersheds* for impaired waters listed in Appendix C (subject to Part VIII. requirements; mapped in accordance with Part IV.D.1.c. for *MS4 Operators* continuing coverage and Part IV.D.2.a.ii. for newly designated *MS4 Operators*);

iii. *TMDL* watersheds (subject to Part IX. requirements; mapped in accordance with Part IV.D.1.e.ii.c));

iv. Areas with *construction activities*;

v. Areas with on-site wastewater systems (subject to Part VIII. or Part IX. requirements);

vi. Residential, commercial, and industrial areas (mapped in accordance with Part IV.D.1.e.iii.);

vii. *Stormwater hotspots*; and

viii. Areas with *illicit discharges*.

b. Target Audiences and Associated *Pollutant* Generating Activities

Within three (3) years of the EDC, the *MS4 Operator* must identify and document the applicable target audience(s) and associated *pollutant* generating activities that the outreach and education will address for each focus area identified by the *MS4 Operator* in Part VII.A.1.a. in the *SWMP Plan*. The target audiences are as follows:

i. Residents;

ii. Commercial:[37] Business owners and staff;

iii. Institutions:[38] Managers, staff, and students;

iv. Construction: Developers, contractors, and design professionals;

v. Industrial:[39] Owners and staff; and

vi. *MS4 Operator*'s *municipal* staff.

c. Education and Outreach Topics

Within three (3) years of the EDC, the *MS4 Operator* must identify and document in the *SWMP Plan* the education and outreach topics and how the education and outreach topics will reduce the potential for *pollutants* to be generated by the target audience(s) (Part VII.A.1.b.) for the focus area(s) (Part VII.A.1.a.).

e. *Illicit Discharge* Education

Within six (6) months of the EDC, the *MS4 Operator* must make information related to the prevention of *illicit discharges*, available to *municipal* employees, businesses, and the public and document the completion of this requirement in the *SWMP Plan*. The information related to the prevention of illicit discharges must include the following:

i. What types of *discharges* are allowable (Part I.A.3.);

ii. What is an *illicit discharge* and why is it prohibited (Part VII.C.);

iii. The environmental hazards associated with *illicit discharges* and improper disposal of waste;

iv. Proper handling and disposal practices for the most common behaviors within the community (e.g., septic care, car washing, household hazardous waste, swimming pool draining, or other activities resulting in *illicit discharges* to the *MS4*); and

v. How to report *illicit discharges* they may observe (Part VII.C.1.a.).

[37] Business, retail stores, and restaurants.
[38] Hospitals, churches, colleges, and schools.
[39] Factories, recyclers, auto-salvage, and mines.

2. Implementation and Frequency

a. Distribution Method of Educational Messages

Once every five (5) years, the *MS4 Operator* must identify and document in the *SWMP Plan* which of the following method(s) are used for the distribution of educational messages:

i. Printed materials (e.g., mail inserts, brochures, and newsletters);

ii. Electronic materials (e.g., websites, email listservs);

iii. Mass media (e.g., newspapers, public service announcements on radio or cable);

iv. Workshops or focus groups;

v. Displays in public areas (e.g., town halls, library, parks); or

vi. Social Media (e.g., Facebook, Twitter, blogs).

b. Frequency

Following the completion of Part VII.A.1.a, Part VII.A.1.b, and Part VII.A.1.c, within five (5) years of the EDC, and once every five (5) years, thereafter, the *MS4 Operator* must:

i. Deliver an educational message to each target audience(s) (Part VII.A.1.b.) for each focus area(s) (Part VII.A.1.a.) based on the defined education and outreach topic(s) (Part VII.A.1.c.); and

ii. Document the completion of this requirement in the *SWMP Plan*.

c. Updates to the Public Education and Outreach Program

Following the completion of Part VII.A.1.a, Part VII.A.1.b, and Part VII.A.1.c, annually, by April 1, the *MS4 Operator* must:

i. Review and update the focus areas, target audiences, and/or education and outreach topics; and

ii. Document the completion of this requirement in the *SWMP Plan*.

B. MCM 2 - Public Involvement/Participation

The *MS4 Operator* must provide opportunities to involve the public in the development, review, and implementation of the *SWMP*. This MCM is designed to give the public the opportunity to include their opinions in the implementation of this *SPDES* general permit.

1. Public Involvement/Participation

a. Annually, the *MS4 Operator* must provide an opportunity for public involvement/participation in the development and implementation of the *SWMP*. The *MS4 Operator* must document the public involvement/participation opportunities in the *SWMP* Plan. The opportunities for public involvement/participation are as follows:

i. Citizen advisory group on *stormwater* management;

ii. Public hearings or meetings;

iii. Citizen volunteers to educate other individuals about the *SWMP*;

iv. Coordination with other pre-existing public involvement/participation opportunities;

v. Reporting concerns about activities or behaviors observed; or

vi. Stewardship activities.

b. Annually, the *MS4 Operator* must inform the public of the opportunity (Part VII.B.1.a.) for their involvement/participation in the development and implementation of the *SWMP* and how they can become involved. The *MS4 Operator* must document the method for distribution of this information in the *SWMP Plan*. The methods for distribution are as follows:

i. Public notice;

ii. Printed materials (e.g., mail inserts, brochures and newsletters);

iii. Electronic materials (e.g., websites, email listservs);

iv. Mass media (e.g., newspapers, public service announcements on radio or cable);

v. Workshops or focus groups;

vi. Displays in public areas (e.g., town halls, library, parks); or

vii. Social Media (e.g., Facebook, Twitter, blogs).

c. Within six (6) months of the EDC, the *MS4 Operator* must identify a local point of contact to receive and respond to public concerns regarding *stormwater* management and compliance with permit requirements. The name or title of this individual, with contact information, must be published on public outreach and public participation materials and documented in the *SWMP Plan*.

2. Public Notice and Input Requirements

a. Public Notice and Input Requirements for *SWMP Plan*

Annually, the *MS4 Operator* must provide an opportunity for the public to review and comment on the publicly available *SWMP Plan* (Part IV.B.2.b.). The public must have the ability to ask questions and submit comments on the *SWMP Plan*. The completion of this permit requirement must be documented in the *SWMP Plan*. This requirement may be satisfied by Part VII.B.1.

b. Public Notice and Input Requirements for Draft Annual Report

i. Annually, the *MS4 Operator* must provide an opportunity for the public to review and comment on the draft Annual Report. The completion of this permit requirement must be documented in the *SWMP Plan*. This requirement may be satisfied by either:

a) Presentation of the draft Annual Report at a regular meeting of an existing board (e.g., administrative, planning, zoning) or a separate meeting specifically for *stormwater*, as designated by the *MS4* or if requested by the public. The public must have the ability to ask questions about and make comments on the draft annual report during that presentation; or

b) Posting of the draft Annual Report on a public website. The website must provide information on the timeframes and procedures to submit comments and/or request a meeting. However, if a public meeting is requested by two or more persons, the *MS4 Operator* must hold such a meeting.

c. Consideration of Public Input

i. Annually, the *MS4 Operator* must include a summary of comments received on the *SWMP Plan* and draft Annual Report in the *SWMP Plan*.

ii. Within thirty (30) days of when public input is received, the *MS4 Operator* must update the *SWMP Plan*, where appropriate, based on the public input received.

C. MCM 3 - *Illicit Discharge* Detection and Elimination

The *MS4 Operator* must *develop*, implement, and enforce a program which systematically detects, tracks down, and eliminates *illicit discharges* to the *MS4*. This MCM is designed to manage the *MS4* so it is not conveying *pollutants* associated with flows other than those directly attributable to *stormwater* runoff.

1. *Illicit Discharge* Detection

a. Public Reporting of *Illicit Discharges*

i. Within six (6) months of the EDC, the *MS4 Operator* must establish and document in the *SWMP Plan* an email or phone number (with message recording capability) for the public to report *illicit discharges*.

ii. Within thirty (30) days of an *illicit discharge*, the *MS4 Operator* must document each report of an *illicit discharge* in the *SWMP Plan* with the following information:

a) Date of the report;

b) Location of the *illicit discharge;*

c) Nature of the *illicit discharge;*

d) Follow up actions taken or needed (including response times); and

e) Inspection outcomes and any enforcement taken.

b. Monitoring Locations

The monitoring locations used to detect *illicit discharges* are identified as follows:

i. *MS4 outfalls;*[40]
ii. *Interconnections*;[41] and
iii. *Municipal facility intraconnections*.[42]

c. Monitoring Locations Inventory

i. Within three (3) years of the EDC, the *MS4 Operator* must *develop* and maintain an inventory of the monitoring locations in the *SWMP Plan*. The following information must be included in the inventory:[43]

a) Inventory information for *MS4 outfall*s

i) ID;
ii) Prioritization (high or low) (Part VII.C.1.d.);
iii) Type of monitoring location (Part VII.C.1.b.);
iv) Name of *MS4 Operator's municipal facility*, if located at a *municipal facility*;[44]
v) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));
vi) Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));
vii) Land use in drainage area;
viii) Type of conveyance (open drainage or closed pipe);
ix) Material;
x) Shape;
xi) Dimensions;
xii) Submerged in water; and
xiii) Submerged in sediment.

b) Inventory information for *interconnections*

i) ID;
ii) Prioritization (high or low) (Part VII.C.1.d.);
iii) Type of monitoring location (Part VII.C.1.b.);
iv) Name of *MS4 Operator* receiving *discharge* or private storm system;

[40] *MS4 outfall*s can be found at a *municipal facility*.
[41] *Interconnections* can be found a *municipal facility*.
[42] *Municipal facility intraconnections* can be found only at a *municipal facility*.
[43] The information included in the inventory is collected during inspections on the Monitoring Locations Inspection and Sampling Field Sheet (Appendix D) unless otherwise specified by the permit conditions.
[44] This information is collected as part of the *municipal facility* inventory.

v) Name of *MS4 Operator*'s *municipal facility*, if located at a *municipal facility*; and
vi) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a)).

c) Inventory information for *municipal facility intraconnections*

i) ID;
ii) Prioritization (high or low) (Part VII.C.1.d.);
iii) Type of monitoring location (Part VII.C.1.b.);
iv) Name of *MS4 Operator*'s *municipal facility*; and
v) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a)).

ii. Annually, the *MS4 Operator* must update the inventory if monitoring locations are created or discovered.

d. Monitoring Locations Prioritization

i. Within three (3) years of the EDC, the *MS4 Operator* must prioritize monitoring locations which are included in the monitoring locations inventory (Part VII.C.1.c.) as follows:

a) High priority monitoring locations include monitoring locations:

vi) At a high priority *municipal facility*, as defined in Part VII.F.2.c;

vii) *Discharging* to impaired waters (subject to Part VIII. requirements; mapped in accordance with Part IV.D.1.e.ii.b));

viii) *Discharging* within a TMDL watershed (subject to Part IX. requirements; mapped in accordance with Part IV.D.1.e.ii.c));

ix) *Discharging* to waters with Class AA-S, A-S, AA, A, B, SA, or SB (mapped in accordance with Part IV.D.1.e.ii.a)); and/or

x) Confirmed citizen complaints on three or more separate occasions in the last twelve (12) months.

b) All other monitoring locations are considered low priority.

ii. Within thirty (30) days of when a monitoring location is constructed or the *MS4 Operator* discovers it, the *MS4 Operator* must prioritize those monitoring locations; and

iii. Annually, after the initial prioritization (Part VII.C.1.d.i.), the *MS4 Operator* must update the monitoring location prioritization in the inventory (Part VII.C.1.c.) based on information gathered as part of the monitoring location inspection and sampling program (Part VII.C.1.e.). The completion of this permit requirement must be documented in the *SWMP Plan*.

e. Monitoring Locations Inspection and Sampling Program

Within two (2) years of the EDC, the *MS4 Operator* must *develop* and implement a monitoring locations inspection and sampling program. The monitoring locations inspection and sampling program must be documented in the *SWMP Plan* specifying:

i. The monitoring locations inspection and sampling procedures including:

a) During *dry weather,*[45] one (1) inspection of each monitoring location identified in the inventory (Part VII.C.1.c.) every five (5) years following the most recent inspection;

b) Documentation of all monitoring location inspections, including any sampling results, using the Monitoring Locations Inspection and Sampling Field Sheet (Appendix D) or an equivalent form containing the same information and include the completed monitoring location inspections and sampling results in the *SWMP Plan* (e.g., the completed Monitoring Locations Inspection and Sampling Field Sheets);

c) Provisions to sample all monitoring locations which had inspections which resulted in a *suspect* or *obvious illicit discharge* characterization. The sampling requirement is based on the number and severity of *physical indicators present in the flow* to better inform track down procedures (Part VII.C.2.). If the source of the *illicit discharge* is clear and discernable (e.g., sewage), sampling is not necessary;

d) Sampling may be done with field test kits or field instrumentation that are sufficiently sensitive to detect the parameter below the sampling action level used[46] and are not subject to 40 CFR Part 136 requirements for approved methods and certified laboratories;

e) Provisions to initiate, or cause to initiate,[47] track down procedures (Part VII.C.2.a.), in accordance with the timeframes specified in Part VII.C.2.a.iii, for monitoring locations with an overall characterization[48] as *suspect illicit discharge* or *obvious illicit discharge* or that exceed any sampling action level used;

f) Provisions to re-inspect the monitoring location within thirty (30) days of initial inspection if there is a *physical indicator not related to flow*, potentially indicative of *intermittent* or *transitory discharges,* utilizing techniques described in Chapter 12.6 of the Center for Watershed

[45] MS4 Operators can reference the Center for Watershed Protection Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance, October 2004 (CWP 2004) for other factors to consider when determining when to conduct monitoring location inspection and sampling.
[46] Refer to Chapter 12 of the CWP 2004 for parameters, sampling action levels, and procedures.
[47] If track down is conducted by individuals or entities other than those conducting the monitoring locations inspections.
[48] Reference to the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Monitoring Location Characterization based on the Relative Severity Index of physical indicators for flowing monitoring locations only.

Protection Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance, October 2004 (CWP 2004) or equivalent.

i) If those same physical indicators persist, the *MS4 Operator* must initiate *illicit discharge* track down procedures (Part VII.C.2.a.).

ii. The training provisions for the *MS4 Operator*'s monitoring locations inspection and sampling procedures (Part VII.C.1.e.i.).

a) If new staff are added, training on the *MS4 Operator*'s monitoring locations inspection and sampling procedures (Part VII.C.1.e.i.) must be given prior to conducting monitoring locations inspections and sampling procedures;

b) For existing staff, training on the *MS4 Operator*'s monitoring locations inspection and sampling procedures (Part VII.C.1.e.i.) must be given prior to conducting monitoring locations inspections and sampling and once every five (5) years, thereafter; and

c) If the monitoring locations inspection and sampling procedures (Part VII.C.1.e.i.) are updated (Part VII.C.1.e.iv.), training on the updates must be given to all staff prior to conducting monitoring locations inspections and sampling.

iii. The names, titles, and contact information for the individuals who have received monitoring locations inspection and sampling procedures training and update annually; and

iv. Annually, by April 1, the *MS4 Operator* must:

a) Review and update the monitoring location inspection and sampling procedures (Part VII.C.1.e.i.) based on monitoring location inspection results (e.g., trends, patterns, areas with *illicit discharges*, and common problems); and

b) Document the completion of this requirement in the *SWMP Plan*.

2. *Illicit Discharge* Track Down Program

Within two (2) years of the EDC, the *MS4 Operator* must *develop* and implement an *illicit discharge* track down program to identify the source of *illicit discharges* and the responsible party. The *illicit discharge* track down program must be documented in the *SWMP Plan* specifying:

a. The *illicit discharge* track down procedures including:

i. Procedures as described in Chapter 13 of CWP 2004 or equivalent;

ii. Steps taken for *illicit discharge* track down procedures;

iii. The following timeframes to initiate *illicit discharge* track down:

a) Within twenty-four (24) hours of discovery, the *MS4 Operator* must initiate track down procedures for flowing *MS4* monitoring locations with *obvious illicit discharges;*[49]

b) Within two (2) hours of discovery, the *MS4 Operator* must initiate track down procedures for *obvious illicit discharges* of sanitary wastewater that would affect bathing areas during bathing season, shell fishing areas or public water intakes and report orally or electronically to the Regional Water Engineer and local health department; and

c) Within five (5) days of discovery, the *MS4 Operator* must initiate track down procedures for *suspect illicit discharges*.

b. The training provisions for the *MS4 Operator*'s *illicit discharge* track down procedures (Part VII.C.2.a.).

i. If new staff are added, training on the *MS4 Operator*'s *illicit discharge* track down procedures (Part VII.C.2.a.) must be given prior to conducting *illicit discharge* track downs;

ii. For existing staff, training on the *MS4 Operator*'s *illicit discharge* track down procedures (Part VII.C.2.a.) must be given prior to *conducting illicit discharge* track downs and once every five (5) years, thereafter; and

iii. If the *illicit discharge* track down procedures (Part VII.C.2.a.) are updated (Part VII.C.2.d.), training on the updates must be given to all staff prior to conducting *illicit discharge* track downs.

c. The names, titles, and contact information for the individuals who have received *illicit discharge* track down procedures training and update annually; and

d. Annually, by April 1, the *MS4 Operator* must:

i. Review and update the *illicit discharge* track down procedures (Part VII.C.2.a.); and

ii. Document the completion of this requirement in the *SWMP Plan*.

3. *Illicit Discharge* Elimination Program

Within two (2) years of the EDC, the *MS4 Operator* must *develop* and implement an *illicit discharge* elimination program. The *illicit discharge* elimination program must be documented in the *SWMP Plan* specifying:

a. The *illicit discharge* elimination procedures including:

i. Provisions for escalating enforcement and tracking, both consistent with the ERP required in Part IV.F. of this *SPDES* general permit;

ii. Provisions to confirm the corrective actions have been taken;

[49] Reference to the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Monitoring Location Characterization based on the Relative Severity Index of physical indicators for flowing monitoring locations only.

iii. Steps taken for *illicit discharge* elimination procedures; and

iv. The following timeframes for *illicit discharge* elimination:

a) Within twenty-four (24) hours of identification of an *illicit discharge* that has a reasonable likelihood of adversely affecting human health or the environment, the *MS4 Operator* must eliminate the *illicit discharge*;

b) Within five (5) days of identification of an *illicit discharge* that does not have a reasonable likelihood of adversely affecting human health or the environment, the *MS4 Operator* must eliminate the *illicit discharge;* and

c) Where elimination of an *illicit discharge* within the specified timeframes (Part VII.C.3.a.iv.) is not possible, the *MS4 Operator* must notify the Regional Water Engineer.

b. The training provisions for the *MS4 Operator*'s *illicit discharge* elimination procedures (Part VII.C.3.a.).

i. If new staff are added, training on the *MS4 Operator*'s *illicit discharge* elimination procedures (Part VII.C.3.a.) must be given prior to conducting *illicit discharge* eliminations;

ii. For existing staff, training on the *MS4 Operator*'s *illicit discharge* elimination procedures (Part VII.C.3.a.) must be given prior to conducting *illicit discharge* eliminations and once every five (5) years, thereafter; and

iii. If the *illicit discharge* elimination procedures (Part VII.C.3.a.) are updated (Part VII.C.3.d.), training on the updates must be given to all staff prior to conducting *illicit discharge* eliminations.

c. The names, titles, and contact information for the individuals who have received *illicit discharge* elimination procedures training and update annually; and

d. Annually, by April 1, the *MS4 Operator* must:

i. Review and update the *illicit discharge* elimination procedures (Part VII.C.3.a.); and

ii. Document the completion of this requirement in the *SWMP Plan*.

D. MCM 4 - Construction Site *Stormwater* Runoff Control

The *MS4 Operator* must *develop*, implement, and enforce a program to ensure construction sites are effectively controlled. This MCM is designed to prevent *pollutants* from construction related activities,[50] as well as promote the proper planning and installation of post-construction *SMPs*.

[50] Projects that comply with the terms and conditions of the CGP or an individual *SPDES* permit for *stormwater* for which they obtained coverage and local erosion and sediment control requirements are effectively controlled.

1. Applicable Construction Activities/Projects/Sites

a. The construction site *stormwater* runoff control program must address *stormwater* runoff to the *MS4* from sites with *construction activities* permitted, approved, funded, or owned/operated by the *MS4 Operator* that:

i. Result in a total land disturbance of greater than or equal to one acre; or,

ii. Disturb less than one acre if part of a larger common plan of development or sale.

b. For *construction activities* where the *MS4 Operator* is listed as the owner/operator on the Notice of Intent for coverage under the CGP:

i. The *MS4 Operator* must ensure compliance with the CGP; and

ii. The additional requirements for construction oversight described in Part VII.D.6 through Part VII.D.9 are not required.

2. Public Reporting of Construction Site Complaints

a. Within six (6) months of the EDC, the *MS4 Operator* must establish and document in the *SWMP Plan* an email or phone number (with message recording capability) for the public to report complaints related to construction *stormwater* activity.

b. The *MS4 Operator* must document reports of construction site complaints in the *SWMP Plan* with the following information:

i. Date of the report;

ii. Location of the construction site;

iii. Nature of complaint;

iv. Follow up actions taken or needed; and

v. Inspection outcomes and any enforcement taken.

3. Construction Oversight Program

Within one (1) year of the EDC, the *MS4 Operator* must *develop* and implement a construction oversight program. The construction oversight program must be documented in the *SWMP Plan* specifying:

a. The construction oversight procedures including:

i. When the construction site *stormwater* control program applies (Part VII.D.1.);

ii. What types of *construction activity* require a SWPPP;

iii. The procedures for submission of SWPPPs;

iv. SWPPP review requirements (Part VII.D.6.)

v. Pre-construction oversight requirements (Part VII.D.7.)

vi. Construction site inspection requirements (Part VII.D.8.);

vii. Construction site close-out requirements (Part VII.D.9.);

viii. Enforcement process/expectations for compliance; and

ix. Other procedures associated with the control of *stormwater* runoff from applicable *construction activities*.

b. The training provisions for the *MS4 Operator*'s construction oversight procedures (Part VII.D.3.a.).

i. If new staff are added, training on the *MS4 Operator*'s construction oversight procedures (Part VII.D.3.a.) must be given prior to conducting any construction oversight activities;

ii. For existing staff, training on the *MS4 Operator*'s construction oversight procedures (Part VII.D.3.a.) must be given prior to conducting any construction oversight activities and once every five (5) years, thereafter; and

iii. If the construction oversight procedures (Part VII.D.3.a.) are updated (Part VII.D.3.a.), training on the updates must be given to all staff prior to conducting construction oversight.

c. The names, titles, and contact information for the individuals who have received construction oversight training and update annually;

d. Procedures to ensure those involved in the *construction activity* itself (e.g., contractor, subcontractor, *qualified inspector*, SWPPP reviewers) have received four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity; and

e. Annually, by April 1, the *MS4 Operator* must:

i. Review and update the construction oversight procedures (Part VII.D.3.a.); and

ii. Document the completion of this requirement in the *SWMP Plan*.

4. Construction Site Inventory & Inspection Tracking

a. Within six (6) months of the EDC, the *MS4 Operator* must *develop* and maintain an inventory of all applicable construction sites (Part VII.D.1.a.) in the *SWMP Plan*. The following information must be included in the inventory:

i. Location of the construction site;

ii. Owner/operator contact information, if other than the *MS4 Operator*;

iii. Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));

iv. Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));

v. Prioritization (high or low) (Part VII.D.5.);

vi. Construction project *SPDES* identification number;

vii. SWPPP approval date;

viii. Inspection history, including dates and ratings (satisfactory, marginal, or unsatisfactory, when available); and

ix. Current status of the construction site/project (i.e., active, temporarily shut down, complete[51]).

b. Annually, the *MS4 Operator* must update the inventory if construction projects are approved or completed.

5. Construction Site Prioritization

a. Within one (1) year of the EDC, the *MS4 Operator* must prioritize all construction sites which are included in the construction site inventory (Part VII.D.4.) as follows:

i. High priority construction sites include construction sites:

a) With a direct conveyance (e.g., channel, ditch, storm sewer) to a *surface water of the State* that is:

i) Listed in Appendix C with silt/sediment, phosphorus, or nitrogen as the POC;

ii) Classified as AA-S, AA, or A (mapped in accordance with Part IV.D.1.e.ii.a)); or

iii) Classified with a trout (T) or trout spawning (TS) designation (mapped in accordance with Part IV.D.1.e.ii.a));

b) With greater than five (5) acres of disturbed earth at any one time;

c) With earth disturbance within one hundred (100) feet of any lake or pond (mapped in accordance with Part IV.D.1.e.ii.b)); and/or

d) Within fifty (50) feet of any rivers or streams (mapped in accordance with Part IV.D.1.e.ii.b));

ii. All other construction sites are considered low priority.

b. Within thirty (30) days of when a construction site becomes active, the *MS4 Operator* must prioritize those construction sites; and

c. Annually, after the initial prioritization (Part VII.D.5.a.), the *MS4 Operator* must update the construction site prioritization in the inventory (Part VII.D.4.a.) based on information gathered as part of the construction oversight program (Part VII.D.3.). The completion of this permit requirement must be documented in the *SWMP Plan*.

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[51] Construction projects listed on the inventory must be inspected and tracked as described in Part VII.D.8. until a final site inspection has been completed as specified in Part VII.D.9. and the construction site status changes to complete.

i. If the prioritization of the construction site changes priority based on information gathered as part of the construction oversight program, the *MS4 Operator* must comply with the requirements that apply to that prioritization.

6. SWPPP Review

The *MS4 Operator* must:

a. Ensure individual(s), responsible for reviewing SWPPPs for acceptance, receive:

i. Four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity. This training must be completed within three (3) years of the EDC and every three (3) years thereafter.

ii. Document the completion of this requirement in the *SWMP Plan*.

b. Ensure SWPPP reviewers receive this training (Part VII.D.6.a.) prior to conducting SWPPP reviews for acceptance.

i. Individuals without these trainings cannot review SWPPPs for acceptance.

ii. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

c. Ensure individuals responsible for reviewing SWPPPs review all SWPPPs for applicable *construction activities* (Part VII.D.1.) and for conformance with the requirements of the CGP, including:

i. Erosion and sediment controls must be reviewed for conformance with the NYS E&SC 2016, or equivalent;

ii. Individuals responsible for review of post-construction *SMPs* must be *qualified professionals* or under the supervision of a *qualified professional*; and

iii. Post-construction *SMPs* must be reviewed for conformance with the NYS SWMDM 2015 or equivalent, including:

a) All post-construction *SMPs* must meet the *sizing criteria* contained in the CGP and NYS SWMDM 2015.

b) Deviations from the performance criteria of the NYS SWMDM 2015 must demonstrate that they are equivalent.

c) The SWPPP must include an O&M plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction *SMP*. The SWPPP must identify the entity that will be responsible for the long-term operation and maintenance of each practice.

d. In the *SWMP Plan*, document and update annually the names, titles, and contact information for the individuals who have received the trainings listed in Part VII.D.6.a.

e. In the *SWMP Plan*, document the SWPPP review including the information found in Part III.B. of the CGP;

f. Prioritize new *construction activities* (Part VII.D.5.a.); and

g. Notify construction site owner/operators that their SWPPP has been accepted using the *MS4* SWPPP Acceptance Form[52] created by the *Department* and required by the CGP, signed in accordance with Part X.J.

7. Pre-Construction Meeting

Prior to commencement of *construction activities*, the *MS4 Operator* must ensure a pre-construction meeting is conducted. The date and content of the pre-construction inspection/meeting must be documented in the *SWMP Plan*. The owner/operator listed on the CGP NOI (if different from the *MS4 Operator*), the *MS4 Operator*, contractor(s) responsible for implementing the SWPPP for the *construction activity,* and the *qualified inspector* (if required for the *construction activity* by Part IV.C. the CGP) must attend the meeting in order to:

a. Confirm the approved project has received, or will receive[53], coverage under the CGP or an individual *SPDES* permit;

b. Verify contractors and subcontractors selected by the owner/operator of the *construction activity* have identified at least one individual that has received four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District or other endorsed entity as required by the CGP and Part VII.D.3.d; and

c. Review the construction oversight program (Part VII.D.3.) and expectations for compliance.

8. Construction Site Inspections

The *MS4 Operator* must:

a. Ensure individuals(s), responsible for construction site inspections, receive:

   i. Four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity. This training must be complete, within three (3) years of the EDC and every three (3) years thereafter.

   ii. Document the completion of this requirement in the *SWMP Plan*.

[52] The *MS4* SWPPP Acceptance Form can be found on the Department's website.

[53] Preconstruction meetings may occur prior to the issuance of the MS4 SWPP Acceptance Form, however, the MS4 Operator must confirm coverage under the CGP will be applied for by the construction site owner/operator prior to commencement of construction of *construction activities*.

b. Ensure all *MS4* Construction Site Inspectors receive this training prior to conducting construction site inspections.

   i. Individuals without these trainings cannot inspect construction sites.

   ii. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

c. Annually inspect all sites with *construction activity* identified in the inventory (Part VII.D.4.) during active construction after the pre-construction meeting (Part VII.D.7.), or sooner if deficiencies are noted that require attention.

   i. Follow up to construction site inspections must confirm corrective actions are completed within timeframes established by the CGP and the MS4 Operator's ERP (Part IV.F.1.).

d. In the *SWMP Plan*, document and update annually the names, titles, and contact information for the individuals who have received the trainings listed in Part VII.D.8.a.

e. Document all inspections using the Construction Site Inspection Report Form (Appendix D) or an equivalent form containing the same information. The *MS4 Operator* must include the completed Construction Site Inspection Reports in the *SWMP Plan*.

9. Construction Site Close-out

a. The *MS4 Operator* must ensure a final construction site inspection is conducted and documentation of the final construction site inspection must be maintained in the *SWMP Plan*. The final construction site inspection must be documented using the Construction Site Inspection Report Form (Appendix D), or an equivalent form containing the same information, or accept the construction site owner/operator's *qualified inspector* final inspection certification required by the CGP.

b. The Notice of Termination (NOT)[54] must be signed by the *MS4 Operator* as required by the CGP for projects determined to be complete. The NOT must be signed in accordance with Part X.J.

E. MCM 5 – Post-Construction *Stormwater* Management

The *MS4 Operator* must *develop*, implement, and enforce a program to ensure proper operation and maintenance of post-construction *SMPs* for new or redeveloped sites. This MCM is designed to promote the long-term performance of post-construction *SMPs* in removing *pollutants* from *stormwater* runoff.

[54] The NOT can be found on the Department's website.

1. Applicable Post-Construction *SMPs*

The post-construction *SMP program* must address *stormwater* runoff to the *MS4* from *publicly owned/operated* post-construction *SMPs* that meet the following:

a. Post-construction *SMPs* that have been installed as part of any CGP covered construction site or individual *SPDES* permit (since March 10, 2003); and

b. All new post-construction *SMPs* constructed as part of the construction site *stormwater* runoff control program (Part VII.D.).

2. Post-Construction *SMP* Inventory & Inspection Tracking[55]

a. The *MS4 Operators* continuing coverage must:

   i. Maintain the inventory from previous iterations of this *SPDES* general permit for post-construction *SMPs* installed after March 10, 2003; and

   ii. *Develop* the inventory for post-construction *SMPs* installed after March 10, 2003 including post-construction *SMPs:*

      a) As they are approved or discovered; or

      b) After the owner/operator of the *construction activity* has filed the NOT with the *Department* (Part VII.D.9.b.).

b. The newly designated *MS4 Operators* must *develop* and maintain the inventory for post-construction *SMPs* installed after March 10, 2003 including post-construction *SMPs:*

   i. As they are approved or discovered; or

   ii. After the owner/operator of the *construction activity* has filed the NOT with the *Department* (Part VII.D.9.b.).

c. Annually, the MS4 Operator must update the inventory of post-construction SMPs to include the post-construction *SMPs* in Part VII.E.2.a. and Part VII.E.2.b.

d. Within five (5) years of the EDC, the following information must be included in the inventory either by using the *MS4 Operator* maintenance records or by verification of maintenance records provided by the owner of the post-construction *SMP*:

   i. Street address or tax parcel;

   ii. Type;[56]

   iii. Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));

[55] Post-construction *SMPs* can be found at a *municipal facility*.
[56] Post-construction *SMP* types are defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017).

iv. Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));

v. Date of installation (if available) or discovery;

vi. Ownership;

vii. Responsible party for maintenance;

viii. Contact information for party responsible for maintenance;

ix. Location of documentation depicting O&M requirements and legal agreements for post-construction *SMP*;

x. Frequency for inspection of post-construction *SMP*, as specified in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017) or as specified in the O&M plan contained in the approved SWPPP (Part VII.D.6.);

xi. Reason for installation (e.g., new development, redevelopment, *retrofit*, flood control), if known;

xii. Date of last inspection;

xiii. Inspection results; and

xiv. Any corrective actions identified and completed.

e. *MS4 Operators* must document the inventory of post-construction *SMPs* in the *SWMP Plan*.

3. SWPPP Review

For post-construction *SMP* SWPPP review requirements, see Part VII.D.6.

4. Post-Construction *SMP* Inspection & Maintenance Program

Within one (1) year of the EDC, the *MS4 Operator* must *develop* and implement a post-construction *SMP* inspection and maintenance program. The post-construction *SMP* inspection and maintenance program must be documented in the *SWMP Plan* specifying:

a. The post-construction *SMP* inspection and maintenance procedures including:

i. Provisions to ensure that each post-construction *SMP* identified in the post-construction *SMP* inventory (Part VII.E.2.) is inspected at the frequency specified in the NYS DEC Maintenance Guidance 2017 or as specified in the O&M plan contained in the approved SWPPP (Part VII.D.6.), if available;

ii. Documentation of post-construction *SMP* inspections using the Post-Construction SMP Inspection Checklist[57] or an equivalent form containing the same information. The *MS4 Operator* must include the completed post-construction *SMP* inspections (i.e., the completed Post-Construction SMP Inspection Checklist) in the *SWMP Plan*;

iii. Provisions to initiate follow-up actions (i.e., maintenance, repair, or higher-level inspection) within thirty (30) days of post-construction *SMP* inspection; and

iv. Provisions to initiate enforcement within sixty (60) days of the inspection if follow-up actions are not complete.

b. The training provisions for the *MS4 Operator*'s post-construction *SMP* inspection and maintenance procedures (Part VII.E.4.a.).

i. If new staff are added, training on the *MS4 Operator*'s post-construction *SMP* inspection and maintenance procedures (Part VII.E.4.a.) and procedures outlined in the *Department* endorsed program must be given prior to conducting any post-construction *SMP* inspection and maintenance;

ii. For existing staff, training on the *MS4 Operator*'s post-construction *SMP* inspection and maintenance procedures (Part VII.E.4.a.) and procedures outlined in the *Department* endorsed program must be given prior to conducting any post-construction *SMP* inspection and maintenance and once every five (5) years, thereafter; and

iii. If the post-construction *SMP* inspection and maintenance procedures (Part VII.E.4.a.) are updated (Part VII.E.4.d.), training on the updates must be given to all staff prior to conducting post-construction *SMP* inspection and maintenance.

c. The names, titles, and contact information for the individuals who have received post-construction *SMP* inspection and maintenance procedures training and update annually; and

d. Annually, by April 1, the *MS4 Operator* must:

i. Review and update the post-construction *SMP* inspection and maintenance procedures (Part VII.E.4.a.); and

ii. Document the completion of this requirement in the *SWMP Plan*.

F. MCM 6 – Pollution Prevention and Good Housekeeping

The *MS4 Operator* must *develop* and implement a pollution prevention and good housekeeping program for *municipal facilities* and *municipal operations* to minimize

[57] The *Department* developed checklist forms specific to each post-construction *SMP* designed to assist *MS4 Operators* in conducting inspections and maintenance activities of standard practices. The Post-Construction SMP Inspection Checklist, March 31, 2017, can be found on the Department's website.

pollutant discharges. This MCM is designed to ensure the *MS4 Operator*'s own activities do not contribute *pollutants* to *surface waters of the State*.

1. *Best Management Practices (BMPs)* for *Municipal Facilities & Operations*

Within three (3) years of the EDC, the *MS4 Operator* must incorporate *best management practices* (*BMPs*) into the *municipal facility* program *and municipal operations* program to minimize the *discharge* of *pollutants* associated with *municipal facilities* and *municipal operations, respectively*. The *BMPs* to be considered are as follows and must be documented in the *SWMP Plan*:

a. Minimize Exposure

i. Exposure of materials to rain, snow, snowmelt, and runoff must be minimized, unless not technologically possible or not economically practicable and achievable in light of best industry practices, including areas used for loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations, with the following *BMP*s:

a) Locate materials and activities inside or protect them with storm resistant coverings;

b) Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;

c) Locate materials, equipment, and activities so leaks and spills are contained in existing containment and diversion systems;

d) Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the *discharge* of *pollutants*;

e) Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;

f) Use spill/overflow protection equipment;

g) Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also captures any overspray;

h) Drain fluids, indoors or under cover, from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks; and/or

i) Minimize exposure of chemicals by replacing with a less toxic alternative (e.g., use non-hazardous cleaners).

ii. *No Exposure* Certification for High Priority *Municipal Facilities*

a) *Municipal facilities* may qualify for *No Exposure* Certification (Appendix D) when all activities and materials are completely sheltered from exposure to rain, snow, snowmelt and/or runoff.

b) High priority *municipal facilities* (Part VII.F.2.c.i.a)) with uncovered parking areas for vehicles awaiting maintenance may be considered a low priority *municipal facility* (Part VII.F.2.c.i.c)) if only routine maintenance is performed inside and all other n*o exposure* criteria are met.

c) *Municipal facilities* accepting or repairing disabled vehicles and/or vehicles that have been involved in accidents are not eligible for the *No Exposure* Certification.

d) *Municipal facilities* must maintain the *No Exposure* Certification and document in the *SWMP Plan*. The *No Exposure* Certification ceases to apply when activities or materials become exposed.

b. Follow a Preventive Maintenance Program

i. Implement a preventative maintenance program that includes routine inspection, testing, maintenance, and repair of all fueling areas, vehicles and equipment and systems to prevent leaks, spills and other releases. This includes:

a) Performing inspections and preventive maintenance of *stormwater* drainage, source controls, treatment systems, and plant equipment and systems;

b) Maintaining non-structural *BMPs* (e.g., keep spill response supplies available, personnel appropriately trained, containment measures, covering fuel areas); and

c) Ensure vehicle washwater is not *discharged* to the *MS4* or to *surface waters of the State*. Wash equipment/vehicles in a designated and/or covered area where washwater is collected to be recycled or *discharged* to the sanitary sewer (Part I.B.2.d.).

ii. Routine maintenance must be performed to ensure *BMPs* are operating properly.

iii. When a *BMP* is not functioning to its designed effectiveness and needs repair or replacement:

a) Maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of *stormwater* controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable; and

b) Interim measures must be taken to prevent or minimize the *discharge* of *pollutants* until the final repair or replacement is implemented, including cleaning up any contaminated surfaces so that the material will not be *discharged* during subsequent storm events.

c. Spill Prevention and Response Procedures

i. Minimize the potential for leaks, spills and other releases that may be exposed to *stormwater* and *develop* plans for effective response to such spills if or when they occur. At a minimum, the *MS4 Operator* must:
   a) Store materials in appropriate containers;
   b) Label containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides”) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
   c) Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the *discharge* of *pollutants* from these areas;
   d) *Develop* procedures for stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;
   e) Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made;
   f) *Develop* procedures for notification of the appropriate facility personnel, emergency response agencies, and regulatory agencies when a leak, spill, or other release occurs. If possible, one of these individuals should be a member of the *stormwater* pollution prevention team (Part VII.F.2.d.i.a)). Any spills must be reported in accordance with 6 NYCRR 750-2.7; and
   g) Following any spill or release, the *MS4 Operator* must evaluate the adequacy of the *BMPs* identified in the *municipal facility* specific SWPPP. If the *BMPs* are inadequate, the SWPPP must be updated to identify new *BMPs* that will prevent reoccurrence and improve the emergency response to such releases.

ii. Measures for cleaning up spills or leaks must be consistent with applicable petroleum bulk storage, chemical bulk storage, or hazardous waste management regulations at 6 NYCRR Parts 596-599, 613 and 370-373.

iii. This *SPDES* general permit does not relieve the *MS4 Operator* of any reporting or other requirements related to spills or other releases of petroleum or hazardous substances. Any spill of a hazardous substance must be reported in accordance with 6 NYCRR 597.4. Any spill of petroleum must be reported in accordance with 6 NYCRR 613.6 or 17 NYCRR 32.3.

d. Erosion and Sediment Controls[58]

i. Stabilize exposed areas and control runoff using structural and/or non-structural controls to minimize onsite erosion and sedimentation.

[58] The use of the term “controls” in Part VII.F.1.d. aligns with the use of the term “controls” in the CGP.

ii. The *MS4 Operator* must consider:

a) Structural and/or non-structural controls found in the NYS E&SC 2016;

b) Areas that, due to topography, land disturbance (e.g., construction), or other factors, have potential for significant soil erosion;

c) Whether structural, vegetative, and/or stabilization *BMPs* are needed to limit erosion;

d) Whether velocity dissipation devices (or equivalent measures) are needed at *discharge* locations and along the length of any channel to provide a non-erosive flow velocity from the structure to a water course; and

e) Address erosion or areas with poor vegetative cover, especially if the erosion is within fifty (50) feet of a *surface water of the State*.

e. Manage Vegetated Areas and Open Space on *Municipal* Property

i. Maintain vegetated areas on *MS4 Operator* owned/operated property and right of ways:

a) Specify proper use, storage, and disposal of pesticides, herbicides, and fertilizers including minimizing the use of these products and using only in accordance manufacturer's instruction;

b) Use lawn maintenance and landscaping practices that are protective of water quality. Protective practices include: reduced mowing frequencies; proper disposal of lawn clippings; and use of alternative landscaping materials (e.g., drought resistant planting);

c) Place pet waste disposal containers and signage concerning the proper collection and disposal of pet waste at all parks and open space where pets are permitted; and

d) Address waterfowl congregation areas where needed to reduce waterfowl droppings from entering the *MS4*.

f. Salt[59] Storage Piles or Pile Containing Salt

Enclose or cover storage piles of salt, or piles containing salt, used for deicing or maintenance of paved surfaces, except during loading, unloading, and handling. Implement appropriate measures (e.g., good housekeeping, routine sweeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.

g. Waste, Garbage, and Floatable Debris

i. Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids and could leak, ensure that *discharges* have a control (e.g., secondary containment, treatment); and

[59] For purposes of this *SPDES* general permit, salt means any chloride-containing material used to treat paved surfaces for deicing, including sodium chloride, calcium chloride, magnesium chloride, and brine solutions.

ii. Keep exposed areas free of waste, garbage, and debris or intercept them before they are *discharged*:

a) Manage trash containers at parks and open space (scheduled cleanings; sufficient number);

b) Pick up trash and debris on *MS4 Operator* owned/operated property and rights of way; and

c) Clean out *catch basins* within the appropriate timeframes (Part VII.F.3.c.iii.).

h. Alternative Implementation Options

When alternative implementation options (Part IV.A.1.) are utilized, require the parties performing *municipal operations* as contracted services, including but not limited to street sweeping, snow removal, and lawn/grounds care, to meet permit requirements as the requirements apply to the activity performed.

2. *Municipal Facilities*[60]

a. *Municipal Facility* Program

Within three (3) years of the EDC, the *MS4 Operator* must *develop* and implement a *municipal facility* program. The *municipal facility* program must be documented in the *SWMP Plan* specifying:

i. The *municipal facility* procedures including:

a) The *BMPs* (Part VII.F.1.) incorporated into the *municipal facility* program;

b) The high priority *municipal facility* requirements (Part VII.F.2.d.) as applied to the specific *municipal facility*; and

c) The low priority *municipal facility* requirements (Part VII.F.2.e.) as applied to the specific *municipal facility*.

ii. The training provisions for the *MS4 Operator*'s *municipal facility* procedures (Part VII.F.2.a.i.).

a) If new staff are added, training on the *MS4 Operator*'s *municipal facility* procedures (Part VII.F.2.a.i.) must be given prior to conducting *municipal facility* procedures;

b) For existing staff, training on the *MS4 Operator*'s *municipal facility* procedures (Part VII.F.2.a.i.) must be given prior to conducting *municipal facility* procedures and once every five (5) years, thereafter; and

[60] *Municipal facilities* that have coverage under a separate *SPDES* permit (either individual or MSGP) must comply with the terms and conditions of that permit and the requirements set forth in this Part are not applicable.

c) If the *municipal facility* procedures (Part VII.F.2.a.i.) are updated (Part VII.F.2.a.iv.), training on the updates must be given to all staff prior to conducting *municipal facility* procedures.

iii. The names, titles, and contact information for the individuals who have received *municipal facility* training and update annually; and

iv. Annually, by April 1, the *MS4 Operator* must:

a) Review and update the *municipal facility* procedures (Part VII.F.2.a.i.); and

b) Document the completion of this requirement in the *SWMP Plan*.

b. *Municipal Facility* Inventory

i. Within two (2) years of the EDC, the *MS4 Operator* must *develop* and maintain an inventory of all *municipal* facilities in the *SWMP* Plan. The following information must be included in the inventory:

a) Name of *municipal facility*;

b) Street address;

c) Type of *municipal facility*;

d) Prioritization (high or low) (Part VII.F.2.c.);

e) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));

f) Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));

g) Contact information;

h) Responsible department;

i) Location of SWPPP (if high priority; when completed);

j) Type of activities present on site;

k) Size of facility (acres);

l) Date of last assessment;

m) *BMPs* identified; and

n) Projected date of next comprehensive site assessment (Part VII.F.2.d.ii.c) or Part VII.F.2.e.ii.c), depending on the *municipal facility* prioritization (Part VII.F.2.c.)).

ii. Annually, the *MS4 Operator* must update the inventory if new *municipal* facilities are added.

c. *Municipal Facility* Prioritization

i. Within three (3) years of the EDC, the *MS4 Operator* must prioritize all known *municipal* facilities as follows:

a) High priority *municipal* facilities include *municipal* facilities that have one or more of the following on site and exposed to *stormwater*:

i) Storage of chemicals, salt, petroleum, pesticides, fertilizers, anti-freeze, lead-acid batteries, tires, waste/debris;

ii) Fueling stations; and/or

iii) Vehicle or equipment maintenance/repair.

b) Low priority *municipal* facilities include any *municipal* facilities that do not meet the criteria for a high priority (Part VII.F.2.c.i.a)) *municipal facility*.

c) High priority *municipal* facilities (Part IV.F.2.c.i.a)) which qualify for a *No Exposure* Certification (Part VII.F.1.a.ii.) are low priority *municipal* facilities.

ii. Within thirty (30) days of when a *municipal facility* is added to the inventory, the *MS4 Operator* must prioritize those *municipal* facilities; and

iii. Annually, after the initial prioritization (Part VII.F.2.c.i.), the *MS4 Operator* must update the *municipal facility* prioritization in the inventory (Part VII.F.2.b.i.) based on information gathered as part of the *municipal facility* program (Part VII.F.2.a.), including cases where a *No Exposure* Certification (Part VII.F.1.a.ii.) ceases to apply. The completion of this permit requirement must be documented in the *SWMP Plan*.

d. High Priority *Municipal Facility* Requirements

i. Municipal Facility Specific SWPPP

Within five (5) years of the EDC, *MS4 Operators* must *develop* and implement a *municipal facility* specific SWPPP for each high priority *municipal facility* (Part VII.F.2.c.i.a)) and retain a copy of the *municipal facility* specific SWPPP on site of the respective *municipal facility*. The SWPPP must contain:

a) *Stormwater* Pollution Prevention Team

The *municipal facility* specific SWPPP must identify the individuals (by name and/or title) and their role/responsibilities in *developing*, implementing, maintaining, and revising the *municipal facility* specific SWPPP. The activities and responsibilities of the team must address all aspects of the *municipal facility* specific SWPPP.

b) General Site Description

A written description of the nature of the activities occurring at the *municipal facility* with a potential to *discharge pollutants*, type of *pollutants* expected, and location of key features as detailed in the site map (Part VII.F.2.d.i.e)).

c) Summary of potential *pollutant* sources

The *municipal facility* specific SWPPP must identify each area at the *municipal facility* where materials or activities are exposed to *stormwater* or from which authorized non-*stormwater discharges* (Part I.A.3.) originate, including any potential *pollutant* sources for which the *municipal facility* has reporting requirements under the Emergency Planning and Community Right-To-Know Act (EPCRA), Section 313.

i) Materials or activities include: machinery; raw materials; intermediate products; byproducts; final products or waste products; and material handling activities which includes storage, loading and unloading, transportation or conveyance of any raw material, intermediate product, final product or waste product.

ii) For each separate area identified, the description must include:

(a) Activities - A list of the activities occurring in the area (e.g., material storage, equipment fueling and cleaning);

(b) *Pollutants* - A list of the associated *pollutant(s)* for each activity. The *pollutant(s)* list must include all materials that are exposed to *stormwater*; and

(c) Potential for presence in *stormwater* - For each area of the *municipal facility* that generates *stormwater discharges,* a prediction of the direction of flow, and the likelihood of the activity to contaminate the *stormwater discharge*. Factors to consider include the toxicity of chemicals, quantity of chemicals used, produced or *discharge*d, the likelihood of contact with *stormwater*; and history of leaks or spills of toxic or hazardous *pollutants*.

d) Spills and Releases

For areas that are exposed to precipitation or that otherwise drain to a *stormwater* conveyance to be covered under this *SPDES* general permit, the *municipal facility* specific SWPPP must include a list of spills or releases[61] of petroleum and hazardous substances or other *pollutants*, including unauthorized *non-stormwater discharges,* that may adversely affect water quality that occurred during the last three-year period. The list must be updated when spills or releases occur.

e) Site Map

The *municipal facility* specific SWPPP must include a site map identifying the following, as applicable:

i) Property boundaries and size in acres;

[61] This may also include releases of petroleum or hazardous substances that are not in excess of reporting quantities but which may still cause or contribute to significant water quality impairment.

ii) Location and extent of significant structures (including materials shelters), and impervious surfaces;

iii) Monitoring locations (mapped in accordance with Part IV.D.2.a.i.) with its approximate *sewershed*. Each monitoring location must be labeled with the monitoring location identification;

iv) Location of all post-construction *SMPs* (mapped in accordance with Part IV.D.2.a.iv.) and *MS4* infrastructure (mapped in accordance with Part IV.D.2.b.i.);

v) Locations of *discharges* authorized under other *SPDES* permits;

vi) Locations where potential spills or releases can contribute to *pollutants* in *stormwater discharges* and their accompanying drainage points;

vii) Locations of haul and access roads;

viii) Rail cars and tracks;

ix) Arrows showing direction of *stormwater* flow;

x) Location of all receiving waters in the immediate vicinity of the *municipal facility*, indicating if any of the waters are impaired and, if so, whether the waters have *TMDLs* established for them (mapped in accordance with Part IV.D.1.e.ii.);

xi) Locations where *stormwater* flows have significant potential to cause erosion;

xii) Location and source of run-on from adjacent property containing significant quantities of *pollutants* and/or volume of concern to the *municipal facility*; and

xiii) Locations of the following areas where such areas are exposed to precipitation or *stormwater*:

(a) Fueling stations;
(b) Vehicle and equipment maintenance and/or cleaning areas;
(c) Loading/unloading areas;
(d) Locations used for the treatment, storage or disposal of wastes;
(e) Liquid storage tanks;
(f) Processing and storage areas;
(g) Locations where significant materials, fuel or chemicals are stored and transferred;
(h) Locations where vehicles and/or machinery are stored when not in use
(i) Transfer areas for substances in bulk;
(j) Location and description of non-*stormwater discharges* (Part I.A.3.);

(k) Locations where spills[62] or leaks have occurred; and
(l) Locations of all existing structural *BMP*s.

f) *Stormwater Best Management Practices (BMPs)*

The *municipal facility* specific SWPPP must document the location and type of *BMPs* implemented at the *municipal facility* (Part VII.F.1). The *municipal facility* specific SWPPP must describe how each *BMP* is being implemented for all the potential *pollutant* sources.

g) *Municipal facility* assessments
The *municipal facility* specific SWPPP must include a schedule for completing and recording results of routine and comprehensive site assessments (Part VII.F.2.d.ii.c)).

ii. Municipal Facility Assessments

a) Wet Weather Visual Monitoring

i) Once every five (5) years, the *MS4 Operator* must conduct wet weather visual monitoring of the monitoring locations (Part VII.C.1.b.) and other sites of *stormwater* leaving the site that are *discharging stormwater* from fueling areas, storage areas, vehicle and equipment maintenance/fueling areas, material handling areas and similar potential *pollutant* generating areas (Part VII.F.2.d.i.e)xiii)).

(a) All samples must be collected from *discharges* resulting from a *qualifying storm event*. The storm event must be documented using the Storm Event Data Form (Appendix D) and kept with the *municipal facility* specific SWPPP. The sample must be taken during the first thirty (30) minutes (or as soon as practical, but not to exceed one hour) of the *discharge* at the monitoring location.

(b) No analytical tests are required to be performed on the samples for the purpose of meeting the visual monitoring requirements.

(c) The visual examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and any other obvious indicators of *stormwater* pollution.

(d) The visual examination of the sample must be conducted in a well-lit area.

(e) Where practicable, the same individual should carry out the collection and examination of *discharges* for the entire permit term for consistency.

[62] A spill includes: any spill of a hazardous substance that must be reported in accordance with 6 NYCRR 597.4 and any spill of petroleum that must be reported in accordance with 6 NYCRR 613.6 or 17 NYCRR 32.3.

(f) The *MS4 Operator* must document the visual examination using the Visual Monitoring Form (Appendix D) and keep it with the *municipal facility* specific SWPPP to record:

(i) Monitoring location ID;

(ii) Examination date and time;

(iii) Personnel conducting the examination;

(iv) Nature of the *discharge* (runoff or snowmelt);

(v) Visual quality of the *stormwater discharge* including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of *stormwater* pollution; and

(vi) Probable sources of any observed *stormwater* contamination.

(vii) Corrective and follow up actions – If the visual examination indicates the presence of color, odor, floating solids, settled solids, suspended solids, foam, oil sheen, or other indicators of *stormwater* pollution, the *MS4 Operator* must, at minimum, complete and document the following actions:

(1) Evaluate the facility for potential sources;

(2) Remedy the problems identified;

(3) Revise the *municipal facility* specific SWPPP; and

(4) Perform an additional visual inspection during the first *qualifying storm event* following implementation of the corrective action. If the first *qualifying storm event* does not occur until the next visual monitoring period, this follow up action may be used as the next visual inspection.

b) The monitoring locations inspection and sampling program must be implemented at the *municipal facility* (Part VII.C.1.e.).

c) Comprehensive Site Assessments

i) Once every five (5) years following the most recent assessment, the *MS4 Operator* must complete a comprehensive site assessment for each high priority *municipal facility* as identified in the inventory (Part VII.F.2.b.) using the Municipal Facility Assessment Form (Appendix D) or an equivalent form containing the same information, and document in the *municipal facility* specific SWPPP and *SWMP Plan* that:

(a) The *municipal facility* is in compliance with the terms and conditions of this *SPDES* general permit;

(b) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which has a reasonable likelihood of adversely affecting human health or the environment;

(i) Within twenty-four (24) hours, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented; or

(c) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which does not have a reasonable likelihood of adversely affecting human health or the environment;

(i) Within seven (7) days, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented.

e. Low Priority *Municipal Facility* Requirements

i. The *MS4 Operator* must identify procedures outlining *BMPs* for the types of activities that occur at the low priority *municipal* facilities as described in Part VII.F.1. A *municipal facility* specific SWPPP is not required.

ii. *Municipal Facility* Assessments

a) Low priority *municipal* facilities are not required to conduct wet weather visual monitoring.

b) The monitoring locations inspection and sampling program must be implemented at the *municipal facility* (Part VII.C.1.e.).

c) Comprehensive Site Assessments

i) Once every five (5) years following the most recent assessment, the *MS4 Operator* must complete a comprehensive site assessment for each low priority *municipal facility* as identified in the inventory (Part VII.F.2.b.) using the Municipal Facility Assessment Form (Appendix D) or an equivalent form containing the same information, and document in the *SWMP Plan* that:

(a) The *municipal facility* is in compliance with the terms and conditions of this *SPDES* general permit;

(b) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which has a reasonable likelihood of adversely affecting human health or the environment;

(i) Within twenty-four (24) hours, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented; or

(c) Deficiencies were identified and all reasonable steps will be to minimize any *discharge* in violation of the permit, which does not have a reasonable likelihood of adversely affecting human health or the environment;

(i) Within seven (7) days, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented.

3. *Municipal Operations* & Maintenance

a. *Municipal Operations* Program

Municipal operations are: street and bridge maintenance; winter road maintenance; *MS4* maintenance; open space maintenance; solid waste management; new construction and land disturbances; right-of-way maintenance; marine operations; or hydrologic habitat modification.

Within three (3) years of the EDC, the *MS4 Operator* must *develop* and implement a *municipal operations* program. The *municipal operations* program must be documented in the *SWMP Plan* specifying:

i. The *municipal operations* procedures including:

a) The *BMPs* (Part VII.F.1.) incorporated into the *municipal operations* program;

b) The *municipal operations* corrective actions requirements (Part VII.F.3.b.);

c) *Catch basin* inspection and maintenance requirements (Part VII.F.3.c.);

d) Roads, bridges, parking lots, and right of way maintenance requirements (Part VII.F.3.d.); and

e) All other *municipal operations* maintenance requirements.

ii. The training provisions for the *MS4 Operator*'s *municipal operations* procedures (Part VII.F.3.a.i.).

a) If new staff are added, training on the *MS4 Operator*'s *municipal operations* procedures (Part VII.F.3.a.i.) must be given prior to conducting *municipal operations* procedures;

b) For existing staff, training on the *MS4 Operator*'s *municipal operations* procedures (Part VII.F.3.a.i.) must be given prior to conducting

municipal operations procedures and once every five (5) years, thereafter; and

c) If the *municipal operations* procedures (Part VII.F.3.a.i.) are updated (Part VII.F.3.a.iv.), training on the updates must be given to all staff prior to conducting *municipal operations* procedures.

iii. The names, titles, and contact information for the individuals who have received *municipal operations* training and update annually; and

iv. Annually, by April 1, the *MS4 Operator* must:

a) Review and update the *municipal operations* procedures (Part VII.F.3.a.i.); and

b) Document the completion of this requirement in the *SWMP Plan*.

b. *Municipal Operations* Corrective Actions

i. For *municipal operations*, *MS4 Operators* must either:

a) Ensure compliance with the terms and conditions of this *SPDES* general permit; or

b) Implement corrective actions according to the following schedule and, after implementation, ensure the operations are in compliance with the terms and conditions of this *SPDES* general permit:

i) Within twenty-four (24) hours of discovery for situations that have a reasonable likelihood of adversely affecting human health or the environment;

ii) Initiated within seven (7) days of inspection and completed within thirty (30) days of inspection for situations that do not have a reasonable likelihood of adversely affecting human health or the environment; and

iii) For corrective actions that require special funding or construction that will take longer than thirty (30) days to complete, a schedule must be prepared that specifies interim milestones that will ensure compliance in the shortest reasonable time.

c. *Catch Basin* Inspection and Maintenance

Within three (3) years of the EDC, the MS4 Operator must:

i. Identify when *catch basin* inspection is needed with consideration for:

a) Areas with *construction activities* (mapped in accordance with Part IV.D.2.a.iii.);

b) Residential, commercial, and industrial areas (mapped in accordance with Part IV.D.1.d.iii.);

c) Recurring or history of issues; or

d) Confirmed citizen complaints on three or more separate occasions in the last twelve (12) months.

ii. Inventory *catch basin* inspection information including:

a) Date of inspection;

b) Approximate level of trash, sediment, and/or debris captured at time of clean-out (no trash, sediment, and/or debris, <50% of the depth of the *sump*, >50% of the depth of the *sump*);

c) Depth of structure;

d) Depth of *sump*; and

e) Date of clean out, if applicable (Part VII.F.3.c.iii.).

iii. Based on inspection results, clean out *catch basins* within the following timeframes:

a) Within six (6) months after the *catch basin* inspection, *catch basins* which had trash, sediment, and/or debris exceeding 50% of the depth of the *sump* as a result of a *catch basin* inspection must be cleaned out;

b) Within one (1) year after the *catch basin* inspection, *catch basins* which had trash, sediment, and/or debris at less than 50% of the depth of the *sump* as a result of a *catch basin* inspection must be cleaned out; and

c) MS4 Operators are not required to clean out *catch basins* if the *catch basins* are operating properly and:

i. There is no trash, sediment, and/or debris in the *catch basin*; or

ii. The *sump* depth of the *catch basin* is less than or equal to two (2) feet.

iv. Properly manage (handling and disposal) materials removed from *catch basins* during clean out so that:

a) Water removed during the *catch basin* cleaning process will not reenter the *MS4* or *surface waters of the State*;

b) Material removed from *catch basins* is disposed of in accordance with any applicable environmental laws and regulations; and

c) Material removed during the *catch basin* cleaning process will not reenter the *MS4* or *surface waters of the State*.

v. Determine if there are signs/evidence of *illicit discharges* and procedures for referral/follow-up if *illicit discharges* are encountered.

d. Roads, Bridges, Parking Lots, & Right of Way Maintenance

i. Sweeping

Within six (6) months of the EDC, the *MS4 Operator* must *develop* and implement procedures for sweeping and/or cleaning *municipal* streets, bridges, parking lots, and right of ways owned/operated by the *MS4 Operator*. The procedures and completion of permit requirements must be documented in the *SWMP Plan* specifying:

a) All roads, bridges, parking lots, and right of ways must be swept and/or cleaned once every five (5) years in the spring (following winter activities such as sanding). This requirement is not applicable to:

   i) Uncurbed roads with no *catch basins*;

   ii) High-speed limited access highways; or

   iii) Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

b) Annually, from April 1 through October 31, roads in business and commercial areas must be swept. This requirement is not applicable to:

   i) Uncurbed roads with no *catch basins*;

   ii) High-speed limited access highways; or

   iii) Roads defined as interstates, freeways and expressways, or arterials by the USDOT 2013.

ii. Maintenance

Within five (5) years of the EDC, in addition to the *BMPs* (Part VII.F.1.), the *MS4 Operator* must implement the following provisions:

a) Pave, mark, and seal in dry conditions;

b) Stage road operations and maintenance activity (e.g., patching, potholes) to reduce the potential discharge of pollutants to the *MS4* or *surface waters of the State*;

c) Restrict the use of herbicides/pesticide application to roadside vegetation; and

d) Contain *pollutants* associated with bridge maintenance activities (e.g., paint chips, dust, cleaning products, other debris).

iii. Winter Road Maintenance

Within five (5) years of the EDC, in addition to the *BMPs* (Part VII.F.1.), the *MS4 Operator* must implement the following provisions:

a) Routinely calibrate equipment to control salt/sand application rates; and

b) Ensure that routine snow disposal activities comply with the Division of Water Technical and Operation Guidance Series 5.1.11, Snow Disposal.[63]

[63] The Division of Water Technical and Operation Guidance Series 5.1.11, Snow Disposal can be found on the Department's website.

Part VIII. Enhanced Requirements for Impaired Waters

Part VIII. requirements must be implemented in addition to the applicable requirements of the six (6) MCMs in Part VI. or Part VII, depending on the *MS4 Operator* type. Part VIII. requirements apply in the *sewersheds* which *discharge* to waters impaired for phosphorus, silt/sediment, pathogens, nitrogen, or floatables (Appendix C). *MS4 outfalls* are in the *automatically designated area*. *ADA MS4 outfalls* are in the *additionally designated area* subject to Criterion 3 of the Additional Designation Criteria (Appendix B).

MS4 Operator's subject to Part VIII. that implement pollutant specific *BMPs* after the EDC but prior to *MS4* infrastructure and *sewershed* mapping can use those *BMPs* to satisfy the permit requirements in this section.

The Part VIII. requirements, applicable to the *POC*, must be incorporated in the *MS4 Operator*'s *SWMP* and *SWMP Plan*.

A. *Pollutant* Specific BMPs for Phosphorus

Part VIII.A. must be implemented for all phosphorus impaired waters listed in Appendix C.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

a. Within three (3) years of the EDC, *MS4* infrastructure mapping requirements (Part IV.D.2.b.i.) and *sewersheds* for each:
   i. *MS4 outfall;* and
   ii. *ADA MS4 outfall.*
b. Within three (3) years of the EDC, the following information for each *MS4 outfall*:
   i. Retail and wholesale plant nurseries (including big box stores);
   ii. Commercial lawn care facilities; and
   iii. Golf courses.
c. Within three (3) years of the EDC, *ADA MS4 outfalls.*

2. Public Education and Outreach

a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. Following the completion of Part VIII.A.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to phosphorus to the applicable target audiences within the *sewersheds* for impaired waters listed in Appendix C focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the MS4 Operator type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. *Illicit Discharge* Detection and Elimination

Following the completion of Part VIII.A.1, within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part VIII.A.1.b. for each associated *MS4 outfall*.

5. Construction Site *Stormwater* Runoff Control

For Following the completion of Part VIII.A.1, high priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

a. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or

b. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post-Construction *Stormwater* Management

No additional requirements.

7. Pollution Prevention and Good Housekeeping

Following the completion of Part VIII.A.1:

a. Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to phosphorus impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:

   i. Uncurbed roads with no *catch basins*;

ii. High-speed limited access highways; or

iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

b. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities* in *Sewersheds* to Impaired Waters

Incorporate, where feasible,[64] cost-effective runoff reduction techniques[65] during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

B. *Pollutant* Specific BMPs for Silt/Sediment

Part VIII.B. must be implemented for all silt/sediment impaired waters listed in Appendix C.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

a. Within three (3) years of the EDC, *MS4* infrastructure mapping requirements (Part IV.D.2.b.i.) and *sewersheds* for each:

i. *MS4 outfall;* and

ii. *ADA MS4 outfall.*

b. Within three (3) years of the EDC, facilities with *SPDES* permit coverage under the MSGP with *stormwater discharges* applicable under Sector C, E, L, or J with facility contact.

c. Within three (3) years of the EDC, *ADA MS4 outfalls.*

[64] Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

[65] Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

2. Public Education and Outreach

a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. Following the completion of Part VIII.B.1, each year of active construction, the *MS4 Operator* must educate individuals involved in *construction activity* (e.g., contractor, subcontractor, qualified inspector, SWPPP reviewers) within the *sewershed* boundary on the use of post-construction *SMPs* that are intended to collect and separate silt and sediment debris from *stormwater* before *discharging* to waters of the State (e.g., sediment forebays) as detailed in the NYS SWMDM 2015. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. *Illicit Discharge* Detection and Elimination

Following the completion of Part VIII.B.1, within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part VIII.B.1.b. for each associated *MS4 outfall*.

5. Construction Site *Stormwater* Runoff Control

Following the completion of Part VIII.B.1, high priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

a. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or

b. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post-Construction *Stormwater* Management

No additional requirements.

7. Pollution Prevention and Good Housekeeping

Following the completion of Part VIII.B.1:

a. Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to silt/sediment impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:

   i. Uncurbed roads with no *catch basins*;

   ii. High-speed limited access highways; or

   iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

b. For areas within the *sewershed* that are compacted, poorly drained, contain areas of exposed soil, or nutrient deficient, the *MS4 Operator* must:

   i. Refer to Section 4 of the NYS E&SC 2016 for Soil Stabilization practices, and follow BMP procedures; and

   ii. *Develop* and implement procedures for watering and maintenance of implemented BMPs appropriate to establish root and vegetative cover, utilizing products which provide critical support to vegetation and soil stabilization.

   MS4 Operators must document the completion of this requirement in the *SWMP Plan*.

c. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities* in *Sewersheds* to Impaired Waters

Incorporate, where feasible,[66] cost-effective runoff reduction techniques[67] during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

[66] Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

[67] Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

C. *Pollutant* Specific BMPs for Pathogens

Part VIII.C. must be implemented for all pathogen impaired waters listed in Appendix C.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

a. Within three (3) years of the EDC, *MS4* infrastructure mapping requirements (Part IV.D.2.b.i.) and *sewersheds* for each:

   i. *MS4 outfall;* and

   ii. *ADA MS4 outfall.*

b. Within three (3) years of the EDC, the following information for each *MS4 outfall*:

   i. Areas with a history of sanitary sewer overflows;

   ii. Waterfowl congregation areas on *municipal* property or right of way;

   iii. Areas where pets/domestic animals may frequent (i.e., public trails, dog parks, and zoos); and

   iv. Waste disposal areas (e.g., active landfills, transfer stations).

c. Within three (3) years of the EDC, *ADA MS4 outfalls.*

2. Public Education and Outreach

a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on any how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. Following the completion of Part VIII.C.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to pathogens to the applicable target audiences within the *sewersheds* for impaired waters listed in Appendix C focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the MS4 Operator type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A. or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. *Illicit Discharge* Detection and Elimination

Following the completion of Part VIII.C.1, within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part VIII.C.1.b. for each associated *MS4 outfall*.

5. Construction Site *Stormwater* Runoff Control

No additional requirements.

6. Post-Construction *Stormwater* Management

No additional requirements.

7. Pollution Prevention and Good Housekeeping

Following the completion of Part VIII.C.1:

a. *Infrastructure Maintenance*

i. Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to pathogen impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:

a) Uncurbed roads with no *catch basins*;

b) High-speed limited access highways; or

c) Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

ii. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. *Wildlife Control*

i. Within six (6) months of the EDC, the *MS4 Operator* must identify *municipal facilities* with nuisance bird populations that have the potential to contribute pathogens (e.g., Canada Geese) and document those *municipal facilities* in the *SWMP Plan*.

ii. Within six (6) months of the EDC, signage must be available at these municipal facilities, instructing the public not to feed wildlife. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

iii. Within six (6) months of the EDC, the *MS4 Operator* must remove accumulated trash and debris from *municipal* facilities when necessary to

eliminate potential food sources for wildlife. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

iv. Within one (1) year of the EDC, *MS4 Operators* must evaluate the effectiveness of deterrents, population controls, and other measures that may reduce bird related pathogen contributions and document the results of the evaluation in the *SWMP Plan*.

c. Animal Waste Control

Within one (1) year of the EDC, the *MS4 Operator* must make dog waste receptacles available in areas where pets/domestic animals may frequent (e.g., public trails, dog parks). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities* in *Sewersheds* to Impaired Waters

Incorporate, where feasible,[68] cost-effective runoff reduction techniques[69] during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

D. *Pollutant* Specific BMPs for Nitrogen

Part VIII.D. must be implemented for all nitrogen impaired waters listed in Appendix C.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

a. Within three (3) years of the EDC, *MS4* infrastructure mapping requirements (Part IV.D.2.b.i.) and *sewersheds* for each:

i. *MS4 outfall;* and

ii. *ADA MS4 outfall.*

b. Within three (3) years of the EDC, the following information for each *MS4 outfall*:

i. Retail and wholesale plant nurseries (including big box stores);

ii. Commercial lawn care facilities; and

[68] Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

[69] Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

iii. Golf courses.

c. Within three (3) years of the EDC, *ADA MS4 outfalls.*

2. Public Education and Outreach

a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on any how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. Following the completion of Part VIII.D.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to nitrogen to the applicable target audiences within the *sewersheds* for impaired waters listed in Appendix C focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the MS4 Operator type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. *Illicit Discharge* Detection and Elimination

Following the completion of Part VIII.D.1 , within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part VIII.D.1.b for each associated *MS4 outfall*.

5. Construction Site *Stormwater* Runoff Control

Following the completion of Part VIII.D.1, high priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

a. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or

b. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post-Construction *Stormwater* Management

No additional requirements.

7. Pollution Prevention and Good Housekeeping

Following the completion of Part VIII.D.1:

a. Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to nitrogen impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:

   i. Uncurbed roads with no *catch basins*;

   ii. High-speed limited access highways; or

   iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

b. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities* in *Sewersheds* to Impaired Waters

Incorporate, where feasible,[70] cost-effective runoff reduction techniques[71] during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

E. *Pollutant* Specific BMPs for Floatables

Part VIII.E. must be implemented for all floatable impaired waters listed in Appendix C.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

a. Within three (3) years of the EDC, *MS4* infrastructure mapping requirements (Part IV.D.2.b.i.) and *sewersheds* for each:

[70] Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

[71] Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

i. *MS4 outfall;* and

ii. *ADA MS4 outfall.*

b. Within three (3) years of the EDC, *ADA MS4 outfalls.*

2. Public Education and Outreach

a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on any how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. Following the completion of Part VIII.E.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to floatables to the applicable target audiences within the *sewersheds* for impaired waters listed in Appendix C focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the MS4 Operator type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. *Illicit Discharge* Detection and Elimination

No additional requirements.

5. Construction Site *Stormwater* Runoff Control

No additional requirements.

6. Post-Construction *Stormwater* Management

No additional requirements.

7. Pollution Prevention and Good Housekeeping

Following completion of Part VIII.E.1:

a. Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to floatables impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:

i. Uncurbed roads with no *catch basins*;

ii. High-speed limited access highways; or

iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

b. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities* in *Sewersheds* to Impaired Waters

Incorporate, where feasible,[72] cost-effective runoff reduction techniques[73] during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

[72] Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

[73] Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

Part IX. Watershed Improvement Strategy Requirements for TMDL Implementation

Part IX. requirements must be implemented in addition to the applicable requirements of the six (6) MCMs in Part VI. or Part VII, depending on the *MS4 Operator* type. Part IX. requirements apply in the watersheds where the *Department* developed implementation plans for which USEPA has approved a TMDL (Table 3). Finalized TMDL implementation plans referenced in this Part are incorporated into and enforceable under this *SPDES* general permit.

MS4 Operator's subject to Part IX. that implement TMDL specific *BMPs* after the EDC but prior to *MS4* infrastructure and *sewershed* mapping can use those *BMPs* to satisfy the permit requirements in this section.

The Part IX. requirements must be incorporated in the *MS4 Operator*'s *SWMP* and *SWMP Plan*.

A. NYC East of Hudson Phosphorus Impaired Watershed *MS4*s

Table 4. Phosphorus Impaired Watershed(s)			
Areas where requirements apply	**New York City East of Hudson (EOH)**		
EPA Approved TMDL	*Phase II Phosphorus TMDLs for Reservoirs in the NYC Watershed, June 2000*	*Total Maximum Daily Load (TMDL) for Phosphorus in Lake Carmel, October 2016*	*Total Maximum Daily Load (TMDL) for Phosphorus in Palmer Lake,[2] March 2015*
Implementation Plan	Croton Watershed Phase II TMDL Implementation Plan (January 2009)		
POC	Phosphorus		
Area where requirements Apply	NYC EOH Watershed		
Achievement of *Pollutant* Load Reduction	Continued *retrofit* implementation to achieve the pollutant load reduction specified in that Phase II Implementation Plan		

MS4 Operators located within the watersheds listed in Table 4 must *develop* and implement the following phosphorus-specific *BMPs* in addition to the Croton Watershed Phase II TMDL Implementation Plan (January 2009) and the applicable requirements in Part VI. or Part VII, depending on the *MS4 Operator* type.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

a. Within three (3) years of the EDC, areas with potential to contribute phosphorus to the TMDL waterbody, which include:
   i. Retail and wholesale plant nurseries (including big box stores);
   ii. Commercial lawn care facilities;
   iii. Golf courses;
   iv. Commercial or industrial yard waste storage areas (e.g., yard waste composting and disposal areas); and
   v. *MS4* infrastructure with a history of issues (e.g., clogged infrastructure, infiltration and inflow (I/I)).

b. Within three (3) years of the EDC, the following information for all post-construction *SMPs* as identified in the post-construction *SMP* inventory (Part VI.E.2. or Part VII.E.2, depending on the *MS4 Operator* type):
   i. Type;[74] and
   ii. Ownership.

2. Public Education and Outreach on *Stormwater* Impacts

a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. Following the completion of Part IX.A.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to phosphorus to the applicable target audiences within the TMDL watershed focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the MS4 Operator type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A. or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

[74] Post-construction *SMP* types are defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017).

4. *Illicit Discharge* Detection and Elimination

a. Inventory of Potential Phosphorus Sources

Following the completion of Part IX.A.1, within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part IX.A.1.a. for each associated *MS4 outfall*.

b. On-site wastewater systems

The *MS4 Operator* must *develop*, implement, and enforce a program that ensures on-site wastewater systems (i.e., septic tanks, cesspools, absorption fields or distribution systems) are properly operated and do not contribute *pollutants* to the *MS4*. To ensure this, the *MS4 Operator* must:

i. Once every five (5) years, ensure that residential septic tanks/cesspools are pumped out and system components (i.e., septic tanks, cesspools and installed absorption field) are inspected;

ii. Ensure the following information is collected and document the completion of this requirement in the *SWMP Plan*:

   a) Individual performing inspection;

   b) Inspection date;

   c) Address;

   d) Location of system on property; and

   e) Evidence of failed systems.

iii. Refer failures to the appropriate agency to ensure corrective actions are taken; and

iv. Eliminate *illicit discharges* from on-site wastewater systems to the *MS4* in accordance with the time frames specified in Part VI.C.3. or Part VII.C.3, depending on the *MS4 Operator* type.

5. Construction Site *Stormwater* Runoff Control

a. The *MS4 Operator* must include construction projects that disturb between 5000 square feet (sf) and one (1) acre in the construction site runoff control program as described in Part VI.D. or Part VII.D, depending on the *MS4 Operator* type. Construction projects meeting this threshold are low priority construction sites.

b. The legal authority used to satisfy Part IV.E.2.b. must include the following language:

“Land activity is defined as *construction activity* including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than 5000 sf and activities disturbing less

than 5000 sf of total land area that are part of a *larger common plan of development or sale* and will occur under one plan."

c. High priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

   i. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or

   ii. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post-Construction *Stormwater* Management

a. The *MS4 Operator* must require the use of the Enhanced Phosphorus Removal design standards contained in Chapter 10 of the NYS SWMDM 2015 for all new development and redevelopment projects that disturb greater than or equal to one (1) acre and construction projects less than one acre that are part of a larger common plan of development or sale.

b. The legal authority used to satisfy Part IV.E. must also meet the following provisions:

   Land development activities requiring water quantity and quality controls (post-construction *stormwater* runoff controls) must include: "Single-family home construction located in the NYC East of Hudson watershed" and "Single-family residential subdivisions located in the NYC East of Hudson watershed."

c. Requirements for SWPPPs that include post-construction *stormwater* controls must include: "Post-construction *SMPs* in the SWPPP must be designed in conformance with Chapter 10 of the NYS SWMDM 2015 for Enhanced Phosphorus Removal Design Standards."

d. Performance Standards must include the following enhanced stabilization requirements: "For construction sites located in the NYC East of Hudson watershed, where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected must be in conformance with the NYS E&SC 2016."

e. Inspections of land development activities during construction must include requirements for a *qualified inspector* to conduct two (2) site inspections every seven (7) calendar days for single-family homes, and single-family residential, subdivisions within the NYC East of Hudson watersheds.

f. *Retrofit* program

i. All *MS4 Operators* identified within the Croton Watershed Phase II TMDL Implementation Plan, January 2009, must continue to implement the *retrofit* program according to the following schedule:

a) Within one (1) year of the EDC, the *MS4 Operator* must submit to the *Department* a *retrofit* plan that identifies the following:

i) Project name;

ii) Location;

iii) Proposed *retrofit* type;

iv) Anticipated date for construction;

v) Estimated phosphorus reduction (using the criteria in the Croton Watershed Phase II TMDL Implementation Plan, January 2009); and

vi) Estimated total phosphorus reduction for all projects demonstrating they will meet the reduction specified in the Croton Watershed Phase II TMDL Implementation Plan, January 2009.

b) Within five (5) years of the EDC, all *retrofit* projects must be constructed to achieve the five (5) year phosphorus reduction assigned to the *MS4 Operator*, as required by the Croton Watershed Phase II TMDL Implementation Plan, January 2009.

ii. Annually, by December 31, *MS4 Operators* (or *RSE* representing *MS4 Operators* as described in Part III.B.2.b.) must submit to the *Department* any changes made to the *retrofit* plan including the information in Part IX.A.6.e.i.

iii. *MS4 Operators* must document the retrofit program in the *SWMP Plan* specifying:

a) Progress on *retrofit* projects already commenced; and

b) Identification of *retrofit* projects for the upcoming construction season; and

c) Certification that completed retrofit projects have been constructed in accordance with the *retrofit* plans.

7. Pollution Prevention/Good Housekeeping

a. Twice a year, once from March to August and once from September to February, all *catch basins* located in the TMDL watershed(s) must be inspected (Part VI.F.3.c. or Part VII.F.3.c, depending on the MS4 Operator type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. Following the completion of Part IX.A.1, annually, from April 1 through October 31, all streets located in the TMDL watershed(s) must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:

   i. Uncurbed roads with no *catch basins*;

   ii. High-speed limited access highways;

   iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

c. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan.* Within thirty (30) days of inspection, the *MS4 Operator* must initiate all necessary maintenance and repair activities discovered for *municipally* owned or operated post-construction *SMPs*. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities* in Watersheds to Impaired Waters

Incorporate, where feasible,[75] cost-effective runoff reduction techniques[76] during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

[75] Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

[76] Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

B. Other Phosphorus Impaired Watershed *MS4*s

Table 5. Other Phosphorus Impaired Watersheds			
Area where Requirements Apply	**Greenwood Lake**	**Onondaga Lake**	**Oscawana Lake**
EPA Approved TMDL	*Impaired Waters Restoration Plan for Greenwood Lake – Total Maximum Daily Load for Total Phosphorus, Sept 2005*	*Updated Phosphorus Total Maximum Daily Load for Onondaga Lake, June 2012*	*Total Maximum Daily Load (TMDL) for Phosphorus in Lake Oscawana, September 2008*
Implementation Plan	Greenwood Lake Watershed Phosphorus TMDL Implementation Plan, October 2019	None	None
POC	Phosphorus		
Achievement of *Pollutant* Load Reduction	In accordance with Implementation Plan	In accordance with approved TMDL	In accordance with approved TMDL

MS4 Operators located in the watersheds listed in Table 5 must *develop* and implement the following phosphorus-specific *BMPs* in addition to the applicable Implementation Plan and applicable requirements in Part VI. or Part VII, depending on the *MS4* Operator type:

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

a. Within three (3) years of the EDC, include areas with potential to contribute phosphorus to the TMDL waterbody, which include:

   i. Retail and wholesale plant nurseries (including big box stores);

   ii. Commercial lawn care facilities;

   iii. Golf courses; and

   iv. Commercial or industrial yard waste storage areas (e.g., yard waste composting and disposal areas).

b. Within three (3) years of the EDC, include the following information for all post-construction *SMPs* as identified in the post-construction *SMP* inventory (Part VI.E.2. or Part VII.E.2, depending on the *MS4 Operator* type):

i. Type[77]; and

ii. Ownership.

2. Public Education and Outreach on Stormwater Impacts

a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on any how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. Following the completion of Part IX.B.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to phosphorus to the applicable target audiences within the TMDL watershed focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the MS4 Operator type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A. or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

c. Twice a permit term, separated by a minimum of one (1) year, the *MS4 Operator* must educate residential on-site wastewater system users on the on-site wastewater inspection program described in Part IX.B.4.c and proper maintenance practices. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. *Illicit Discharge* Detection and Elimination

a. Inventory of Potential Phosphorus Sources

Following the completion of Part IX.B.1, within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part VIII.B.1.a. for each associated MS4 outfall.

b. On-site wastewater systems

The *MS4 Operator* (with the exclusion of *MS4 Operators* located in the Onondaga Lake watershed) must *develop*, implement, and enforce a program that ensures residential on-site wastewater systems (i.e., septic tanks,

[77] Post-construction *SMP* types are defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017).

cesspools, absorption fields or distribution systems) are properly operated and do not contribute *pollutants* to the *MS4*. The *MS4 Operator* must:

i. Once every five (5) years, ensure that residential septic tanks/cesspools are pumped out and system components (i.e., septic tanks, cesspools and installed absorption field) are inspected;

ii. Ensure the following information is collected and document the completion of this requirement in the *SWMP Plan*:

a) Individual performing inspection;

b) Inspection date;

c) Address;

d) Location of system on property;

e) Inspection rating (pass/fail);

f) Evidence of failed systems;

iii. Refer failures to the appropriate agency to ensure corrective actions are taken; and

iv. Eliminate *illicit discharges* from on-site wastewater systems to the *MS4* in accordance with the time frames specified in Part VI.C.3. or Part VII.C.3, depending on the *MS4 Operator* type.

5. Construction Site *Stormwater* Runoff Control

High priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

a. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or

b. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post Construction *Stormwater* Management

a. The *MS4 Operator* must require the use of the Enhanced Phosphorus Removal design standards contained in Chapter 10 of the NYS SWMDM 2015 for all new development and redevelopment projects within the listed watersheds.

b. The legal authority used to satisfy Part IV.E.2.b. must also include the following language requiring the use of the Enhanced Phosphorus Removal

Design Standards in accordance with the NYS SWMDM 2015 for the applicable watershed:

"Land development activities requiring water quantity and quality controls (post-construction *stormwater* runoff controls) must include: "Single-family home construction located in the <insert watershed name> watershed" and "Single-family residential subdivisions located in the <insert watershed name> watershed."

c. Requirements for SWPPPs that include post-construction *stormwater* controls must include: "Post-construction *SMPs* in the SWPPP must be designed in conformance with the Enhanced Phosphorus Removal Design Standards in the NYS SWMDM 2015."

d. Performance Standards must include the following enhanced stabilization requirements: "Where soil disturbance activity has temporarily or permanently ceased, the construction site is located in the *<insert watershed name>* watershed, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected must be in conformance with the Erosion Control Manual."

e. Inspections of land development activities during construction must include requirements for a *qualified inspector* to conduct two (2) site inspections every seven (7) calendar days for single-family homes and subdivisions within the *<insert watershed name>* watersheds.

f. *Retrofit* program

   i. All *MS4 Operators* identified within the Greenwood Lake Watershed Phosphorus TMDL Implementation Plan, October 2019, must continue to implement the *retrofit* program according to the following schedule:

      a) Within one (1) year of the EDC, the *MS4 Operator* must submit to the *Department* a *retrofit* plan that identifies the following:

         i) Project name;

         ii) Location;

         iii) Proposed *retrofit* type;

         iv) Anticipated date for construction;

         v) Estimated phosphorus reduction (using the criteria in the Greenwood Lake Watershed Phosphorus TMDL Implementation Plan, October 2019); and

         vi) Estimated total phosphorus reduction for all projects demonstrating they will meet the reduction specified in the Greenwood Lake Watershed Phosphorus TMDL Implementation Plan, October 2019.

      b) Within five (5) years of the EDC, all *retrofit* projects must be constructed to achieve the five (5) year phosphorus reduction assigned

to the *MS4 Operator*, as required by the Greenwood Lake Watershed Phosphorus TMDL Implementation Plan, October 2019.

ii. Annually, by December 31, *MS4 Operators* (or *RSE* representing *MS4 Operators* as described in Part III.B.2.b.) must submit to the *Department* any changes made to the *retrofit* plan including the information in Part IX.A.6.e.i.

iii. *MS4 Operators* must document the retrofit program in the *SWMP Plan* specifying:

a) Progress on *retrofit* projects already commenced; and

b) Identification of *retrofit* projects for the upcoming construction season; and

c) Certification that completed retrofit projects have been constructed in accordance with the *retrofit* plans.

7. Pollution Prevention/Good Housekeeping

Following the completion of Part IX.B.1:

a. Annually, from April 1 through October 31, all streets located in the TMDL watershed(s) must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:

i. Uncurbed roads with no *catch basins*;

ii. High-speed limited access highways; or

iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

b. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

c. Within thirty (30) days of inspection, the *MS4 Operator* must initiate all necessary maintenance and repair activities discovered for *municipally* owned or operated post-construction *SMPs*. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities* in Watersheds to Impaired Waters

Incorporate, where feasible,[78] cost-effective runoff reduction techniques[79] during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

C. Pathogen Impaired Watersheds *MS4*s

No Pathogen TMDL requirements.

D. Nitrogen Impaired Watershed *MS4*s

Table 6. Nitrogen Impaired Watershed(s)	
Area where Requirements Apply	**Peconic**
EPA Approved TMDL	*TMDL for Nitrogen in the Peconic Estuary Program Study Area, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Sawmill Creek; and Meetinghouse Creek, Terry Creek and Tributaries (September 2007)*
Implementation Plan	*TMDL for Nitrogen in the Peconic Estuary Program Study Area, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Sawmill Creek; and Meetinghouse Creek, Terry Creek and Tributaries (September 2007)*
POC	Nitrogen
Pollutant Load Reduction	In accordance with approved TMDL
Waterbodies	Terrys Creek & Tributaries
	Meetinghouse Creek
	Western Flanders Bay & Lower Sawmill Creek
	Lower Peconic River and tidal tributaries

[78] Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

[79] Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

MS4 Operators located in the watersheds listed in Table 6 must *develop* and implement the following nitrogen-specific *BMPs* in addition to the applicable Implementation Plan and applicable requirements in Part VI. or Part VII, depending on the *MS4 Operator* type:

1. Mapping

Within three (3) years of the EDC, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24000 or finer, the comprehensive system mapping (Part IV.D.) to include:

a. Areas with potential to contribute nitrogen to the *TMDL* waterbody, which include:

   i. Retail and wholesale plant nurseries (including big box stores);

   ii. Commercial lawn care facilities;

   iii. Golf courses; and

   iv. Commercial or Industrial yard waste storage areas (e.g., yard waste composting and disposal areas).

b. Information for all post-construction *SMPs* as identified in the post-construction *SMP* inventory (Part VI.E.2. or Part VII.E.2, depending on the *MS4 Operator* type):

   i. Type;[80] and

   ii. Ownership of *SMP*.

2. Public Education and Outreach on *Stormwater* Impacts

a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on any how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. Following the completion of Part IX.D.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to nitrogen to the applicable target audiences within the TMDL watershed focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the MS4 Operator type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A. or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

[80] Post-construction *SMP* types are defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017).

3. Public Involvement/Participation

No additional requirements.

4. *Illicit Discharge* Detection and Elimination

Following the completion of Part IX.D.1, within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part VIII.D.1.a. for each associated MS4 outfall.

5. Construction Site *Stormwater* Runoff Control

High priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

a. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or

b. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post-Construction *Stormwater* Management

The *MS4 Operator* must ensure on-site retention of the 1-year storm or greater from new development or redevelopment projects using runoff reduction techniques[81] selected from the NYS SWMDM 2015.

7. Pollution Prevention/Good Housekeeping

Following the completion of Part IX.D.1:

a. Annually, from April 1 through October 31, all streets located in the TMDL watershed(s) must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:

   i. Uncurbed roads with no *catch basins*;

   ii. High-speed limited access highways; or

   iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

[81] Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

b. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

c. Within thirty (30) days of inspection, the *MS4 Operator* must initiate all necessary maintenance and repair activities discovered for *municipally* owned or operated post-construction *SMPs*. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities* in Watersheds to Impaired Waters

Incorporate, where feasible,[82] cost-effective runoff reduction techniques[68] during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

[82] Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

Part X. Standard Permit Conditions

For the purposes of this *SPDES* general permit, examples of contractors and subcontractors include:

A. Duty to Comply

The owner/operator, and all contractors or subcontractors, must comply with all terms and conditions of this *SPDES* general permit. Any non-compliance with the terms and conditions of this *SPDES* general permit constitutes a violation of the New York State Environmental Conservation Law, and its implementing regulations, and is grounds for enforcement action. Filing of a request for transfer or termination of coverage under this *SPDES* general permit, or a notification of planned changes or anticipated non-compliance, does not limit, diminish or stay compliance with any terms and conditions of this *SPDES* general permit.

B. Need to Halt or Reduce Activity is Not a Defense

The necessity to halt or reduce the activity regulated by this *SPDES* general permit, in order to maintain compliance with the conditions of this *SPDES* general permit, shall not be a defense in an enforcement action.

C. Penalties

There are substantial criminal, civil, and administrative penalties associated with violating the terms and conditions of this *SPDES* general permit. Fines of up to $37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

D. False Statements

Any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this *SPDES* general permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished in accordance with New York State Environmental Conservation Law §71-1933 and or New York State Penal Law Articles 175 and 210.

E. Reopener Clause

Upon issuance of this *SPDES* general permit, a determination has been made on the basis of a submitted Notice of Intent, plans, or other available information, that compliance with the specified general permit terms and conditions will reasonably protect classified water use and assure compliance with applicable *water quality standards*. Satisfaction of the conditions of this *SPDES* general permit notwithstanding, if operation pursuant to this *SPDES* general permit causes or contributes to a condition in contravention of State *water quality standards* or guidance values, or if the *Department* determines that a modification is necessary to prevent impairment of the best use of the waters or to assure maintenance of *water*

quality standards or compliance with other provisions of New York State Environmental Conservation Law Article 17 or the Clean Water Act, or any regulations adopted pursuant thereto, the *Department* may require such modification and the Commissioner may require abatement action to be taken by the owner/operator and may also prohibit such operation until the modification has been implemented.

F. Duty to Mitigate

The owner/operator, and its contractors and subcontractors, shall take all reasonable steps to minimize or prevent any *discharge* in violation of this *SPDES* general permit which has a reasonable likelihood of adversely affecting human health or the environment.

G. Requiring Another General Permit or Individual *SPDES* Permit

The *Department* may require any discharger authorized to *discharge* in accordance with this *SPDES* general permit to apply for and obtain an individual *SPDES* permit or apply for authorization to *discharge* in accordance with another general permit.

(1) Cases where an individual *SPDES* permit or authorization to *discharge* in accordance with another general permit may be required include, but is not limited to the following:

(i) the discharger is not in compliance with the conditions of this *SPDES* general permit or does not meet the criteria for coverage under this *SPDES* general permit;

(ii) a change has occurred in the availability of demonstrated technology or practices for the control or abatement of *pollutants* applicable to the point source;

(iii) new effluent limitation guidelines or new source performance standards are promulgated that are applicable to point sources authorized to *discharge* in accordance with this *SPDES* general permit;

(iv) existing effluent limitation guidelines or new source performance standards that are applicable to point sources authorized to *discharge* in accordance with this *SPDES* general permit are modified;

(v) a water quality management plan containing requirements applicable to such point sources is approved by the *Department*;

(vi) circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under this *SPDES* general permit, or either a temporary or permanent reduction or elimination of the authorized *discharge* is necessary;

(vii) the *discharge* is in violation of section 17-0501 of the New York State Environmental Conservation Law;

(viii) the *discharge*(s) is a significant contributor of *pollutants*. In making this determination, the *Department* may consider the following factors:

(a) the location of the *discharge*(s) with respect to waters of New York State;
(b) the size of the *discharge*(s);
(c) the quantity and nature of the *pollutants discharged* to waters of New York State; and
(d) other relevant factors including compliance with other provisions of New York State Environmental Conservation Law Article 17, or the Clean Water Act.

(1) When the *Department* requires any discharger authorized by this *SPDES* general permit to apply for an individual *SPDES* permit as provided for in this subdivision, it shall notify the discharger in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a time for the owner/operator to file the application for an individual *SPDES* permit, and a deadline, not sooner than 180 days from the owner/operator's receipt of the notification letter, whereby the authorization to discharge under this *SPDES* general permit shall be terminated. The *Department* may grant additional time upon demonstration, to the satisfaction of the Regional Water Engineer, that additional time to apply for an alternative authorization is necessary or where the *Department* has not provided a permit determination in accordance with 6 NYCRR Part 621.

(2) When an individual *SPDES* permit is issued to a discharger authorized to *discharge* under this *SPDES* general permit for the same *discharge*(s), this *SPDES* general permit authorization for outfalls authorized under the individual *SPDES* permit is automatically terminated on the effective date of the individual *SPDES* permit unless termination is earlier in accordance with 6 NYCRR Part 750.

H. Duty to Provide Information

The owner/operator shall furnish to the *Department*, within five (5) business days, unless otherwise set forth by the *Department*, any information that the *Department* may request to determine whether cause exists to determine compliance with this *SPDES* general permit or to determine whether cause exists for requiring an individual *SPDES* permit in accordance with 6 NYCRR 750-1.21I (see G. Requiring Another General Permit or Individual Permit). The owner/operator shall make available to the *Department*, for inspection and copying, or furnish to the *Department* within 25 business days of receipt of a *Department* request for such information, any information retained in accordance with this *SPDES* general permit. Where the owner/operator becomes aware that it failed to submit any relevant facts on the Notice of Intent, or submitted incorrect information in a Notice of Intent or in any report to the *Department*, the owner/operator shall promptly submit such facts or corrected information to the *Department*.

I. Extension

In the event a new *SPDES* general permit is not issued prior to the expiration of this *SPDES* general permit, and this *SPDES* general permit is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, then the owner/operator

with coverage under this *SPDES* general permit may continue to operate and *discharge* in accordance with the terms and conditions of this *SPDES* general permit until a new *SPDES* general permit is issued.

J. Signatories and Certification

The Notice of Intent, Notice of Termination and reports required by this *SPDES* general permit shall be signed as provided in 40 CFR §122.22

(a) All Notices of Intent and Notices of Termination shall be signed as follows:

(1) For a corporation. By a responsible corporate officer. For the purpose of this section, 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 Notice of Intent or Notice of Termination requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

Note: The *Department* does not require specific assignments or delegations of authority to responsible corporate officers identified in 40 CFR §122.22(a)(1)(i). The *Department* will presume that these responsible corporate officers have the requisite authority to sign the Notice of Intent or Notice of Termination unless the corporation has notified the *Department* to the contrary. Corporate procedures governing authority to sign a Notice of Intent or Notice of Termination may provide for assignment or delegation to applicable corporate positions under 40 CFR §122.22(a)(1)(ii) rather than to specific individuals.

(2) For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or

(3) For a *municipality*, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

(i) The chief executive officer of the agency, or

(ii) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

(b) All reports required by this *SPDES* general permit, and other information requested by the *Department* shall be signed by a person described in paragraph (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in (a);

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (A duly authorized representative may thus be either a named individual or any individual occupying a named position.), and

(3) The written authorization is submitted to the *Department*.

(c) Changes to authorization. If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or activity, a new authorization satisfying the requirements of (b) must be submitted to the *Department* prior to or together with any reports, information, or applications to be signed by an authorized representative.

(d) Certification. Any person signing a document under (a) or (b) shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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.

(e) Electronic reporting. If documents described in (a) or (b) are submitted electronically by or on behalf of the activity with coverage under this *SPDES* general permit, any person providing the electronic signature for such documents shall meet all relevant requirements of this section, and shall ensure that all of the relevant requirements of 40 CFR Part 3 (including, in all cases, subpart D to Part 3) (Cross-Media Electronic Reporting) and 40 CFR Part 127 (NPDES Electronic Reporting Requirements) are met for that submission.

K. Inspection & Entry

The owner/operator shall allow the *Department*, the USEPA Regional Administrator, the applicable county health department, or any authorized representatives of those entities, upon the presentation of credentials and other documents as may be required by law, to:

(a) enter upon the owner/operator's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this *SPDES* general permit;
(b) have access to and copy, at reasonable times, any records that must be kept under the conditions of this *SPDES* general permit, including records required to be maintained for purposes of operation and maintenance;
(c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this *SPDES* general permit;
(d) sample or monitor at reasonable times, for the purposes of assuring *SPDES* general permit compliance or as otherwise authorized by the Clean Water Act or New York State Environmental Conservation Law, any substances or parameters at any location; and
(e) enter upon the property of any contributor to the regulated facility or activity under authority of the owner/operator.

L. Confidentiality of Information

The following shall not be held confidential: this *SPDES* general permit, the fact sheet for this *SPDES* general permit, the name and address of any owner/operator, effluent data, the Notice of Intent, and information regarding the need to obtain an individual permit or an alternative general permit. This includes information submitted on forms themselves and any attachments used to supply information required by the forms (except information submitted on usage of substances). Upon the request of the owner/operator, the *Department* shall make determinations of confidentiality in accordance with 6 NYCRR Part 616, except as set forth in the previous sentence. Any information accorded confidential status shall be disclosed to the Regional Administrator upon his or her written request. Prior to disclosing such information to the Regional Administrator, the *Department* will notify the Regional Administrator of the confidential status of such information.

M. Other Permits May Be Required

Nothing in this *SPDES* general permit relieves the owner/operator from a requirement to obtain any other permits required by law.

N. Property Rights

Coverage under this *SPDES* general permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations, nor does it obviate the necessity of obtaining the assent of any other jurisdiction as required by law for the *discharge* authorized.

O. Compliance with Interstate Standards

If the activity covered by this *SPDES* general permit originates within the jurisdiction of an interstate water pollution control agency, then the activity must also comply

with any applicable effluent standards or *water quality standards* promulgated by that interstate agency and as set forth in this *SPDES* general permit for such activities.

P. Oil & Hazardous Substance Liability

Coverage under this *SPDES* general permit does not affect the imposition of responsibilities upon, or the institution of any legal action against, the owner or operator under section 311 of the Clean Water Act, which shall be in conformance with regulations promulgated pursuant to section 311 governing the applicability of section 311 of the Clean Water Act to *discharges* from facilities with NPDES permits, nor shall such issuance preclude the institution of any legal action or relieve the owner or operator from any responsibilities, liabilities, or penalties to which the owner or operator is or may be subject pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. section 9601 et seq. (CERCLA).

Q. Severability

The provisions of this *SPDES* general permit are severable, and if any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

Appendix A. Acronyms and Definitions

Acronym List

BMP – Best Management Practice

CFR – Code of Federal Regulations

CGP – SPDES General Permit for Stormwater from Construction Activities, GP-0-20-001

CWA – Clean Water Act

ECL – Environmental Conservation Law

EDC – Effective Date of Coverage

EDP– Effective Date of the Permit

eNOI – Electronic Notice of Intent

EPCRA - Emergency Planning and Community Right-To-Know Act

ERP – Enforcement Response Plan

IDDE – Illicit Discharge Detection and Elimination

MCM – Minimum Control Measure

MS4 – Municipal Separate Storm Sewer System

MS4 GP – SPDES General Permit for Stormwater Discharges from the Municipal Separate Storm Sewer Systems, GP-0-24-001

MSGP – SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, GP-0-23-001

NOI – Notice of Intent

NPDES – National Pollutant Discharge Elimination System

NYCRR – New York Codes, Rules and Regulations

NYS DEC – New York State Department of Environmental Conservation

O&M – Operations and Maintenance

ORI – Outfall Reconnaissance Inventory

POC – Pollutant of Concern

RSE – Regional Stormwater Entity

SPDES – State Pollutant Discharge Elimination System

SMP – Stormwater Management Practice

SWMP – Stormwater Management Program

SWMP Plan – Stormwater Management Program Plan

SWPPP – Stormwater Pollution Prevention Plan

TMDL – Total Maximum Daily Load

USEPA – United States Environmental Protection Agency

Definitions

All definitions in this section are solely for the purposes of this permit. If a word is not defined below, use it how it is commonly defined.

Additionally Designated Areas – those areas that meet the additional designation criteria, Designation Criteria for Identifying Regulated Municipal Separate Storm Sewer Systems (*MS4*s), January 2010, revised January 2023 and found in Appendix B.

Additionally Designated Area MS4 Outfall (ADA MS4 outfall) – any point of *stormwater discharge* from pipes, ditches, and swales, as well as other points of concentrated flow*,* to impaired waters listed in Appendix C from an *MS4 Operator's MS4*. Areas of *sheet flow* which drain to impaired waters listed in Appendix C are not considered *ADA MS4 outfalls.*

Automatically Designated Areas – those areas served by *MS4*s that meet the automatic designation criteria, Designation Criteria for Identifying Regulated Municipal Separate Storm Sewer Systems (*MS4*s), January 2010, revised January 2023 and found in Appendix B.

Best Management Practice (BMP) – schedules of activities, practices, and prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage and leaks, sludge or waste disposal, or drainage from areas that could contribute pollutants to *stormwater discharges*.

Catch Basin(s) – a cistern, vault, chamber, or well that is part of the MS4 and designed to capture trash, sediment, and/or debris in its *sump*.

Construction Activity(ies) – any clearing, grading, excavation, demolition or stockpiling activity that results in soil disturbance. Clearing activities can include but are not limited to logging equipment operation, the cutting and skidding of trees, stump removal and/or brush root removal. *Construction activity* does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.

Department – the New York State *Department* of Environmental Conservation as well as meaning the *Department*'s designated agent.

Develop (Developed) – for *MS4 Operators* continuing coverage, *develop* means to continue to implement their current SWMP and update the SWMP to comply with the permit requirement; for newly designated *MS4 Operators*, *develop* means to create that permit requirement.

Discharge (Discharging) – any addition of any pollutant to *surface waters of the State* through an outlet or point source (6 NYCRR 750-1.2(a)(28)).

Dry Weather – prolonged dry periods (at least 48 hours after the last runoff event).

Groundwater – waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

Illicit Discharge – any *discharge* into an *MS4* that is not entirely composed of *stormwater*, except those identified in Part I.A.3. Examples of *illicit discharges* are non-permitted sanitary sewage, garage drain effluent, and waste motor oil. However, an *illicit discharge* could be any other non-permitted discharge which the *MS4 Operator* or *Department* has determined to be a substantial contributor of pollutants to the *MS4*. *Illicit discharges* can occur throughout the *MS4*, including at post-construction *SMPs*.

Industrial Activity – the eleven (11) categories of industrial activities included in the definition of "*stormwater discharges* associated with industrial activity," as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Interconnection – any point of *stormwater discharge* from pipes, ditches, and swales, as well as other points of concentrated flow*,* where the *MS4 Operator*'s *MS4* is *discharging* to another *MS4* or private storm sewer system. Areas of *sheet flow* which drain to another *MS4* or private storm sewer system are not considered *interconnections*.

Intermittent Discharge – a *discharge* which occurs over a shorter period of time (e.g., a few hours per day or a few days per year) (CWP 2004).

Larger Common Plan of Development or Sale – a contiguous area where multiple separate and distinct *construction activities* are occurring, or will occur, under one plan. The term **"**plan" in "larger common plan of development or sale" is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, State Environmental Quality Review Act Application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that *construction activities* may occur on a specific plot.

For discrete construction projects that are located within a *larger common plan of development or sale* that are at least 1/4 mile apart, each project can be treated as a separate plan of development or sale provided any interconnecting road, pipeline or utility project that is part of the same "common plan" is not concurrently being disturbed.

MS4 Operator – the person, persons, or legal entity that obtains coverage and is responsible for the *MS4*.

MS4 Outfall – any point of *stormwater discharge* from pipes, ditches, and swales, as well as other points of concentrated flow*,* to *surface waters of the State* from an *MS4 Operator's MS4*. Areas of *sheet flow* which drain to *surface waters of the State* are not considered *MS4 outfalls.*

Municipal (Municipally) – a county, town, city, village, district corporation, special improvement district, sewer authority or agency thereof. Examples of other public entities that are included in this program include State University Campuses, federal and State prisons, State and federal hospitals, Dormitory Authorities, public housing authorities, school and other special districts.

Municipal Facility – an *MS4 Operator* owned and/or operated facility with the potential to *discharge* pollutants to the *MS4* and/or *surface water of the State* of the State.

Municipal Facility Intraconnection – any point where stormwater is conveyed from the MS4 Operator's municipal facility to the MS4 Operator's own MS4. This is the most down-drainage end of the MS4 infrastructure located on the municipal facility prior to discharge to the MS4.

Municipal Operations (Operations) – activities conducted by the MS4 Operator with the potential to discharge pollutants to the *MS4* and/or *surface water of the State*.

Municipal Separate Storm Sewer System (*MS4*) – a conveyance or system of conveyances (including roads with drainage systems, *municipal* streets, *catch basins*, curbs, gutters, ditches, man-made channels, or storm drains):

1. owned or operated by a State, city, town, village, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, *stormwater*, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA, that *discharges* to *surface waters of the State*;
2. designed or used for collecting or conveying *stormwater*;
3. which is not a combined sewer; and
4. which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

National Pollutant Discharge Elimination System – the national system for the issuance of wastewater and *stormwater* permits under the Federal Water Pollution Control Act (Clean Water Act).

No Exposure – all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff.

Non-traditional MS4 Operators– state, federal, county and other publicly owned properties such as state university campuses, prisons, office complexes, hospitals, military installations public housing authorities, school and other special districts.

Obvious Illicit Discharge –an *illicit discharge* from a flowing *MS4 outfall* that does not require sample collection for confirmation; this references the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Outfall Characterization.

Physical Indicator Present in the Flow – a sensory indicator present in the *discharge* from *monitoring location* including odor, color, turbidity and floatables; this references the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 4: Physical Indicators for Flowing Monitoring Locations Only.

Physical Indicator not Related to Flow – an indicator of past *discharges*, potentially *intermittent* or *transitory discharge,* including *monitoring location* damage, *monitoring location* deposits or stains, abnormal vegetation growth, poor pool quality or pipe benthic growth; this references the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 5: Physical Indicators for Both Flowing and Non-Flowing Monitoring Locations. These physical indicators can be present at both flowing and non-flowing monitoring locations.

Pollutant – dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, *municipal*, agricultural waste and ballast *discharged* into water; which may cause or might reasonably be expected to cause pollution of the waters of the State in contravention of the standards or guidance values adopted as provided in Parts 700 et seq of this Title. For the purposes of this *SPDES* general permit, relevant pollutants include, but are not limited to, nitrogen, phosphorus, chloride, silt and sediment, pathogens, herbicides/pesticides, floatables, petroleum hydrocarbons, heavy metals, and polycyclic aromatic hydrocarbons (PAHs).

Pollutant of Concern (POC) – a pollutant causing the impairment of an impaired water segment with an approved TMDL and/or listed in Appendix C, including phosphorus, silt/sediment, pathogens, nitrogen, and floatables.

Privately Owned/Operated – not owned/operated by the *MS4 Operator* or another *MS4 Operator*.

Publicly Owned/Operated – owned/operated by the *MS4 Operator.*

Qualified Inspector – a person who is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or other *Department* endorsed individual(s).

It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct

supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other *Department* endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect must receive four (4) hours of training every three (3) years.

It can also mean a person that meets the *qualified professional* qualifications in addition to the *qualified inspector* qualifications.

Note: Inspections of any post-construction *SMPs* that include structural components, such as a dam for an impoundment, must be performed by a licensed Professional Engineer.

Qualified Professional – a person who is knowledgeable in the principles and practices of *stormwater* management and treatment, such as a licensed Professional Engineer, Registered Landscape Architect, or other *Department* endorsed individual(s). Individuals preparing SWPPPs that require the post-construction *SMP* component must have an understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics in order to prepare a SWPPP that conforms to the *Department's* technical standard. All components of the SWPPP that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), must be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York.

Qualifying Storm Event – a storm event with at least 0.1 inch of precipitation, providing the interval from the preceding measurable storm is at least 72 hours. The 72-hour storm interval is waived if the preceding measurable storm did not result in a *stormwater discharge* (e.g., a storm events in excess of 0.1 inches may not result in a *stormwater discharge* at some facilities), or if the *MS4 Operator* is able to document that less than a 72-hour interval is representative for local storm events during the sampling period.

Regional Stormwater Entity (RSE) – an organization made up of multiple cooperating regulated and/or nonregulated entities located in the same geographical region of the State who share resources to improve overall *stormwater* management in their area.

Retrofit – to modify or add to existing *stormwater* infrastructure for the purpose of reducing pollutant loadings.

Sheet Flow – *stormwater* runoff flowing in a thin layer over the ground surface.

Sizing Criteria – the criteria included in the CGP that are used to size post-construction *stormwater* management control practices. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), Overbank Flood (Qp), and Extreme Flood (Qf).

State Pollutant Discharge Elimination System (SPDES) – the system established pursuant to Article 17 of the ECL and 6 NYCRR Part 750 for issuance of permits authorizing *discharges* to the waters of the State.

Stormwater – that portion of precipitation that, once having fallen to the ground, is in excess of the evaporative or infiltrative capacity of soils, or the retentive capacity of surface features, which flows or will flow off the land by surface runoff to waters of the State.

Stormwater Hotspots - a land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical *stormwater* runoff, based on monitoring studies. For further detail, see Section 4.11 of the NYS SWMDM 2015.

Stormwater Management Practices (SMPs) – measures, either structural or nonstructural, that are constructed as part of new development or redevelopment projects and are intended to capture, treat, reduce and/or retain *stormwater* runoff.

Stormwater Management Program (SWMP) – the program *developed* and implemented by the *MS4 Operator* which provides a comprehensive integrated planning approach involving public participation and, where necessary, intergovernmental coordination, to reduce the *discharge* of POCs and specified pollutants to the *MEP*, using management practices, control techniques and systems, design and engineering methods, and other appropriate provisions. *MS4 Operators* are required at a minimum to *develop*, implement, and enforce a *SWMP* designed to address POCs and reduce the *discharge* of pollutants from the *MS4* to the *MEP*, to protect water quality, and to satisfy the appropriate water quality requirements of the ECL and the Clean Water Act. The *SWMP* must address all permit requirements in this *SPDES* general permit.

Stormwater Management Program Plan (SWMP Plan) – is used by the *MS4 Operator* to document and detail the activities and measures that will be implemented to meet the terms and conditions of this *SPDES* general permit. The *SWMP Plan* must be updated during the permit term as the *MS4 Operator's* activities are modified to meet permit conditions. The *SWMP Plan* can be hardcopy or digital.

Storm-sewershed (sewershed) – the catchment that drains to a waterbody based on the *MS4* and surface topography. Adjacent catchment areas that drain to the same waterbody are not separate storm-*sewersheds*.

Sump – the part of the *catch basin* between the bottom interior of the *catch basin* and the invert of the deepest outlet of the *catch basin*.

Surface Water(s) of the State – must be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that

do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction.

Waters of the state are further defined in 6 NYCRR Parts 800 to 941. Storm sewers are not waters of the state unless they are classified in 6 NYCRR Parts 800 to 941. Nonetheless, a *discharge* to a storm sewer must be regulated as a *discharge* at the point where the storm sewer *discharges* to waters of the state.

Suspect Illicit Discharge – an *illicit discharge* from flowing monitoring locations with high severity (score of 3) on one or more physical indicators based on the relative severity index of physical indicators for flowing *MS4 outfall*s only; this references the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Outfall Characterization.

Total Maximum Daily Load (TMDL) – the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. It is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL stipulates Waste Load Allocations (WLA) for point source *discharges*, Load Allocations (LA) for nonpoint sources, and a margin of safety (MOS).

Traditional Land Use Control *MS4 Operators* – a city, town, or village with land use control authority.

Traditional Non-land Use Control *MS4 Operators* – any county agency without land use control.

Transitory Discharge – a *discharge* which occurs rarely, usually in response to a singular event such as an industrial spill, ruptured tank, sewer break, transport accident or illegal dumping episode (CWP 2004).

Water Quality Standard – such measures of purity or quality for any waters in relation to their reasonable and necessary use as promulgated in 6 NYCRR Part 700 et seq.

Appendix B. Designation Criteria for Identifying Regulated *Municipal Separate Storm Sewer Systems* (*MS4*s), January 2010, revised January 2023

The universe of small *municipal* separate storm sewer systems (*MS4*s) is quite large. However, only a sub-set of small *MS4*s, referred to as "regulated" small *MS4*s, are covered by the Federal *stormwater* regulations. A small *MS4* can be designated as a regulated *MS4* through *automatic designation* by the USEPA or by meeting designation criteria developed by the NPDES permitting authority, the New York State Department of Environmental Conservation (*Department*) in New York State.

Automatic Designation Criteria Required by USEPA

The USEPA's automatic designation criteria are based strictly on population and density. An area is *automatically designated* if the population is at least 50,000 and has an overall population density of at least 1,000 people per square mile based on the 2000 and 2010 censuses.

Additional Designation Criteria

The USEPA requires the *Department* to develop a set of criteria for *additionally designated areas*. The following criteria, using a combination of population and environmental factors, have been adopted to designate additional *MS4*s in NYS.

Criterion 1: *MS4*s *discharging* to waters for which an USEPA-approved Total Maximum Daily Load (TMDL) requires reduction of a *pollutant of concern* beyond what can be achieved with existing programs (and the area is not already covered under automatic designation).

Criterion 2: *MS4*s, contiguous to *automatically designated areas* (municipal lines), that *discharge* to sensitive waters classified as AA-Special (fresh surface waters), AA (fresh surface waters) with filtration avoidance determination or SA (saline surface waters).

Criterion 3: *Automatically designated areas* are extended to town, village, or city boundaries, but only for town, village or city implementation of minimum control measure 4 construction site stormwater runoff control and minimum control measure 5 post-construction stormwater management in development and redevelopment. This additional designation may be waived, by written request to the *Department*, where the *automatically designated area* is a small portion of the total area of the town, village or city (less than 15 %) and where there is little or no *construction activity* in the area outside of the *automatically designated area* (less than 5 disturbed acres per year).

Appendix C. List of Impaired Waters

NOTES FOR THE TABLE BELOW:

1. *MS4 Operators* must implement Part VIII.A. Pollutant Specific BMPs for Phosphorus for waterbodies with the pollutant listed as "phosphorus."
2. *MS4 Operators* must implement Part VIII.B. Pollutant Specific BMPs for Silt/Sediment for waterbodies with the pollutant listed as "silt/sediment."
3. *MS4 Operators* must implement Part VIII.C. Pollutant Specific BMPs for Pathogens for waterbodies with the pollutant listed as "pathogens" or "fecal coliform."
4. *MS4 Operators* must implement Part VIII.D. Pollutant Specific BMPs for Nitrogen for waterbodies with the pollutant listed as "nitrogen" or "ammonia."
5. *MS4 Operators* must implement Part VIII.E. Pollutant Specific BMPs for Floatables for waterbodies with the pollutant listed as "garbage & refuse," "oil/grease," or "oil & floating substances."

County	Waterbody Inventory/Priority Waterbody List Name (WI/PWL Number)	Pollutant
Albany	Ann Lee (Shakers) Pond, Stump Pond (1201-0096)	Phosphorus
Bronx	Bronx River, Lower (1702-0006) 18	Fecal Coliform
Bronx	Bronx River, Lower (1702-0006) 18	Garbage & Refuse
Bronx	Bronx River, Middle, and tribs (1702-0106) 18	Fecal Coliform
Bronx	Bronx River, Middle, and tribs (1702-0106) 18	Garbage & Refuse
Bronx	Hutchinson River, Lower, and tribs (1702 0003) 18	Garbage & Refuse
Bronx	Long Island Sound, Western Portion (1702-0027)	Nitrogen
Bronx	Van Cortlandt Lake (1702-0008)	Phosphorus
Bronx	Westchester Creek (1702-0012) 18	Garbage & Refuse
Broome	Minor Tribs to Lower Susquehanna (0603-0044)	Phosphorus
Chautauqua	Chadakoin River and tribs (0202-0018)	Phosphorus
Chautauqua	Lake Erie (Main Lake, South) (0105-0033)	Fecal Coliform
Chautauqua	Lake Erie, Dunkirk Harbor (0105-0009)	Fecal Coliform
Dutchess	Fallkill Creek (1301-0087)	Phosphorus
Dutchess	Wappingers Lake (1305-0001)	Phosphorus
Dutchess	Wappingers Lake (1305-0001)	Silt/Sediment
Erie	Delaware Park Pond (0101-0026)	Phosphorus
Erie	Ellicott Creek, Lower, and tribs (0102-0018)	Phosphorus
Erie	Ellicott Creek, Lower, and tribs (0102-0018)	Silt/Sediment

Erie	Green Lake (0101-0038)	Phosphorus
Erie	Lake Erie (Main Lake, North) (0104-0037)	Fecal Coliform
Erie	Lake Erie (Northeast Shoreline) (0104-0036)	Fecal Coliform
Erie	Rush Creek and tribs (0104-0018)	Fecal Coliform
Erie	Rush Creek and tribs (0104-0018)	Phosphorus
Erie	Scajaquada Creek, Lower, and tribs (0101-0023)	Fecal Coliform
Erie	Scajaquada Creek, Lower, and tribs (0101-0023)	Oils & Floating Sub.
Erie	Scajaquada Creek, Lower, and tribs (0101-0023)	Phosphorus
Erie	Scajaquada Creek, Middle, and tribs (0101-0033)	Fecal Coliform
Erie	Scajaquada Creek, Middle, and tribs (0101-0033)	Oils & Floating Sub.
Erie	Scajaquada Creek, Middle, and tribs (0101-0033)	Phosphorus
Erie	Scajaquada Creek, Upper, and tribs (0101-0034)	Fecal Coliform
Erie	Scajaquada Creek, Upper, and tribs (0101-0034)	Phosphorus
Erie	South Branch Smoke Cr, Lower, and tribs (0101-0036)	Phosphorus
Erie	South Branch Smoke Cr, Lower, and tribs (0101-0036)	Silt/Sediment
Genesee	Tonawanda Cr, Middle, Main Stem (0102-0002)	Phosphorus
Genesee	Tonawanda Cr, Middle, Main Stem (0102-0006)	Fecal Coliform
Herkimer	Mohawk River, Main Stem (1201-0093)	Fecal Coliform
Herkimer	Mohawk River, Main Stem (1201-0093)	Oils & Floating Sub.
Kings	Coney Island Creek (1701-0008) 18	Fecal Coliform
Kings	Coney Island Creek (1701-0008) 18	Garbage & Refuse
Kings	Gowanus Canal (1701 0011) 18	Garbage & Refuse
Kings	Hendrix Creek (1701-0006) 18	Fecal Coliform
Kings	Hendrix Creek (1701-0006) 18	Garbage & Refuse
Kings	Hendrix Creek (1701-0006) 18	Nitrogen
Kings	Mill Basin and tidal tribs (1701 0178) 18	Garbage & Refuse
Kings	Paerdegat Basin (1701-0363) 18	Garbage & Refuse
Kings	Prospect Park Lake (1701-0196)	Phosphorus
Monroe	Buck Pond (0301-0017)	Phosphorus
Monroe	Cranberry Pond (0301-0016)	Phosphorus

Monroe	Long Pond (0301-0015)	Phosphorus
Monroe	Minor Tribs to Irondequoit Bay (0302-0038)	Fecal Coliform
Monroe	Minor Tribs to Irondequoit Bay (0302-0038)	Phosphorus
Monroe	Rochester E–bayment - East (0302-0002)	Fecal Coliform
Monroe	Rochester E–bayment - West (0301-0068)	Fecal Coliform
Monroe	Thomas Creek/White Brook and tribs (0302-0023)	Phosphorus
Nassau	Beaver Lake (1702-0152)	Phosphorus
Nassau	Camaans Pond (1701-0052)	Phosphorus
Nassau	Cold Spring Harbor, and tidal tribs (1702-0018)	Pathogens
Nassau	Dosoris Pond (1702-0024)	Fecal Coliform
Nassau	East Bay (1701-0202)	Fecal Coliform
Nassau	East Meadow Brook, Upper, and tribs (1701-0211)	Silt/Sediment
Nassau	East Rockaway Inlet (1701-0217)	Fecal Coliform
Nassau	Glen Cove Creek, Lower, and tribs (1702-0146)	Fecal Coliform
Nassau	Glen Cove Creek, Lower, and tribs (1702-0146)	Silt/Sediment
Nassau	Grant Park Pond (1701-0054)	Phosphorus
Nassau	Hempstead Bay (1701-0032)	Fecal Coliform
Nassau	Hempstead Harbor, north, and tidal tribs (1702-0022)	Pathogens
Nassau	Hempstead Harbor, south, & tidal tribs (1702-0263)	Fecal Coliform
Nassau	Hempstead Lake (1701-0015)	Phosphorus
Nassau	Long Island Sound, Nassau County Waters (1702-0028)	Fecal Coliform
Nassau	Long Island Sound, Nassau County Waters (1702-0028)	Nitrogen
Nassau	Manhasset Bay, and tidal tribs (1702-0021)	Fecal Coliform
Nassau	Manhasset Bay, and tidal tribs (1702-0141)	Fecal Coliform
Nassau	Massapequa Creek, Upper, and tribs (1701-0174)	Fecal Coliform
Nassau	Massapequa Creek, Upper, and tribs (1701-0174)	Phosphorus
Nassau	Middle Bay (1701-0208)	Fecal Coliform
Nassau	Milburn/Parsonage Creeks, Upp, and tribs (1701-0212)	Phosphorus
Nassau	Mill Neck Creek and tidal tribs (1702-0151)	Pathogens
Nassau	Oyster Bay Harbor (1702-0016)	Pathogens
Nassau	Reynolds Channel, east (1701-0215)	Fecal Coliform

Nassau	Seafords/Seamans Creeks, Upper, and tribs (1701-0201)	Fecal Coliform
Nassau	Shell Creek and Barnums Channel (1701-0213386)	Fecal Coliform
Nassau	South Oyster Bay (1701-0041)	Fecal Coliform
Nassau	Tidal Tribs to Hempstead Bay (1701-0218)	Fecal Coliform
Nassau	Tidal Tribs to Hempstead Bay (1701-0218)	Nitrogen
Nassau	Tidal Tribs to South Oyster Bay (1701-0200)	Fecal Coliform
Nassau	Tribs (fresh) to East Bay (1701-0204)	Fecal Coliform
Nassau	Tribs (fresh) to East Bay (1701-0204)	Phosphorus
Nassau	Tribs (fresh) to East Bay (1701-0204)	Silt/Sediment
Nassau	Tribs to Smith Pond/Halls Pond (1701-0221)	Phosphorus
Nassau	Woodmere Channel (1701-0219)	Fecal Coliform
Nassau	Woodmere Channel (1701-0219)	Nitrogen
New York	East River, Lower (1702-0011) 18	Garbage & Refuse
New York	Harlem River (1702-0004) 18	Garbage & Refuse
New York	Harlem Meer (1702-0103)	Phosphorus
New York	The Lake in Central Park (1702-0105)	Phosphorus
Niagara	Bergholtz Creek and tribs (0101-0004)	Fecal Coliform
Niagara	Bergholtz Creek and tribs (0101-0004)	Phosphorus
Niagara	Hyde Park Lake (0101-0030)	Phosphorus
Oneida	Ballou, Nail Creeks (1201-0203)	Phosphorus
Oneida	Mohawk River, Main Stem (1201-0010)	Fecal Coliform
Oneida	Mohawk River, Main Stem (1201-0094)	Fecal Coliform
Oneida	Utica Harbor (1201-0228)	Fecal Coliform
Onondaga	Bloody Brook and tribs (0702 0006) 10	Fecal Coliform
Onondaga	Ley Creek and tribs (0702 0001) 10	Fecal Coliform
Onondaga	Ley Creek and tribs (0702-0001) 10	Ammonia (NH3)
Onondaga	Ley Creek and tribs (0702-0001) 10	Phosphorus
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Nitrogen (NH3, NO2)
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Phosphorus
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Fecal Coliform
Onondaga	Onondaga Creek, Lower (0702-0023) 10	Ammonia (NH3)
Onondaga	Onondaga Creek, Lower (0702-0023) 10	Fecal Coliform

Onondaga	Onondaga Creek, Lower (0702-0023) 10	Phosphorus
Onondaga	Onondaga Creek, Middle, and tribs (0702-0004) 10	Fecal Coliform
Onondaga	Onondaga Lake, Southern End (0702-0021) [10]	Fecal Coliform
Ontario	Great Brook and minor tribs (0704-0034)	Phosphorus 2
Ontario	Great Brook and minor tribs (0704-0034)	Silt/Sediment
Orange	Greenwood Lake (1501-0001)	Phosphorus
Orange	Monhagen Brook and tribs (1306-0074)	Phosphorus
Orange	Orange Lake (1301-0008) [16]	Phosphorus
Oswego	Lake Neatahwanta (0701-0018)	Phosphorus
Putnam	Bog Brook Reservoir (1302-0041)	Phosphorus
Putnam	Boyd Corners Reservoir (1302-0045)	Phosphorus
Putnam	Croton Falls Reservoir (1302-0026)	Phosphorus
Putnam	Diverting Reservoir (1302-0046)	Phosphorus
Putnam	East Branch Reservoir (1302-0040)	Phosphorus
Putnam	Middle Branch Reservoir (1302-0009)	Phosphorus
Putnam	Oscawana Lake (1301-0035)	Phosphorus
Putnam	Palmer Lake (1302-0103)	Phosphorus
Putnam	West Branch Reservoir (1302-0022)	Phosphorus
Queens	Alley Creek/Little Neck Bay Trib (1702-0009) 18	Fecal Coliform
Queens	Atlantic Ocean Coastline (1701-0014)	Fecal Coliform
Queens	Bergen Basin (1701-0009) 18	Fecal Coliform
Queens	Bergen Basin (1701-0009) 18	Garbage & Refuse
Queens	Bergen Basin (1701-0009) 18	Nitrogen
Queens	East River, Upper (1702-0010) 18	Garbage & Refuse
Queens	East River, Upper (1702-0032) 18	Garbage & Refuse
Queens	Flushing Creek/Bay (1702 0005) 18	Garbage & Refuse
Queens	Flushing Creek/Bay (1702-0005)	Nitrogen
Queens	Flushing Creek/Bay (1702-0005) 18	Fecal Coliform
Queens	Jamaica Bay, Eastern, and tribs, Queens (1701-0005) 18	Fecal Coliform
Queens	Jamaica Bay, Eastern, and tribs, Queens (1701-0005) 18	Garbage & Refuse
Queens	Jamaica Bay, Eastern, and tribs, Queens (1701-0005) 18	Nitrogen

Queens	Kissena Lake (1702-0258)	Phosphorus
Queens	Little Neck Bay (1702-0029)	Fecal Coliform
Queens	Meadow Lake (1702-0030)	Phosphorus
Queens	Newtown Creek and tidal tribs (1702 0002) 18	Garbage & Refuse
Queens	Newtown Creek and tidal tribs (1702-0002) 18	Fecal Coliform
Queens	Shellbank Basin (1701-0001) 18	Nitrogen
Queens	Spring Creek and tribs (1701-0361) 18	Garbage & Refuse
Queens	Thurston Basin (1701-0152) 18	Fecal Coliform
Queens	Thurston Basin (1701-0152) 18	Garbage & Refuse
Queens	Willow Lake (1702-0031)	Phosphorus
Rensselaer	Nassau Lake (1310-0001)	Phosphorus
Richmond	Arthur Kill, Class I, and minor tribs (1701 0010) 18	Garbage & Refuse
Richmond	Arthur Kill, Class SD, and minor tribs (1701-0182) 18	Garbage & Refuse
Richmond	Grassmere Lake/Bradys Pond (1701-0357)	Phosphorus
Richmond	Kill Van Kull (1701 0184) 18	Garbage & Refuse
Richmond	Newark Bay (1701 0183) 18	Garbage & Refuse
Richmond	Raritan Bay, Class SA (1701-0002)	Fecal Coliform
Rockland	Congers Lake, Swartout Lake (1501-0019)	Phosphorus
Rockland	Rockland Lake (1501-0021)	Phosphorus
Rockland	Sparkill Creek, Lower (1301-0088)	Fecal Coliform
Saratoga	Ballston Lake (1101-0036)	Phosphorus
Saratoga	Dwaas Kill and tribs (1101-0007)	Phosphorus
Saratoga	Dwaas Kill and tribs (1101-0007)	Silt/Sediment
Saratoga	Lake Lonely (1101-0034)	Phosphorus
Saratoga	Tribs to Lake Lonely (1101-0001)	Fecal Coliform
Saratoga	Tribs to Lake Lonely (1101-0001)	Phosphorus
Schenectady	Collins Lake (1201-0077)	Phosphorus
Schenectady	Duane Lake (1311-0006)	Phosphorus
Schenectady	Mariaville Lake (1201-0113)	Phosphorus
Suffolk	Acabonack Harbor (1701-0047)	Pathogens
Suffolk	Agawam Lake (1701-0117)	Phosphorus
Suffolk	Beaverdam Creek and tribs (1701-0104)	Ammonia
Suffolk	Bellport Bay (1701-0320)	Pathogens

Suffolk	Big/Little Fresh Ponds (1701-0125)	Phosphorus
Suffolk	Canaan Lake (1701-0018)	Phosphorus
Suffolk	Canaan Lake (1701-0018)	Silt/Sediment
Suffolk	Centerport Harbor (1702-0229)	Pathogens
Suffolk	Conscience Bay and tidal tribs (1702-0091)	Pathogens
Suffolk	Flanders Bay, East/Center, and tribs (1701-0030)	Pathogens
Suffolk	Flanders Bay, West/Lower Sawmill Creek (1701-0254)	Nitrogen
Suffolk	Flanders Bay, West/Lower Sawmill Creek (1701-0254)	Pathogens
Suffolk	Flax Pond (1702-0240)	Fecal Coliform
Suffolk	Forge River, Lower and Cove (1701-0316)	Fecal Coliform
Suffolk	Fresh Pond (1701-0241)	Phosphorus
Suffolk	Goldsmith Inlet (1702-0026)	Pathogens
Suffolk	Goose Creek (1701-0236)	Pathogens
Suffolk	Great Cove (1701-0376)	Fecal Coliform
Suffolk	Great South Bay, East (1701-0039)	Nitrogen
Suffolk	Great South Bay, Middle (1701-0040)	Nitrogen
Suffolk	Great South Bay, West (1701-0173)	Nitrogen
Suffolk	Hashamomuck Pond (1701-0162)	Pathogens
Suffolk	Heady and Taylor Creeks and tribs (1701-0294)	Pathogens
Suffolk	Huntington Harbor (1702-0228)	Pathogens
Suffolk	Lake Montauk (1701-0031)	Pathogens
Suffolk	Lake Ronkonkoma (1701-0020)	Fecal Coliform
Suffolk	Lake Ronkonkoma (1701-0020)	Phosphorus
Suffolk	Little Sebonac Creek (1701-0253)	Pathogens
Suffolk	Long Island Sound, Suffolk Co, Central (1702-0265)	Fecal Coliform
Suffolk	Mattituck Inlet/Cr, Low, and tidal tribs (1702-0020)	Pathogens
Suffolk	Meetinghouse/Terrys Creeks and tribs (1701-0256)	Pathogens
Suffolk	Mill and Seven Ponds (1701-0113)	Phosphorus
Suffolk	Millers Pond (1702-0013)	Phosphorus
Suffolk	Moriches Bay, East (1701-0305)	Nitrogen
Suffolk	Moriches Bay, West (1701-0038)	Nitrogen
Suffolk	Mt Sinai Harbor and tidal tribs (1702-0019)	Pathogens

Suffolk	Mud Creek, Upper, and tribs (1701-0101)	Fecal Coliform
Suffolk	Narrow Bay (1701-0318)	Pathogens
Suffolk	Nicoll Bay (1701-0375)	Fecal Coliform
Suffolk	North Sea Harbor and tribs (1701-0037)	Pathogens
Suffolk	Northport Harbor (1702-0230)	Pathogens
Suffolk	Northwest Creek and tidal tribs (1701-0046)	Pathogens
Suffolk	Noyack Creek and tidal tribs (1701-0237)	Pathogens
Suffolk	Ogden Pond (1701-0302)	Pathogens
Suffolk	Patchogue Bay (1701-0326)	Pathogens
Suffolk	Peconic River, Lower, and tidal tribs (1701-0259)	Nitrogen
Suffolk	Peconic River, Lower, and tidal tribs (1701-0259)	Pathogens
Suffolk	Penniman Creek and tidal tribs (1701-0300)	Pathogens
Suffolk	Penny Pond, Wells and Smith Creeks (1701-0298)	Pathogens
Suffolk	Phillips Creek, Lower, and tidal tribs (1701-0299)	Fecal Coliform
Suffolk	Port Jefferson Harbor, North, and tribs (1702-0015)	Pathogens
Suffolk	Quantuck Bay (1701-0042)	Pathogens
Suffolk	Quantuck Bay (1701-0042)	Nitrogen
Suffolk	Quantuck Canal/Moneybogue Bay (1701-0371)	Pathogens
Suffolk	Quogue Canal (1701-0301)	Fecal Coliform
Suffolk	Reeves Bay and tidal tribs (1701-0272)	Pathogens
Suffolk	Richmond Creek and tidal tribs (1701-0245)	Pathogens
Suffolk	Sag Harbor and Sag Harbor Cove (1701-0035)	Pathogens
Suffolk	Sebonac Cr/Bullhead Bay and tidal tribs (1701-0051)	Pathogens
Suffolk	Setauket Harbor (1702-0242)	Pathogens
Suffolk	Shinnecock Bay and Inlet (1701 0033)	Nitrogen
Suffolk	Stirling Creek and Basin (1701-0049)	Pathogens
Suffolk	Stony Brook Harbor and West Meadow Creek (1702-0047)	Pathogens
Suffolk	Tidal Tribs to Gr Peconic Bay, Northshr (1701-0247)	Pathogens
Suffolk	Tidal Tribs to West Moriches Bay (1701-0312)	Fecal Coliform
Suffolk	Tidal Tribs to West Moriches Bay (1701-0312)	Nitrogen
Suffolk	Town/Jockey Creeks and tidal tribs (1701-0235)	Pathogens
Suffolk	Tuthill, Harts, Seatuck Coves (1701-0309)	Pathogens
Suffolk	Weesuck Creek and tidal tribs (1701-0111)	Pathogens

Suffolk	West Creek and tidal tribs (1701-0246)	Fecal Coliform
Suffolk	Wooley Pond (1701-0048)	Pathogens
Tompkins	Cayuga Lake, Southern End (0705-0040)	Phosphorus
Tompkins	Cayuga Lake, Southern End (0705-0040)	Silt/Sediment
Warren	Hague Brook and tribs (1006-0006)	Silt/Sediment
Warren	Huddle/Finkle Brooks and tribs (1006-0003)	Silt/Sediment
Warren	Indian Brook and tribs (1006-0002)	Silt/Sediment
Warren	Lake George (1006-0016) and tribs	Silt/Sediment
Warren	Tribs to Lake George, East Shore (1006-0020)	Silt/Sediment
Warren	Tribs to Lake George, Lk.George Village (1006-0008)	Silt/Sediment
Wayne	Lake Ontario Shoreline, Central (0302-0044)	Fecal Coliform
Westchester	Amawalk Reservoir (1302-0044)	Phosphorus
Westchester	Bronx River, Upper, and tribs (1702-0107)	Fecal Coliform
Westchester	Cross River Reservoir (1302-0005)	Phosphorus
Westchester	Hutchinson River, Middle, and tribs (1702-0074)	Fecal Coliform
Westchester	Hutchinson River, Middle, and tribs (1702-0074)	Oil/Grease
Westchester	Lake Katonah (1302-0136)	Phosphorus
Westchester	Lake Lincolndale (1302-0089)	Phosphorus
Westchester	Lake Meahagh (1301-0053)	Phosphorus
Westchester	Lake Mohegan (1301-0149)	Phosphorus
Westchester	Lake Shenorock (1302-0083)	Phosphorus
Westchester	Larchmont Harbor (1702-0116)	Fecal Coliform
Westchester	Long Island Sound, Westchester Co Waters (1702-0001)	Fecal Coliform
Westchester	Long Island Sound, Westchester Co Waters (1702-0001)	Nitrogen
Westchester	Mamaroneck Harbor (1702-0125)	Fecal Coliform
Westchester	Mamaroneck River, Lower (1702-0071)	Silt/Sediment
Westchester	Mamaroneck River, Upp, & minor tribs (1702-0123)	Silt/Sediment
Westchester	Milton Harbor/Lower Blind Brook (1702-0063)	Fecal Coliform
Westchester	Muscoot/Upper New Croton Reservoir (1302-0042)	Phosphorus
Westchester	New Croton Reservoir (1302-0010)	Phosphorus
Westchester	New Rochelle Harbor (1702-0259)	Fecal Coliform
Westchester	Port Chester Harbor/Lower Byram River (1702-0260)	Fecal Coliform

Westchester	Reservoir No.1/Lake Isle (1702-0075)	Phosphorus
Westchester	Saw Mill River (1301-0007)	Fecal Coliform
Westchester	Saw Mill River (1301-0007)	Phosphorus
Westchester	Saw Mill River, Middle, and tribs (1301-0100)	Fecal Coliform
Westchester	Saw Mill River, Middle, and tribs (1301-0100)	Phosphorus
Westchester	Sheldrake River (1702-0069)	Phosphorus
Westchester	Sheldrake River (1702-0069)	Silt/Sediment
Westchester	Silver Lake (1702-0040)	Phosphorus
Westchester	Teatown Lake (1302-0150)	Phosphorus
Westchester	Titicus Reservoir (1302-0035)	Phosphorus
Westchester	Truesdale Lake (1302-0054)	Phosphorus
Westchester	Wallace Pond (1301-0140)	Phosphorus

Appendix D. Forms

Included in this section are the following documents, in order:

- Monitoring Locations Inspection and Sampling Field Sheet
- Construction Site Inspection Report Form
- No Exposure Certification
- Municipal Facility Assessment Form
- Storm Event Data Form
- Visual Monitoring Form

Monitoring Locations Inspection and Sampling Field Sheet

Section 1: Background Data

Subwatershed:		Monitoring Location ID:	
Today's date:		Time (Military):	
Investigators:		Form completed by:	
Temperature (°F):	Rainfall (in.): Last 24 hours: Last 48 hours:		
Latitude:	Longitude:	GPS Unit:	GPS LMK #:
Camera:		Photo #s:	

Land Use in Drainage Area (Check all that apply):

☐ Industrial	☐ Open Space
☐ Ultra-Urban Residential	☐ Institutional
☐ Suburban Residential	Other: _____
☐ Commercial	Known Industries: _____

Notes (e.g., origin, if known):

Section 2: Monitoring Location Description

LOCATION	MATERIAL	SHAPE	DIMENSIONS (IN.)	SUBMERGED
☐ **Closed Pipe**	☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Steel ☐ Other: _____	☐ Circular ☐ Single ☐ Elliptical ☐ Double ☐ Box ☐ Triple ☐ Other: _____ ☐ Other: _____	Diameter/Dimensions: _____	In Water: ☐ No ☐ Partially ☐ Fully With Sediment: ☐ No ☐ Partially ☐ Fully
☐ **Open drainage**	☐ Concrete ☐ Earthen ☐ Rip-Rap ☐ Other: ____	☐ Trapezoid ☐ Parabolic ☐ Other: ____	Depth: ____ Top Width: ___ Bottom Width: ____	
☐ **In-Stream**	**(applicable when collecting samples)**			
Flow Present?	☐ Yes ☐ No	***If No, Skip to Section 5***		
Flow Description (If present)	☐ Trickle ☐ Moderate ☐ Substantial			

Section 3: Quantitative Characterization

FIELD DATA FOR FLOWING MONITORING LOCATIONS				
PARAMETER		**RESULT**	**UNIT**	**EQUIPMENT**
☐ Flow #1	Volume		Liter	Bottle
	Time to fill		Sec	
☐ Flow #2	Flow depth		In	Tape measure
	Flow width	____' ____"	Ft, In	Tape measure
	Measured length	____' ____"	Ft, In	Tape measure
	Time of travel		S	Stopwatch
Temperature			°F	Thermometer
pH			pH Units	Test strip/Probe
Ammonia			mg/L	Test strip

Monitoring Locations Inspection and Sampling Field Sheet

Section 4: Physical Indicators for Flowing Monitoring Locations Only

Are Any Physical Indicators Present in the flow? ☐ Yes ☐ No (*If No, Skip to Section 5)*

INDICATOR	CHECK if Present	DESCRIPTION	RELATIVE SEVERITY INDEX (1-3)		
Odor	☐	☐ Sewage ☐ Rancid/sour ☐ Petroleum/gas ☐ Sulfide ☐ Other:	☐ 1 - Faint	☐ 2 – Easily detected	☐ 3 – Noticeable from a distance
Color	☐	☐ Clear ☐ Brown ☐ Gray ☐ Yellow ☐ Green ☐ Orange ☐ Red ☐ Other:	☐ 1 – Faint colors in sample bottle	☐ 2 – Clearly visible in sample bottle	☐ 3 – Clearly visible in flow
Turbidity	☐	See severity	☐ 1 – Slight cloudiness	☐ 2 - Cloudy	☐ 3 – Opaque
Floatables -Does Not Include Trash!!	☐	☐ Sewage (Toilet Paper, etc.) ☐ Suds ☐ Petroleum (oil sheen) ☐ Other:	☐ 1 – Few/slight; origin not obvious	☐ 2 - Some; indications of origin (e.g., possible suds or oil sheen)	☐ 3 - Some; origin clear (e.g., obvious oil sheen, suds, or floating sanitary materials)

Section 5: Physical Indicators for Both Flowing and Non-Flowing Monitoring Locations

Are physical indicators that are not related to flow present? ☐ Yes ☐ No (*If No, Skip to Section 6)*

INDICATOR	CHECK if Present	DESCRIPTION	COMMENTS
Monitoring Location Damage	☐	☐ Spalling, Cracking or Chipping ☐ Peeling Paint ☐ Corrosion	
Deposits/Stains	☐	☐ Oily ☐ Flow Line ☐ Paint ☐ Other:	
Abnormal Vegetation	☐	☐ Excessive ☐ Inhibited	
Poor pool quality	☐	☐ Odors ☐ Colors ☐ Floatables ☐ Oil Sheen ☐ Suds ☐ Excessive Algae ☐ Other:	
Pipe benthic growth	☐	☐ Brown ☐ Orange ☐ Green ☐ Other:	

Section 6: Overall Monitoring Location Characterization

☐ Unlikely ☐ Potential (presence of two or more indicators) ☐ Suspect (one or more indicators with a severity of 3) ☐ Obvious

Section 7: Data Collection

1.	Sample for the lab?	☐ Yes	☐ No		
2.	If yes, collected from:	☐ Flow	☐ Pool		
3.	Intermittent flow trap set?	☐ Yes	☐ No	If Yes, type: ☐ OBM	☐ Caulk dam

Section 8: Any Non-Illicit Discharge Concerns (e.g., trash or needed infrastructure repairs)?

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER

New York State Department of Environmental Conservation

Construction Site Inspection Report for SPDES MS4 General Permit GP-0-24-001

Project Name:		Date:	
Project Location:		Weather:	
Permit # (if any): **NYR**	Contacted: ☐Yes ☐No	Entry Time:	Exit Time:
Name of SPDES Permittee:		Inspection Type:	☐NOT ☐ Complaint
Phone Number(s):			☐ Compliance ☐ Referral
On-site Representative(s) and Company(s):		MS4 Operator Name:	
		MS4 Permit ID: NYR20A	

SPDES Authority

	Yes	No	N/A		Citation
1.	☐	☐	☐	Does the project have permit coverage?	GP-0-20-001: I.A & II. B
2.	☐	☐	☐	Is a copy of the NOI and Acknowledgment Letter available on site and accessible for viewing?	GP-0-20-001: II.D.2
3.	☐	☐	☐	Is a copy of the MS4 SWPPP Acceptance Form available on site and accessible for viewing?	GP-0-20-001: II.D.2
4.	☐	☐	☐	Is an up-to-date copy of the signed SWPPP retained at the construction site?	GP-0-20-001: II.D.2. & III.A.4
5.	☐	☐	☐	Is a copy of the SPDES General Permit retained at the construction site?	GP-0-20-001: II.D.2
6.	☐	☐	☐	Does the NOI accurately report the number of acres to be disturbed?	GP-0-20-001: II.B.4

SWPPP Content

	Yes	No	N/A		Citation
7.	☐	☐	☐	Does the SWPPP describe and identify the erosion and sediment control measures to be employed?	GP-0-20-001: III.B.1.e
8.	☐	☐	☐	Does the SWPPP provide an inspection schedule and maintenance requirements for the E&SC measures?	GP-0-20-001: III.B.1.i
9.	☐	☐	☐	Does the SWPPP describe and identify the stormwater management practices to be employed?	GP-0-20-001: III.B.2
10.	☐	☐	☐	Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure?	GP-0-20-001: III.A.6
11.	☐	☐	☐	Does the SWPPP identify at least one trained individual from each contractor(s) and subcontractor(s) companies?	GP-0-20-001: III.A.6
12.	☐	☐	☐	Does the SWPPP include all the necessary Contractor Certification Statements and signatures?	GP-0-20-001: III.A.6
13.	☐	☐	☐	Is the SWPPP signed by the permittee?	GP-0-20-001: VII.H.2
14.	☐	☐	☐	Is the SWPPP prepared by a qualified professional (if post-construction stormwater management required)?	GP-0-20-001: III.A.3
15.	☐	☐	☐	Do the SMPs conform to the Enhanced Phosphorus Removal Standards (projects in TMDL watersheds)?	GP-0-20-001: III.B.3

Recordkeeping

	Yes	No	N/A		Citation
16.	☐	☐	☐	Are self-inspections performed as required by the permit (weekly, or twice weekly for >5 acres disturbed)?	GP-0-20-001:IV.C.2.a. & b
17.	☐	☐	☐	Are the self-inspections performed and signed by a qualified inspector and retained on site?	GP-0-20-001:II.C.2.,IV.C.6 & VII.H.3
18.	☐	☐	☐	Do the qualified inspector's reports include the minimum reporting requirements?	GP-0-20-001: IV.C.4
19.	☐	☐	☐	Do inspection reports identify corrective measures that have not been implemented or are recurring?	GP-0-20-001: IV.C.5

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Visual Observations

	Yes	No	N/A		Citation
20.	☐	☐	☐	Are all erosion and sediment control measures installed properly?	GP-0-20-001: VII.L
21.	☐	☐	☐	Are all erosion and sediment control measures being maintained properly?	GP-0-20-001: IV.A.1
22.	☐	☐	☐	Was written authorization issued for any disturbance greater than 5 acres?	GP-0-20-001: II.D.3
23.	☐	☐	☐	Have stabilization measures been implemented in inactive areas per Permit (>5acres) or ESC Standard?	GP-0-20-001: II.D.3.b & III.B.1.f
24.	☐	☐	☐	Are post-construction stormwater management practices constructed/installed correctly?	GP-0-20-001: III.B.2
25.	☐	☐	☐	Has final site stabilization been achieved and temporary E&SC measures removed prior to NOT submittal?	GP-0-20-001: V.A.2
26.	☐	☐	☐	Was there a discharge from the site on the day of inspection?	
27.	☐	☐	☐	Is there evidence that a discharge caused or contributed to a violation of water quality standards?	ECL 17-0501, 6 NYCRR 703.2 & GP-0-20-001: I.D

Water Quality Observations

Describe the discharge(s): location, source(s), impact on receiving water(s), etc.

Describe the quality of the receiving water(s) both upstream and downstream of the discharge:

Describe any other water quality standards or permit violations:

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Additional Comments:

☐ Photographs attached

Overall Inspection Rating: ☐ Satisfactory ☐ Marginal ☐ Unsatisfactory	
Name/Agency of Lead Inspector:	Signature of Lead Inspector:
Names/Agencies of Other Inspectors:	

NO EXPOSURE CERTIFICATION

For High Priority Municipal Facilities

in SPDES MS4 General Permit, GP-0-24-001

NEW YORK STATE | Department of Environmental Conservation

The completed No Exposure Certification must be documented in the SWMP Plan.
Please do not submit this form to the Department unless requested.

I. Owner/Facility Information

Owner/Operator Name:		
Mailing Address:	City/State/Zip:	
Contact Name:	Phone No.:	
Facility Name:		
Street Address:	City/State/Zip:	
County:	Latitude:	Longitude:

II. Exposure Checklist

	Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future? (Please check either "Yes" or "No" in the appropriate box.) If you answer "Yes" to any of these questions (1) through (11), you are not eligible for no exposure.	YES	NO
1	Using, storing or cleaning machinery or equipment, and areas where residuals from using, storing or cleaning machinery or equipment remain and are exposed to stormwater		
2	Materials or residuals on the ground or in stormwater inlets from spills/leaks		
4	Material handling equipment (except adequately maintained vehicles)		
5	Materials or products during loading/unloading or transporting activities		
6	Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to stormwater does not result in the discharge of pollutants)		
7	Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers		
8	Materials or products handled/stored on roads or railways owned or maintained by the discharger		
9	Waste material (except waste in covered, non-leaking containers [e.g., dumpster])		

III. Certification

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from SPDES stormwater permitting. I certify under penalty of law that there are no discharges of storm water contaminated by exposure to industrial activities or materialsfrom the industrial facility or site identified in this document (except as allowed under 40 CFR 122.26(g)(2)). I understand that I am obligated to submit a no exposure certification form upon request to the NPDES permitting authority or to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow the SPDES permitting authority, or MS4 Operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request.

Printed Name:	Title/Position:
Signature:	Date:

NEW YORK STATE Department of Environmental Conservation	**Municipal Facility Assessment Form For SPDES MS4 General Permit, GP-0-24-001**

Assessments must be conducted by a person with the knowledge and skills to assess conditions and activities that could impact stormwater quality at the facility and evaluate the effectiveness of best management practices required by the SPDES MS4 General Permit (GP-0-24-001).

MS4 Permit ID:	MS4 Operator Name:	
Facility Name:	Facility Type:	Date:
Weather Conditions:		
Is stormwater runoff present during this assessment? ☐ Yes ☐ No		
Comments:		

General		**Yes**	**No**
1	Is this a high priority municipal facility?	☐	☐
2	If this is a high priority municipal facility, does the facility qualify for a No Exposure Certification?	☐	☐
3	If this is a high priority municipal facility, is there a completed SWPPP available?	☐	☐
4	Does the facility have any MS4 outfalls?	☐	☐
5	Does the facility have any interconnections?	☐	☐
6	Does the facility have any municipal facility intraconnections?	☐	☐
Comments:			
Good Housekeeping		**Yes**	**No**
7	Are paved surfaces free of trash, sediment, and/or debris?	☐	☐
8	Date the paved area was last swept or vacuumed.	☐	☐
9	Do outdoor waste receptacles have covers?	☐	☐
10	Are the waste receptacles emptied on a regular basis?	☐	☐
11	Are there signs of leaks, contaminants or overfilling at the waste receptacle area?	☐	☐
12	Are the following facility areas free of accumulated trash, sediment, debris, contaminants, and spills:	☐	☐
	- Salt storage areas	☐	☐
	- Container storage areas	☐	☐
	- Maintenance areas	☐	☐

	- Staging areas	☐	☐
	- Material stockpile areas	☐	☐
Comments:			

Vehicle and Equipment Areas		☐ N/A	Yes	No
13	Are vehicle/equipment parked indoors or under a roof?		☐	☐
14	Are vehicles/equipment washed in only designated areas?		☐	☐
15	Are vehicles washed regularly to remove contamination and prevent them from polluting stormwater?		☐	☐
16	Is all wash water treated in an oil water separator prior to discharge?		☐	☐
17	Is all wash water managed so it does not enter the MS4?		☐	☐
Comments				

Vehicle/Equipment Maintenance		☐ N/A	Yes	No
18	Is equipment stored under shelter or elevated and covered?		☐	☐
19	Are fluids drained over a drip pan or pad?		☐	☐
20	Are funnels or pumps used when transferring fluids?		☐	☐
21	Are waste rags and used absorbent pads disposed of properly?		☐	☐
22	Are any vehicles and/or equipment leaking fluids?		☐	☐
23	Are drip pans immediately placed under leaks?		☐	☐
24	Are materials, equipment, and activities located so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas)?		☐	☐
25	Are vehicles inspected daily for leaks?			
Comments:				

Fueling areas		☐ N/A	Yes	No
26	Is fueling performed under a canopy or roof?		☐	☐
27	Are spill cleanup materials available at the fueling area?		☐	☐
28	Are breakaway valves used on fueling hoses?		☐	☐
29	Is the fueling handle lock disconnected so the operator must attend the fueling?		☐	☐
30	Is stormwater runoff from fueling area treated in an oil/water separator?		☐	☐
31	Is the fueling automatic stop inspected regularly to ensure it is working properly?		☐	☐
32	Are all fuel deliveries monitored?		☐	☐
Comments:				

Salt Storage Piles or Pile Containing Salt		☐ N/A	Yes	No
33	Is salt stored in a salt storage building or under a roof?		☐	☐
34	Are controls in place to minimize spills while adding or removing material from the pile?		☐	☐
35	Are salt spills cleaned up promptly?		☐	☐
36	Is overflow and tracked salt removed promptly from loading areas?		☐	☐
37	Is stormwater draining away from the salt pile directed to a vegetated filter area		☐	☐
Comments:				
Fluids Management		☐ N/A	Yes	No
38	Are all drums and containers of fluids stored with proper cover and containment?		☐	☐
39	Are fluids stored in appropriate containers and/or storage cabinets?		☐	☐
40	Are all fluids kept in original containers or labeled in a manner that describes the contents adequately?		☐	☐
41	Are Material Safety Data Sheets (MSDS/SDS) readily available?		☐	☐
42	Are all containers that are stored free of leaks or deposits?		☐	☐
43	Are containers of product inspected regularly?		☐	☐
44	Is used oil and antifreeze stored indoors and/or on spill containment pallets?		☐	☐
45	Is used oil and antifreeze properly disposed of or recycled?		☐	☐
Comments:				
Lead Acid Batteries		☐ N/A	Yes	No
46	Are lead-acid batteries stored indoors on spill containment pallets or in bins?		☐	☐
47	Are intact batteries stored on an acid-resistant rack or tub?		☐	☐
48	Are cracked or leaking batteries stored in labeled, closed, leak-proof containers?		☐	☐
49	Is the date each battery was placed in storage recorded?		☐	☐
50	Are batteries stacked more than 5 high?		☐	☐
51	Are batteries inspected regularly for leaks?		☐	☐
Comments:				
Spill Prevention and Response Procedures		☐ N/A	Yes	No
52	Are vehicles inspected daily for leaks?		☐	☐

53	Is spill control equipment and absorbents readily available?	☐	☐
54	Are emergency phone numbers posted in conspicuous areas?	☐	☐
55	Are spills contained and cleaned up immediately?	☐	☐
Comments:			

General Material Storage Areas	☐ N/A	Yes	No
56	Are leaking or damaged materials stored inside a building or another type of storm resistance shelter?	☐	☐
57	Are all material stockpiles within containment structures (e.g., concrete barriers, earthen berms) or stored in a manner that does not allow discharge of impacted stormwater?	☐	☐
58	Are used fuel tanks and other scrap metal and parts drained of fluids and stored under cover?	☐	☐
59	Are outdoor containers covered?	☐	☐
60	Are piles of spoils, asphalt, debris, etc. stored under a roof or cover?	☐	☐
61	Are spills of material or debris cleaned up promptly?	☐	☐
62	Are used tire storage piles placed away from storm drains or conveyances?	☐	☐
63	Are tires recycled frequently to keep the number of stored tires manageable?	☐	☐
Comments:			

Stormwater Management		Yes	No
64	Are employees trained on the municipal facility procedures?	☐	☐
66	Are BMPs and treatment structures working as designed?	☐	☐
67	Are BMPs and treatment structures free from debris buildup or overgrown vegetation that may impair function?	☐	☐
68	Catch basins should be cleaned in accordance with the timeframes listed in Part VI.F.3.c.iii. / Part VII.F.3.c.iii, depending on the MS4 Operator type. Based on this, do any catch basins need to be cleaned?	☐	☐
69	Are berms, curbing or other methods used to divert and direct discharges adequate and in good condition?	☐	☐
70	Are rooftop drains directed to areas away from pavement?	☐	☐
Comments:			

Erosion and Sediment Controls		Yes	No
71	Are soil stabilization measures (e.g., seed and mulch, rolled erosion control products) considered in areas that have the potential for significant soil erosion?	☐	☐
72	Are natural buffers maintained around surface waters?	☐	☐
73	Are flow velocity dissipation devices in place at monitoring locations and channel outlets (rock riprap, stone check dams, concrete baffles)?	☐	☐
74	Do controls conform to the NYS Standards and Specifications for Erosion and Sediment Control (2016), or equivalent?	☐	☐

Comments:

Corrective Actions and Comment

Describe Inspection findings and if necessary, the corrective actions taken

Inspector Signature		Date:	

NEW YORK STATE | Department of Environmental Conservation

Storm Event Data Form for SPDES MS4 General Permit, GP-0-24-001

Do not submit this form to the Department; keep this form with the municipal facility's SWPPP and in the MS4 Operator's SWMP Plan.

Permit Number:

N	Y	R	2	0	A			

Facility Name:

Contact First Name:

Contact Last Name:

Contact Phone:

Contact Email:

Storm Event Date:

Storm Duration (in hours):

Rainfall Measurement from Storm Event (in inches):

Date of Last Measurable Storm Event:

Duration Between Storm Event Sampled and End of Previous Measurable Storm (in hours):

Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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.

Facility Operator First Name (please print or type)

Facility Operator Last Name (please print or type)

/ /

Date

Signature

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Visual Monitoring Form MS4 GP-0-24-001

All high priority municipal facilities covered under the MS4 GP-0-24-001 must perform Visual Monitoring twice a permit term, separated by a minimum of one (1) year. Please see the permit Part VI.F/VII.F for additional requirements. This form is part of the facilities records and should be retained onsite with the facility's Stormwater Pollution Prevention Plan. ***Please do not submit this form to the Department.***

MS4 Operator Permit ID

Facility Name

Outfall Number

Examiner's Name

Examiner's Title

Reporting Year

Rainfall Amount

Qualifying Storm? ◯Yes ◯No

Runoff Source? ◯Rainfall ◯Snowmelt

Date/Time Collected ___/___/___ ___:___ AM / PM

Date/Time Examined ___/___/___ ___:___ AM / PM

1. Does the stormwater appear to be colored? ..... ◯Yes ◯No

If yes, describe

2. Is the stormwater clear or transparent? ..... ◯Yes ◯No

If yes, which of the following best describes the clarity of the stormwater: ..... ◯Clear ◯Milky ◯Opaque

3. Can you see a rainbow sheen effect on the water surface?..... ◯Yes ◯No

If yes, which best describes the sheen?..... ◯Rainbow Sheen ◯Floating Oil Globules

4. Does the sample have an odor? ..... ◯Yes ◯No

If yes, describe

5. Is there something floating on the surface of the sample? ..... ◯Yes ◯No

If yes, describe

6. Is there something suspended in the water column of the sample? ..... ◯Yes ◯No

If yes, describe

7. Is there something settled on the bottom of the sample?..... ..... ◯Yes ◯No

If yes, describe

8. Is there foam or material forming on the top of the sample surface?..... ◯Yes ◯No

If yes, describe

Detail any concerns, corrective actions taken and any other indicators of pollution present in the sample:

Works Cited

Center for Watershed Protection, Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance, October 2004 (CWP 2004)

New York State Department of Environmental Conservation, Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017)

New York State Department of Environmental Conservation, Model Local Law to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems, April 2006 (NYS DEC Model IDDE Local Law 2006)

New York State Department of Environmental Conservation, Sample Local Law for Stormwater Management and Erosion & Sediment Control, March 2006 (NYS DEC Sample SM and E&SC Local Law 2006)

New York State, Standards and Specifications for Erosion & Sediment Control, November 2016 (NYS E&SC 2016)

New York State, Stormwater Management Design Manual, January 2015 (NYS SWMDM 2015)

SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, GP-0-23-001 (MSGP)

SPDES General Permit for Stormwater from Construction Activities, GP-0-20-001 (CGP)

SPDES General Permit for Stormwater Discharges from the Municipal Separate Storm Sewer Systems, GP-0-24-001 (MS4 GP)

United States Department of Transportation Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013 (USDOT 2013)

APPENDIX 3

Village Code - Local Law for

Stormwater Management and Erosion and Sediment Control

Part 2
Stormwater Management, Erosion And Sediment Control
[Adopted 3-4-2008 By L.L. No. 3-2008[1]]

ARTICLE III
General Provisions

§ 143-20. Findings of fact.

It is hereby determined that:

A. Land development activities and associated increases in site impervious cover often alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, or sediment transport and deposition;

B. This stormwater runoff contributes to increased quantities of waterborne pollutants, including siltation of aquatic habitat for fish and other desirable species;

C. Clearing and grading during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitat;

D. Improper design and construction of stormwater management practices can increase the velocity of stormwater runoff thereby increasing stream bank erosion and sedimentation;

E. Impervious surfaces allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream baseflow;

F. Substantial economic losses can result from these adverse impacts on the waters of the municipality;

G. Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from land development activities;

H. The regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will minimize threats to public health and safety.

I. Regulation of land development activities by means of performance standards governing stormwater management and site design will produce development compatible with the natural functions of a particular site or an entire watershed and thereby mitigate the adverse effects of erosion and sedimentation from development.

§ 143-21. Purpose.

The purpose of this Part 2 is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within this jurisdiction and to address the findings of fact in § 143-20 hereof. This Part 2 seeks to

1. **Editor's Note: The Provisions Of This Local Law Were Originally Adopted As Ch. 143A Of The Code, But Were Redesignated To Fit Into The Organizational Structure Of The Code.**

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meet those purposes by achieving the following objectives:

A. Meet the requirements of minimum measures 4 and 5 of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-02-02, or as amended or revised;

B. Require land development activities to conform to the substantive requirements of the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-02-01, or as amended or revised;

C. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels;

D. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;

E. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable; and

F. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

§ 143-22. Statutory authority.

In accordance with § 10 of the Municipal Home Rule Law of the State of New York, the Board of Trustees of the Village of Islandia has the authority to enact local laws and amend local laws for the purpose of promoting the health, safety or general welfare of the residents of the Village of Islandia and for the protection and enhancement of its physical environment. The Board of Trustees of the Village of Islandia may include in any such local law provisions for the appointment of any municipal officer, employees, or independent contractor to effectuate, administer and enforce such local law.

§ 143-23. Definitions.

As used in this Part 2, the following terms shall have the meanings indicated:

AGRICULTURAL ACTIVITY — The activity of an active farm including grazing and watering livestock, irrigating crops, harvesting crops, using land for growing agricultural products, and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation, or the construction of new structures associated with agricultural activities.

APPLICANT — A property owner or agent of a property owner who has filed an application for a land development activity.

BUILDING — Any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

CHANNEL — A natural or artificial watercourse with a definite bed and banks that conducts

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continuously or periodically flowing water.

CLEARING — Any activity that removes the vegetative surface cover.

DEDICATION — The deliberate appropriation of property by its owner for general public use.

DEPARTMENT — The New York State Department of Environmental Conservation.

DESIGN MANUAL — The New York State Stormwater Management Design Manual, most recent version including applicable updates, which serves as the official guide for stormwater management principles, methods and practices.

DEVELOPER — A person who undertakes land development activities.

EROSION CONTROL MANUAL — The most recent version of the "New York Standards and Specifications for Erosion and Sediment Control" Manual, commonly known as the "Blue Book."

GRADING — Excavation or fill of material, including the resulting conditions thereof.

IMPERVIOUS COVER — Those surfaces, improvements and structures that cannot effectively infiltrate rainfall, snowmelt and water (e.g., building rooftops, pavement, sidewalks, driveways, etc).

INDUSTRIAL STORMWATER PERMIT — A state pollutant discharge elimination system permit issued to a commercial industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

INFILTRATION — The process of percolating stormwater into the subsoil.

JURISDICTIONAL WETLAND — An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

LAND DEVELOPMENT ACTIVITY — Construction activity including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than one acre, or activities disturbing less than one acre of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules.

LANDOWNER — The legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

MAINTENANCE AGREEMENT — A legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

NONPOINT SOURCE POLLUTION — Pollution from any source other than from any discernible, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

PHASING — Clearing a parcel of land in distinct pieces or parts, with the stabilization of each piece completed before the clearing of the next.

POLLUTANT OF CONCERN — Sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the

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land development activity.

PROJECT — Land development activity.

RECHARGE — The replenishment of underground water reserves.

SEDIMENT CONTROL — Measures that prevent eroded sediment from leaving the site.

SENSITIVE AREAS — Cold water fisheries, shellfish beds, swimming beaches, groundwater recharge areas, water supply reservoirs, habitats for threatened, endangered or special concern species.

SPDES GENERAL PERMIT FOR CONSTRUCTION ACTIVITIES GP-02-01 — A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.

SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MUNICIPAL SEPARATE STORMWATER SEWER SYSTEMS GP-02-02 — A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA-established water quality standards and/or to specify stormwater control standards.

STABILIZATION — The use of practices that prevent exposed soil from eroding.

STOP-WORK ORDER — An order issued which requires that all construction activity on a site be stopped.

STORMWATER — Rainwater, surface runoff, snowmelt and drainage.

STORMWATER HOTSPOT — A land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff, based on monitoring studies.

STORMWATER MANAGEMENT — The use of structural or nonstructural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

STORMWATER MANAGEMENT FACILITY — One or a series of stormwater management practices installed, stabilized and operating for the purpose of controlling stormwater runoff.

STORMWATER MANAGEMENT OFFICER (SMO) — An employee or officer designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

STORMWATER MANAGEMENT PRACTICES (SMPS) — Measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and and water bodies.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP) — A plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

STORMWATER RUNOFF — Flow on the surface of the ground, resulting from precipitation.

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SURFACE WATERS OF THE STATE OF NEW YORK —

A. Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial seas of the State of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface waters or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction.

B. Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition are not waters of the state. This exclusion applies only to man-made bodies of water which neither were originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

WATERCOURSE — A permanent or intermittent stream or other body of water, either natural or manmade, which gathers or carries surface water.

WATERWAY — A channel that directs surface runoff to a watercourse or to the public storm drain.

§ 143-24. Applicability.

A. This Part 2 shall be applicable to all land development activities as defined in this Part 2, § 143-23.

B. The municipality shall designate a Stormwater Management Officer (SMO) who shall accept and review all stormwater pollution prevention plans and forward such plans to the applicable municipal board. The SMO may:

(1) Review the plans;

(2) Upon approval by the Board of Trustees of the Village of Islandia, engage the services of a registered professional engineer to review the plans, specifications and related documents at a cost not to exceed a fee schedule established by said governing board; or

(3) Accept the certification of a licensed professional that the plans conform to the requirements of this Part 2.

C. All land development activities subject to review and approval by the Planning Board of the Village of Islandia under subdivision and/or site plan regulations shall be reviewed subject to the standards contained in this Part 2.

D. All land development activities not subject to review as stated in Subsection C shall be required to submit a Stormwater Pollution Prevention Plan (SWPPP) to the SMO who shall approve the SWPPP if it complies with the requirements of this Part 2.

§ 143-25. Exemptions.

The following activities may be exempt from review under this Part 2.

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A. Agricultural activity as defined in this Part 2.

B. Routine maintenance activities that disturb less than five acres and are performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility.

C. Repairs to any stormwater management practice or facility deemed necessary by the SMO.

D. Any part of a subdivision if a plat for the subdivision has been approved by the Village on or before the effective date of this Part 2.

E. Land development activities for which a building permit has been approved on or before the effective date of this Part 2.

F. Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.

G. Emergency activity immediately necessary to protect life, property or natural resources.

H. Activities of an individual engaging in home gardening by growing flowers, vegetable and other plants primarily for use by that person and his or her family.

I. Landscaping and horticultural activities in connection with an existing structure.

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ARTICLE IV
Stormwater Pollution Prevention Plans

§ 143-26. Stormwater pollution prevention plan requirement.

No application for approval of a land development activity shall be reviewed until the appropriate board has received a stormwater pollution prevention plan (SWPPP) prepared in accordance with the specifications in this Part 2.

§ 143-27. Contents of stormwater pollution prevention plans.

A. All SWPPPs shall provide the following background information and erosion and sediment controls:

(1) Background information about the scope of the project, including location, type and size of project.

(2) Site map/construction drawing(s) for the project shall be at a scale no smaller than one inch equals 100 feet and include a general location map. At a minimum, the site map should show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); wetlands and drainage patterns that could be affected by the construction activity; existing and final slopes; locations of off-site material, waste, borrow or equipment storage areas; and location(s) of the stormwater discharges(s);

(3) Description of the soil(s) present at the site;

(4) Construction phasing plan describing the intended sequence of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance. Consistent with the New York Standards and Specifications for Erosion and Sediment Control (Erosion Control Manual), not more than five acres shall be disturbed at any one time unless pursuant to an approved SWPPP.

(5) Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff;

(6) Description of construction and waste materials expected to be stored on site with updates as appropriate, and a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention.

(7) Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial land clearing and grubbing to project close-out;

(8) A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice;

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(9) Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins;

(10) Temporary practices that will be converted to permanent control measures;

(11) Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place;

(12) Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice;

(13) Name(s) of the receiving water(s);

(14) Delineation of SWPPP implementation responsibilities for each part of the site;

(15) Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable; and

(16) Any existing data that describes the stormwater runoff at the site.

B. Land development activities as defined in § 143-23 of this Part 2 and meeting Condition A, B or C below shall also include water quantity and water quality controls (post-construction stormwater runoff controls) as set forth in § 143-27C below as applicable:

(1) Condition A. Stormwater runoff from land development activities discharging a pollutant of concern to either an impaired water identified on the Department's 303(d) list of impaired waters or a total maximum daily load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.

(2) Condition B. Stormwater runoff from land development activities disturbing five or more acres.

(3) Condition C. Stormwater runoff from land development activity disturbing between one and five acres of land during the course of the project, exclusive of the construction of single-family residences and construction activities at agricultural properties.

C. SWPPP Requirements for above Conditions A, B and C:

(1) All information in § 143-27A of this Part 2.

(2) Description of each post-construction stormwater management practice;

(3) Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice;

(4) Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;

(5) Comparison of post-development stormwater runoff conditions with predevelopment conditions;

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(6) Dimensions, material specifications and installation details for each post-construction stormwater management practice;

(7) Maintenance schedule to ensure continuous and effective operation of each post-construction stormwater management practice.

(8) Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property.

(9) Inspection and maintenance agreement binding on all subsequent landowners served by the onsite stormwater management measures in accordance with Article VI of this Part 2.

(10) For Condition A, the SWPPP shall be prepared by a landscape architect, certified professional or professional engineer and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meets the requirements in this Part 2.

§ 143-28. Other environmental permits.

The applicant shall assure that all other applicable environmental permits have been or will be acquired for the land development activity prior to approval of the final stormwater design plan.

§ 143-29. Contractor certification.

A. Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practice installation shall sign and date a copy of the following certification statement before undertaking any land development activity: "I certify under penalty of law that I understand and agree to comply with the terms and conditions of the Stormwater Pollution Prevention Plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards."

B. The certification must include the name and title of the person providing the signature, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.

C. The certification statement(s) shall become part of the SWPPP for the land development activity.

§ 143-30. SWPPP availability.

A copy of the SWPPP shall be retained at the site of the land development activity during construction from the date of initiation of construction activities to the date of final stabilization.

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ARTICLE V

Performance and Design Criteria for Stormwater Management and Erosion and Sediment Control

All land development activities shall be subject to the following performance and design criteria:

§ 143-31. Technical standards.

For the purpose of this Part 2, the following documents shall serve as the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this Part 2:

A. The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereafter referred to as the Design Manual).

B. New York Standards and Specifications for Erosion and Sediment Control, (Empire State Chapter of the Soil and Water Conservation Society, 2004, most current version or its successor, hereafter referred to as the Erosion Control Manual).

§ 143-32. Equivalence to technical standards.

Where stormwater management practices are not in accordance with technical standards, the applicant or developer must demonstrate equivalence to the technical standards set forth in § 143-31, and the SWPPP shall be prepared by a licensed professional.

§ 143-33. Water quality standards.

Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the State of New York.

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ARTICLE VI
Maintenance, Inspection and Repair of Stormwater Facilities

§ 143-34. Maintenance and inspection during construction.

A. The applicant or developer of the land development activity or its representative shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the applicant or developer to achieve compliance with the conditions of this Part 2. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by 50%.

B. For land development activities as defined in § 143-23 and meeting Condition A, B or C in § 143-27B, the applicant shall have a qualified professional conduct site inspections and document the effectiveness of all erosion and sediment control practices every seven days and within 24 hours of any storm event producing 0.5 inch of precipitation or more. Inspection reports shall be maintained in a site log book.

§ 143-35. Maintenance easement(s).

Prior to the issuance of any approval that has a stormwater management facility as one of the requirements, the applicant or developer must execute a maintenance easement agreement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall provide for access to the facility at reasonable times for periodic inspection by the Village of Islandia to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this Part 2. The easement shall be recorded by the grantor in the office of the County Clerk after approval by the counsel for the Village of Islandia.

§ 143-36. Maintenance after construction.

The owner or operator of permanent stormwater management practices installed in accordance with this Part 2 shall ensure they are operated and maintained to achieve the goals of this Part 2. Proper operation and maintenance also includes as a minimum, the following:

A. A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this Part 2.

B. Written procedures for operation and maintenance and training new maintenance personnel.

C. Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with § 143-33.

§ 143-37. Maintenance agreements.

The Village of Islandia shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The maintenance agreement shall be consistent with the terms and conditions this Part 2. The Village of Islandia,

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in lieu of a maintenance agreement, at its sole discretion may accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of this Part 2 and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

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ARTICLE VII
Administration and Enforcement

§ 143-38. Construction inspection.

A. Erosion and sediment control inspection.

(1) The Village of Islandia Stormwater Management Officer (SMO) may require such inspections as necessary to determine compliance with this Part 2 and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this Part 2 and the stormwater pollution prevention plan (SWPPP) as approved. To obtain inspections, the applicant shall notify the Village of Islandia enforcement official at least 48 hours before any of the following as required by the SMO:

(a) Start of construction.

(b) Installation of sediment and erosion control measures.

(c) Completion of site clearing.

(d) Completion of rough grading.

(e) Completion of final grading.

(f) Close of the construction season.

(g) Completion of final landscaping.

(h) Successful establishment of landscaping in public areas.

(2) If any violations are found, the applicant and developer shall be notified in writing of the nature of the violation and the required corrective actions. No further work shall be conducted except for site stabilization until any violations are corrected and all work previously completed has received approval by the SMO.

B. Stormwater management practice inspections. The Village of Islandia SMO is responsible for conducting inspections of stormwater management practices (SMPs). All applicants are required to submit "as-built" plans for any SMPs located on-site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a professional engineer.

C. Inspection of stormwater facilities after project completion. Inspection programs shall be established on any reasonable basis, including but not limited to, routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher-than-usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the SPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but

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are not limited to, reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other SMPs.

D. Submission of reports. The Village of Islandia SMO may require monitoring and reporting from entities subject to this Part 2 as are necessary to determine compliance with this Part 2.

E. Right-of-entry for inspection. When any new stormwater management facility is installed on private property or when any new connection is made between private property and the public storm water system, the landowner shall grant to the Village of Islandia the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection as specified in § 143-38C.

§ 143-39. Performance guarantee.

A. Construction completion guarantee. In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Village of Islandia in its approval of the SWPPP, the Village of Islandia may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable letter of credit from an appropriate financial or surety institution which guarantees satisfactory completion of the project and names the Village of Islandia as the beneficiary. The security shall be in an amount to be determined by the Village of Islandia based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Village of Islandia, provided that such period shall not be less than one year from the date of final acceptance or such other certification that the facility(ies) have been constructed in accordance with the approved plans and specifications and that a one-year inspection has been conducted and the facilities have been found to be acceptable to the Village of Islandia. Per-annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability.

B. Maintenance guarantee. Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Village of Islandia with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction, and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village of Islandia may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

C. Recordkeeping. The Village of Islandia may require entities subject to this Part 2 to maintain records demonstrating compliance with this Part 2.

§ 143-40. Enforcement; penalties for offenses.

A. Notice of violation. When the Village of Islandia determines that a land development activity is not being carried out in accordance with the requirements of this Part 2, it may issue a

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written notice of violation to the landowner. The notice of violation shall contain:

(1) The name and address of the landowner, developer or applicant;

(2) The address when available or a description of the building, structure or land upon which the violation is occurring;

(3) A statement specifying the nature of the violation;

(4) A description of the remedial measures necessary to bring the land development activity into compliance with this Part 2 and a time schedule for the completion of such remedial action;

(5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;

(6) A statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within 15 days of service of notice of violation.

B. Stop-work orders. The Village of Islandia may issue a stop-work order for violations of this Part 2. Persons receiving a stop-work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Village of Islandia confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop-work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this Part 2.

C. Violations. Any land development activity that is commenced or is conducted contrary to this Part 2, may be restrained by injunction or otherwise abated in a manner provided by law.

D. Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this Part 2 shall be guilty of a violation punishable by a fine not exceeding $350 or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than $350 nor more than $700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than $700 nor more than $1,000 or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this Part 2 shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

E. Withholding of certificate of occupancy. If any building or land development activity is installed or conducted in violation of this Part 2, the SMO may prevent the occupancy of said building or land.

F. Restoration of lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice,

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the Village of Islandia may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

§ 143-41. Fees for services.

The Village of Islandia may require any person undertaking land development activities regulated by this Part 2 to pay reasonable costs at prevailing rates for review of SWPPPs, inspections, or SMP maintenance performed by the Village of Islandia or performed by a third party for the Village of Islandia.

§ 143-42. Severability; when effective.

A. Severability. The provisions of this Part 2 are hereby declared to be severable and if any section, clause, sentence, paragraph or phase of this Part 2 or the application thereof to any person, establishment, or circumstances shall be held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clause, sentences, paragraphs or phases of this Part 2, but they shall remain in effect, it being the legislative intent that this Part 2 and application of this Part 2 shall stand, notwithstanding the invalidity of any part.

B. Effective date. This Part 2 shall take effect immediately upon filing in the office of the Secretary of State in accordance with § 27 of the Municipal Home Rule Law.

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APPENDIX 4

Village Code - Local Law for

Prohibition of Illicit Discharges, Activities and Connections to

Separate Storm Sewer Systems

Part 1
Illicit Discharges, Activities And Connections To Separate Storm Sewer Systems
[Adopted 3-4-2008 By L.L. No. 2-2008]

ARTICLE I
Intent; Definitions

§ 143-1. Intent.

The purpose of this Part 1 is to provide for the health, safety, and general welfare of the citizens of the Village of Islandia through the regulation of nonstormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This Part 1 establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems. The objectives of this Part 1 are to:

A. Meet the requirements of the SPDES General Permit for Stormwater Discharges from MS4s, Permit No. GP-02-02, or as amended or revised;

B. Regulate the contribution of pollutants to the MS4 since such systems are not designed to accept, process or discharge nonstormwater wastes;

C. Prohibit illicit connections, activities and discharges to the MS4;

D. Establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this Part 1; and

E. Promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

§ 143-2. Definitions.

Whenever used in this Part 1, unless a different meaning is stated in a definition applicable to only a portion of this Part 1, the following terms will have meanings set forth below:

BEST MANAGEMENT PRACTICES (BMPs) — Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

CLEAN WATER ACT — The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

CONSTRUCTION ACTIVITY — Activities requiring authorization under the SPDES Permit for Stormwater Discharges from Construction Activity, GP-02-01, as amended or revised. These activities include construction projects resulting in land disturbance of one or more acres. Such activities include but are not limited to clearing and grubbing, grading, excavating, and

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demolition.

DEPARTMENT — The New York State Department of Environmental Conservation.

HAZARDOUS MATERIALS — Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

ILLICIT CONNECTIONS — Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the MS4, including but not limited to:

A. Any conveyances which allow any nonstormwater discharge including treated or untreated sewage, process wastewater, and wash water to enter the MS4 and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or

B. Any drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

ILLICIT DISCHARGE — Any direct or indirect nonstormwater discharge to the MS4, except as exempted in § 143-5A(1) of this Part 1.

INDUSTRIAL ACTIVITY — Activities requiring the SPDES Permit for Discharges from Industrial Activities Except Construction, GP-98-03, as amended or revised.

MUNICIPALITY — The Village of Islandia.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — Municipal separate storm sewer system. A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains:

A. Owned or operated by the Village of Islandia;

B. Designed or used for collecting or conveying stormwater;

C. Which is not a combined sewer; and

D. Which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

NONSTORMWATER DISCHARGE — Any discharge to the MS4 that is not composed entirely of stormwater.

PERSON — Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting either as the owner or as the owner's agent.

POLLUTANT — Dredged spoil, filter backwash, solid waste, incinerator residue, treated or untreated sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be

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expected to cause pollution of the waters of the state in contravention of the standards.

PREMISES — Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

SPECIAL CONDITIONS — Conditions including:

A. Discharge compliance with water quality standards. The condition that applies where a municipality has been notified that the discharge of stormwater authorized under its MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition, the municipality must take all necessary actions to ensure future discharges do not cause or contribute to a violation of water quality standards.

B. 303(d) listed waters. The condition in the municipality's MS4 permit that applies where the MS4 discharges to a 303(d) listed water. Under this condition the stormwater management program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.

C. Total maximum daily load (TMDL) strategy. The condition in the municipality's MS4 permit where a TMDL including requirements for control of stormwater discharges has been approved by EPA for a water body or watershed into which the MS4 discharges. If the discharge from the MS4 did not meet the TMDL stormwater allocations prior to September 10, 2003, the municipality was required to modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

D. The condition in the municipality's MS4 permit that applies if a TMDL is approved in the future by EPA for any water body or watershed into which an MS4 discharges. Under this condition, the municipality must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the municipality must, within six months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) STORMWATER DISCHARGE PERMIT — A permit issued by the Department that authorizes the discharge of pollutants to waters of the state.

STORMWATER — Rainwater, surface runoff, snowmelt and drainage.

STORMWATER MANAGEMENT OFFICER (SMO) — An employee, the municipal engineer or other public official(s) designated by the Village of Islandia to enforce this Part 1. The SMO may also be designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

303(D) LIST — A list of all surface waters in the state for which beneficial uses of the water (drinking, recreation, aquatic habitat, and industrial use) are impaired by pollutants, prepared periodically by the Department as required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of state surface water quality standards

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and are not expected to improve within the next two years.

TMDL — Total maximum daily load.

TOTAL MAXIMUM DAILY LOAD — The maximum amount of a pollutant to be allowed to be released into a water body so as not to impair uses of the water, allocated among the sources of that pollutant.

WASTEWATER — Water that is not stormwater, is contaminated with pollutants and is or will be discarded.

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ARTICLE II
Administration and Enforcement

§ 143-3. Applicability.

This Part 1 shall apply to all water entering the MS4 generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

§ 143-4. Responsibility for administration.

The Stormwater Management Officer(s) [SMO(s)] shall administer, implement, and enforce the provisions of this Part 1. Such powers granted or duties imposed upon the authorized enforcement official may be delegated in writing by the SMO as may be authorized by the municipality.

§ 143-5. Discharge prohibitions.

A. Prohibition of illegal discharges. No person shall discharge or cause to be discharged into the MS4 any materials other than stormwater except as provided in § 145-5A(1). The commencement, conduct or continuance of any illegal discharge to the MS4 is prohibited except as described as follows:

   (1) The following discharges are exempt from discharge prohibitions established by this Part 1, unless the Department or the municipality has determined them to be substantial contributors of pollutants: waterline flushing or other potable water sources, landscape irrigation or lawn watering, existing diverted stream flows, rising groundwater, uncontaminated groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains, crawl space or basement sump pumps, air-conditioning condensate, irrigation water, springs, water from individual residential car washing, natural riparian habitat or wetland flows, dechlorinated swimming pool discharges, residential street wash water, water from fire-fighting activities, and any other water source not containing pollutants. Such exempt discharges shall be made in accordance with an appropriate plan for reducing pollutants.

B. Prohibition of illicit connections.

   (1) The construction, use, maintenance or continued existence of illicit connections to the MS4 is prohibited.

   (2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

   (3) A person is considered to be in violation of this Part 1 if the person connects a line conveying sewage to the municipality's MS4, or allows such a connection to continue.

§ 143-6. Prohibition against activities contaminating stormwater.

A. Activities that are subject to the requirements of this section are those types of activities that:

   (1) Cause or contribute to a violation of the municipality's MS4 SPDES permit.

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(2) Cause or contribute to the municipality being subject to the special conditions as defined in § 143-2 of this Part 1.

B. Upon notification to a person that he or she is engaged in activities that cause or contribute to violations of the municipality's MS4 SPDES permit authorization, that person shall take all reasonable actions to correct such activities such that he or she no longer causes or contributes to violations of the municipality's MS4 SPDES permit authorization.

§ 143-7. Requirement to prevent, control, and reduce stormwater pollutants by use of best management practices.

A. Best Management Practices. Where the SMO has identified illicit discharges as defined in § 143-2 or activities contaminating stormwater as defined in § 143-6, the municipality may require implementation of best management practices (BMPs) to control those illicit discharges and activities.

(1) The owner or operator of a commercial or industrial establishment shall provide, at its own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 through the use of structural and nonstructural BMPs.

(2) Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, as defined in § 143-2, or an activity contaminating stormwater, as defined in § 143-6, may be required to implement, at said person's expense, additional structural and nonstructural BMPs to reduce or eliminate the source of pollutant(s) to the MS4.

(3) Compliance with all terms and conditions of a valid SPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

§ 143-8. Emergency situations.

A. Suspension of access to MS4. The SMO may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, to the health or welfare of persons, or to the MS4. The SMO shall notify the person of such suspension within a reasonable time thereafter in writing of the reasons for the suspension. If the violator fails to comply with a suspension order issued in an emergency, the SMO may take such steps as deemed necessary to prevent or minimize damage to the MS4 or to minimize danger to persons.

B. Suspension due to the detection of illicit discharge. Any person discharging to the municipality's MS4 in violation of this Part 1 may have the person's MS4 access terminated if such termination would abate or reduce an illicit discharge. The SMO will notify a violator in writing of the proposed termination of its MS4 access and the reasons therefor. The violator may petition the SMO for a reconsideration and hearing. Access may be granted by the SMO if he/she finds that the illicit discharge has ceased and the discharger has taken steps to prevent its recurrence. Access may be denied if the SMO determines in writing that the illicit discharge has not ceased or is likely to recur. A person commits an offense if the person

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reinstates MS4 access to premises terminated pursuant to this section, without the prior approval of the SMO.

§ 143-9. Industrial or construction activity discharges.

Any person subject to an industrial or construction activity SPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the municipality prior to the allowing of discharges to the MS4.

§ 143-10. Access and monitoring of discharges.

A. Applicability. This section applies to all facilities that the SMO must inspect to enforce any provision of this Part 1, or whenever the authorized enforcement agency has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this Part 1.

B. Access to facilities.

(1) The SMO shall be permitted to enter and inspect facilities subject to regulation under this Part 1 as often as may be necessary to determine compliance with this Part 1. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to the SMO.

(2) Facility operators shall allow the SMO ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records as may be required to implement this Part 1.

(3) The municipality shall have the right to set up on any facility subject to this Part 1 such devices as are necessary in the opinion of the SMO to conduct monitoring and/or sampling of the facility's stormwater discharge.

(4) The municipality has the right to require the facilities subject to this Part 1 to install monitoring equipment as is reasonably necessary to determine compliance with this Part 1. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

(5) Unreasonable delays in allowing the municipality access to a facility subject to this Part 1 is a violation of this Part 1. A person who is the operator of a facility subject to this Part 1 commits an offense if the person denies the municipality reasonable access to the facility for the purpose of conducting any activity authorized or required by this Part 1.

(6) If the SMO has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this Part 1, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Part 1 or any order issued hereunder, then the SMO may seek issuance of a search warrant from any court of competent jurisdiction.

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§ 143-11. Notification of spills.

A. Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the MS4, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release.

B. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services.

C. In the event of a release of nonhazardous materials, said person shall notify the municipality in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the municipality within three business days of the telephone notice.

D. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

§ 143-12. Enforcement; penalties for offenses.

A. Notice of violation. When the municipality's SMO finds that a person has violated a prohibition or failed to meet a requirement of this Part 1, he/she may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

(1) The elimination of illicit connections or discharges;

(2) That violating discharges, practices, or operations shall cease and desist;

(3) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;

(4) The performance of monitoring, analyses, and reporting;

(5) Payment of a fine; and

(6) The implementation of source control or treatment BMPs.

B. If abatement of a violation and/or restoration of affected property is required, the notice of violation shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

C. Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this Part 1 shall be guilty of a violation punishable by a fine not exceeding $350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense both of which were

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committed within a period of five years, punishable by a fine not less than $350 nor more than $700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than $700 nor more than $1,000 or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this Part 1 shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

§ 143-13. Appeal of notice of violation.

Any person receiving a notice of violation may appeal the determination of the SMO to the Village Board of Trustees within 15 days of its issuance, which shall hear the appeal within 30 days after the filing of the appeal, and within five days of making its decision, file its decision in the office of the Municipal Clerk and mail a copy of its decision by certified mail to the discharger.

§ 143-14. Corrective measures after appeal.

A. If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal, within five business days of the decision of the municipal authority upholding the decision of the SMO, then the SMO shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.

B. If refused access to the subject private property, the SMO may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has occurred, the SMO may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the discharger.

§ 143-15. Injunctive relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Part 1. If a person has violated or continues to violate the provisions of this Part 1, the SMO may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

§ 143-16. Alternative remedies.

A. Where a person has violated a provision of this Part 1, he/she may be eligible for alternative remedies in lieu of a civil penalty, upon recommendation of the Municipal Attorney and concurrence of the Municipal Code Enforcement Officer, where:

   (1) The violation was unintentional.

   (2) The violator has no history of previous violations of this Part 1.

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(3) Environmental damage was minimal.

(4) The violator acted quickly to remedy violation.

(5) The violator cooperated in investigation and resolution.

B. Alternative remedies may consist of one or more of the following:

(1) Attendance at compliance workshops.

(2) Storm drain stenciling or storm drain marking.

(3) River, stream or creek cleanup activities.

§ 143-17. Violations deemed public nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Part 1 is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

§ 143-18. Remedies not exclusive.

The remedies listed in this Part 1 are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

§ 143-19. Severability.

The provisions of this Part 1 are hereby declared to be severable and if any section, clause, sentence, paragraph or phase of this Part 1 or the application thereof to any person, establishment, or circumstances shall be held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clause, sentences, paragraphs or phases of this Part 1, but they shall remain in effect, it being the legislative intent that this Part 1 and application of this Part 1 shall stand, notwithstanding the invalidity of any part.

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APPENDIX 5

SPDES General Permit for Stormwater Discharges

From

Construction Activity (Permit No. GP-0-25-001)

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION (NYSDEC)

SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES

From

CONSTRUCTION ACTIVITY

Permit No. GP-0-25-001

Construction General Permit (CGP)

Issued Pursuant to Article 17, Titles 7, 8 and Article 70

of the Environmental Conservation Law

Effective Date: January 29, 2025 Expiration Date: January 28, 2030

Scott E. Sheeley

Chief Permit Administrator

Scott E. Sheeley JAN. 29, 2025

Authorized Signature Date

Address: NYSDEC
Division of Environmental Permits
625 Broadway, 4th Floor
Albany, N.Y. 12233-1750

PREFACE

Pursuant to Section 402 of the Clean Water Act (CWA), and 40 CFR 122.26(b)(14)(x), (15)(i), and (15)(ii), *stormwater discharges* from certain *construction activities* are unlawful unless they are authorized by a National Pollutant Discharge Elimination System (NPDES) permit or by a state permit program. New York State administers the approved State Pollutant Discharge Elimination System (SPDES) program with permits issued in accordance with the New York State Environmental Conservation Law (ECL) Article 17, Titles 7 and 8, and Article 70, as well as 6 NYCRR Parts 621 and 750.

C*onstruction activities* constitute construction of a *point source* and, therefore, pursuant to ECL sections 17-0505, 17-0701, and 17-0803, the *owner or operator* must have coverage under a SPDES permit prior to *commencement of construction activities*. The *owner or operator* cannot wait until there is an actual *discharge* from the *construction site* to obtain permit coverage.

***Note: The italicized words/phrases within this permit are defined in Appendix A.**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES CONSTRUCTION GENERAL PERMIT (CGP) GP-0-25-001
FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES

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Part I. How to Obtain Coverage and General Requirements

To be covered under this permit, the *owner or operator* must meet all eligibility requirements in Part I.A. and follow the requirements for obtaining permit coverage in Part I.D., F., or G.

A. Eligibility Requirements

For a *common plan of development or sale*, the *phase(s)* that meet the eligibility requirements in Part I.A. may obtain coverage under this permit even if other *phase(s)* of the same *common plan of development or sale* do not meet the eligibility requirements and require an individual SPDES permit.

1. The *owner's or operator's construction activities* involve soil disturbances of:

    a. one or more acres; or

    b. less than one acre which are part of a *common plan of development or sale* that will ultimately disturb one or more acres; or

    c. less than one acre where NYSDEC has determined that a SPDES permit is required for *stormwater discharges* based on the potential for contribution to a violation of a *water quality standard* or for significant contribution of pollutants to *surface waters of the State*.

        i. 5,000 square feet or more, but less than one acre, and are in the New York City Watershed located east of the Hudson River, Appendix C Figure 1; or

        ii. 20,000 square feet or more, but less than one acre, within the municipal boundaries of the City of New York (NYC); or

        iii. less than 20,000 square feet which are part of a *common plan of development or sale* that will ultimately disturb 20,000 square feet or more, but less than one acre, within the municipal boundaries of NYC; or

        iv. that creates 5,000 square feet or more of *impervious area* within the municipal boundaries of NYC.

2. *Discharges* from the *owner's or operator's construction activities* are/were not:

    a. already covered by a different SPDES permit; or

    b. covered under a different SPDES permit that was denied, terminated, or revoked; or

    c. identified in an expired individual SPDES permit that was not renewed; or

    d. required to obtain an individual SPDES permit or another general SPDES permit in accordance with Part VII.K.

3. If *construction activities* may adversely affect a species that is endangered or threatened, the *owner or operator* must obtain a:

    a. permit issued pursuant to 6 NYCRR Part 182 for the project; or

    b. letter issued by NYSDEC of non-jurisdiction pursuant to 6 NYCRR Part 182 for the project.

4. If *construction activities* have the potential to affect an *historic property*, the *owner or operator* must obtain one of the following:

    a. documentation that the *construction activity* is not within an archeological buffer area indicated on the sensitivity map, and that the *construction activity* is not located on or immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and that there is no new permanent building on the *construction site* within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the *construction site* within those parameters that NYS Office of Parks, Recreation and Historic Preservation (OPRHP), a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant:

        i. 1-5 acres of disturbance - 20 feet; or

        ii. 5-20 acres of disturbance - 50 feet; or

iii. 20+ acres of disturbance - 100 feet.

b. NYSDEC consultation form sent to OPRHP,[1] and copied to NYSDEC's Agency Historic Preservation Officer (APO), and

i. the State Environmental Quality Review Act (SEQR) Environmental Assessment Form (EAF) with a negative declaration or the Findings Statement, with documentation of OPRHP's agreement with the resolution; or

ii. documentation from OPRHP that the *construction activity* will result in No Impact; or

iii. documentation from OPRHP providing a determination of No Adverse Impact; or

iv. a Letter of Resolution signed by the *owner or operator*, OPRHP and the DEC APO which allows for this *construction activity* to be eligible for coverage under the general permit in terms of the State Historic Preservation Act (SHPA).

c. documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:

i. No Affect; or

ii. No Adverse Affect; or

iii. Executed Memorandum of Agreement.

d. documentation that SHPA Section 14.09 has been completed by NYSDEC or another state agency.

5. If *construction activities* are subject to SEQR, the *owner or operator* must obtain documentation that SEQR has been satisfied.

6. If *construction activities* are not subject to SEQR, but subject to the equivalent environmental review from another New York State or federal agency, the

[1] The consultation form can be submitted, along with other project information, through OPRHP's Cultural Resource Information System (CRIS) portal. If submitted through CRIS, paper copies of the consultation form need not be mailed.

owner or operator must obtain documentation that project review, pursuant to a process equivalent to SEQR from another New York State or federal agency, has been satisfied.

7. If *construction activities* require Uniform Procedures Act (UPA) Permits (see 6 NYCRR Part 621) from NYSDEC, or the equivalent from another New York State or federal agency, the *owner or operator* must:

    a. obtain all such necessary permits; or

    b. receive notification from NYSDEC pursuant to 6 NYCRR 621.3(a)(4) excepting Part I.A.7.a.

8. *Construction activities* are not eligible if they meet the following criteria in Part I.A.8.a. or b.:

    a. For linear transportation and linear utility project types, the *construction activities*:

        i. are within the watershed of *surface waters of the State* classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website; and

        ii. are undertaken on land with no existing *impervious cover*; and

        iii. disturb two or more acres of *steep slope*.

    b. For all other project types, the *construction activities*:

        i. are within the watershed of *surface waters of the State* classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website; and

        ii. are undertaken on land with no existing *impervious cover*; and

        iii. disturb one or more acres of *steep slope*.

B. Types of *Discharges* Authorized

1. The following *stormwater discharges* are authorized under this permit:

    a. *Stormwater discharges*, including *stormwater* runoff, snowmelt runoff, and surface runoff and drainage, associated with *construction activity*, are authorized under this permit provided that appropriate *stormwater* controls are designed, installed, and maintained in accordance with Part II. and Part III.

    b. *Stormwater discharges* from construction support activities at the *construction site* (including concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, and borrow areas) if the following requirements are met:

        i. The support activity is directly related to the *construction site* required to have permit coverage for *stormwater discharges*; and

        ii. The support activity is not a commercial operation, nor does it serve multiple unrelated *construction sites*; and

        iii. The support activity does not continue to operate beyond the completion of the *construction activity* at the site it supports; and

        iv. *Stormwater* controls are implemented in accordance with Part II. and Part III. for *discharges* from the support activity areas.

2. The following non-*stormwater discharges* associated with *construction activity* are authorized under this permit:

    a. Non-*stormwater discharges* listed in 6 NYCRR 750-1.2(a)(29)(vi), with the following exception: "*Discharges* from firefighting activities are authorized only when the firefighting activities are emergencies/unplanned"; and

    b. Non-*stormwater discharges* of waters to which other components have not been added that are used in accordance with the *SWPPP* to control dust or irrigate vegetation in stabilized areas; and

    c. Uncontaminated *discharges* from *dewatering* operations

3. Authorized *discharges* of *stormwater* or authorized *discharges* of non-*stormwater*, commingled with a *discharge* authorized by a different SPDES permit and/or a *discharge* that does not require SPDES permit authorization, are also authorized under this permit.

C. Prohibited *Discharges*

1. Non-*stormwater discharges* prohibited under this permit include but are not limited to:

    a. Wastewater from washout of concrete; and

    b. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials; and

    c. Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance; and

    d. Soaps, solvents, or detergents used in vehicle and equipment washing or external building washdown; and

    e. Toxic or hazardous substances from a spill or other release.

D. Electronic Notice of Intent (eNOI) Submittal

To receive authorization in accordance with Part I.D.3.b., the *owner or operator* must submit a complete eNOI in accordance with the requirements in Part I.D. The eNOI contains questions to: ensure eligibility requirements in Part I.A. have been met; obtain *owner or operator* contact information; obtain the total area to be disturbed and the existing/future *impervious areas* (rounded to the nearest tenth of an acre); confirm *Traditional Land Use Control MS4 Operator* jurisdiction over construction projects; satisfy the EPA eRule requirements; confirm that the Water Quality-Based Effluent Limitations in Part II. have been met; demonstrate consideration of the future risks due to climate change in accordance with Part III.A.2.; and confirm that the other *Stormwater Pollution Prevention Plan (SWPPP)* requirements in Part III. have been met.

1. An eNOI may be submitted for:

    a. *construction activities* that are not part of a *common plan of development or sale*; or

b. an entire *common plan of development or sale*; or

c. separate *phase(s)* of a *common plan of development or sale* if the following requirements are met:

    i. the *common plan of development or sale* meets the eligibility requirements of Part I.A.5. or 6.; and

    ii. the *phase(s)* meet(s) all other eligibility requirements of Part I.A.; and

    iii. Part III.C. Required *SWPPP* Components by Project Type is based on the *common plan of development or sale*, not the *phase(s)*; or

d. *tree clearing* that is associated with, or will support, a *renewable energy* generation, transmission, or storage project that meets Part I.A.5. and 6., if the *tree clearing*:

    i. meets all other eligibility requirements of Part I.A.; and

    ii. will occur in NYSDEC's Regions 3-9; and

    iii. is not within ¼ mile of a bat hibernaculum protected pursuant to 6 NYCRR Part 182; and

    iv. will occur between November 1st and March 31st.

2. As prerequisites for submitting an eNOI, the *owner or operator* must:

    a. prepare a *SWPPP* for Part I.D.1.a., b., c., or d. in accordance with Part III.; and

    b. based on the following criteria, upload the following signature forms signed in accordance with Part VII.J. to the eNOI prior to submission:

        i. for all eNOIs:

            1. the SWPPP Preparer Certification Form, Appendix F, signed by the *SWPPP* preparer; and

2. the Owner/Operator Certification Form, Appendix J, signed by the *owner or operator*; and

ii. if an eNOI includes *construction activities* within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)* that will *discharge* to the *MS4(s)*:

1. determine if the *Traditional Land Use Control MS4 Operator(s)* have review authority. A *Traditional Land Use Control MS4 Operator* does not have review authority where:

a. the *owner or operator* of the *construction activities* in Part I.D.2.b.ii. is the same entity as the *Traditional Land Use Control MS4 Operator* identified in Part I.D.2.b.ii.; or

b. there is a statute exempting the *owner or operator* from zoning review by the *Traditional Land Use Control MS4 Operator*; or

c. there is no such statute per Part I.D.2.b.ii.1.b., the *Traditional Land Use Control MS4 Operator* concludes, after public hearing, that it does not have zoning review authority in accordance with Legal Memorandum LU14 Updated January 2020 “Governmental Immunity from Zoning and Other Legislation”; and

2. if the *Traditional Land Use Control MS4 Operator(s)* have review authority, submit the *SWPPP* to the *Traditional Land Use Control MS4 Operator(s)* for review and have:

a. if outside the municipal boundaries of NYC: the MS4 SWPPP Acceptance Form, Appendix G, signed by the principal executive officer or ranking elected official from the *Traditional Land Use Control MS4 Operator,* or by a duly authorized representative of that person in accordance with Part VII.J.2.; or

b. if within the municipal boundaries of NYC: The City of New York Department of Environmental Protection (NYCDEP) SWPPP Acceptance/Approval Form, Appendix H, signed by the principal executive officer or ranking elected official from the Traditional Land Use Control MS4 Operator, or by a duly authorized representative of that person in accordance with Part VII.J.2.; and

3. if the *Traditional Land Use Control MS4 Operator* does not have review authority, have the MS4 No Jurisdiction Form, Appendix I, signed by the principal executive officer or ranking elected official from the *Traditional Land Use Control MS4 Operator,* or by a duly authorized representative of that person in accordance with Part VII.J.2.

3. Submitting an eNOI:

a. The *owner or operator* must submit a complete Notice of Intent electronically using a NYSDEC approved form.[2]

b. The *owner or operator* is authorized to *commence construction activity* as of the authorization date indicated in the Letter of Authorization (LOA), which is sent by NYSDEC after a complete eNOI is submitted.

i. If an eNOI is received for a *SWPPP* that deviates from one of the technical standards but demonstrates *equivalence* in accordance with Part III.B.1.a.ii. or Part III.B.2.b.ii., if the *SWPPP* includes *construction activities* that are not within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)*, and/or if the *SWPPP* includes *construction activities* within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)* that do not have review authority in accordance with Part I.D.2.b.ii.1., the authorization date indicated in the LOA will be 60 business days after the eNOI submission date.

[2] Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505.

c. If *Traditional Land Use Control MS4 Operator(s)* have review authority in accordance with Part I.D.2.b.ii.2., the *owner or operator* must, within five business days of receipt of the LOA, send an electronic copy of the LOA to the *Traditional Land Use Control MS4 Operator(s)* with review authority.

E. General Requirements for *Owners or Operators* with Permit Coverage

1. As of the date the LOA is received, the *owner or operator* must make the eNOI, *SWPPP*, and LOA available for review and copying in accordance with the requirements in Part VII.H. When applicable, as of the date an updated LOA is received, the *owner or operator* must make the updated LOA available for review and copying in accordance with the requirements in Part VII.H.

2. The *owner or operator* must ensure compliance with all requirements of this permit and that the provisions of the *SWPPP*, including any changes made to the *SWPPP* in accordance with Part III.A.5., are properly implemented and maintained from the *commencement of construction activity* until:

   a. all areas of disturbance have achieved *final stabilization;* and

   b. the owner's or operator's coverage under this permit is terminated in accordance with Part V.A.5.a.

3. As of the date of the *commencement of construction activities* until Part I.E.2.a. and b. have been met, the *owner or operator* must maintain at the *construction site*, a copy of:

   a. all documentation necessary to demonstrate eligibility with this permit; and

   b. this permit; and

   c. the *SWPPP*; and

   d. the signed SWPPP Preparer Certification Form; and

   e. the signed MS4 SWPPP Acceptance Form or signed NYCDEP SWPPP Acceptance/Approval Form or signed MS4 No Jurisdiction Form (when applicable); and

   f. the signed Owner/Operator Certification Form; and

g. the eNOI; and

h. the LOA; and

i. the LOA transmittal to the Traditional Land Use Control MS4 Operator in accordance with Part I.D.3.c. (when applicable).

4. The *owner or operator* must maintain at the *construction site*, until Part I.E.2.a. and b. have been met, as of the date the documents become final or are received, a copy of the:

   a. responsible contractor's or subcontractor's certification statement(s) in accordance with Part III.A.7.; and

   b. inspection reports in accordance with Part IV.C.4. and 6.; and

   c. Request to Disturb Greater Than Five Acres and the Authorization Letter to Disturb Greater Than Five Acres in accordance with Part I.E.6. (when applicable); and

   d. Request to Continue Coverage and the Letter of Continued Coverage (LOCC) in accordance with Part I.F.2. and 4. (when applicable); and

   e. The updated LOA(s) in accordance with Part I.E.9. (when applicable).

5. The *owner or operator* must maintain the documents in Part I.E.3. and 4. in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection. The documents must be paper documents unless electronic documents are accessible to the inspector during an inspection to the same extent as a paper copy stored at the site would be. If electronic documents are kept on site, the *owner or operator* must maintain functional equipment on site available to an inspector during normal hours of operation such that an inspector may view the electronic documents in a format that can be read in a similar manner as a paper record and in a legally dependable format with no less evidentiary value than their paper equivalent.

6. The *owner or operator* must meet the following requirements prior to disturbing greater than five acres of soil at any one time:

   a. The *owner or operator* must submit a written Request to Disturb Greater Than Five Acres to:

i. NYSDEC's Regional Office Division of Water staff based on the project location, Appendix E, if a *Traditional Land Use Control MS4 Operator* does not have review authority in accordance with Part I.D.2.b.ii.1.; or

ii. the *Traditional Land Use Control MS4 Operator*, if a *Traditional Land Use Control MS4 Operator* has review authority in accordance with Part I.D.2.b.ii.1.; or

iii. NYSDEC's Regional Office Division of Water staff based on the project location, Appendix E, and each involved *Traditional Land Use Control MS4 Operator*, if the project spans multiple municipalities with more than one *Traditional Land Use Control MS4 Operator* involved with review authority in accordance with Part I.D.2.b.ii.1.

b. The written Request to Disturb Greater Than Five Acres must include:

i. The SPDES permit identification number (Permit ID); and

ii. Full technical justification demonstrating why alternative methods of construction that would result in five acres of soil disturbance or less at any one time are not feasible; and

iii. The phasing plan for the project and sequencing plans for all *phases* from the *SWPPP* in accordance with Part III.B.1.d.; and

iv. Plans with locations and details of erosion and sediment control practices such that the heightened concern for erosion when disturbing greater than five acres at one time has been addressed; and

v. Acknowledgment that "the *owner or operator* will comply with the requirements in Part IV.C.2.b."; and

vi. Acknowledgment that "the *owner or operator* will comply with the requirements in Part II.B.1.b."

c. The *owner or operator* must be in receipt of an Authorization Letter to Disturb Greater Than Five Acres, which will include when the

authorization begins and ends and indicate a maximum area (acres) of soil disturbance allowed at any one time, from:

i. NYSDEC, if Part I.E.6.a.i. or iii. apply; or

ii. the *Traditional Land Use Control MS4 Operator*, if Part I.E.6.a.ii. applies.

7. Upon a finding of significant non-compliance with the practices described in the *SWPPP* or violation of this permit, NYSDEC may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied. The stop work order must be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.

8. If any human remains or archaeological remains are encountered during excavation, the *owner or operator* must immediately cease, or cause to cease, all *construction activity* in the area of the remains and notify the appropriate Regional Water Engineer (RWE).[3] *Construction activity* shall not resume until written permission to do so has been received from the RWE.

9. To be authorized to implement modifications to the information previously submitted in the eNOI, the *owner or operator* must:

   a. notify NYSDEC via email at Stormwater_info@dec.ny.gov requesting access to update the eNOI; and

   b. update the eNOI to reflect the modifications and resubmit the eNOI in accordance with Part I.D.; and

   c. receive an updated LOA.

10. The eNOI, *SWPPP*, LOA, updated LOAs (when applicable), and inspection reports required by this permit are public documents that the *owner or operator* must make available for review and copying by any person within five business days of the *owner or operator* receiving a written request by any such person to review these documents. Copying of documents will be done at the requester's expense.

[3] The Regional Water Manager where a DEC Region does not have a RWE.

F. Permit Coverage for *Discharges* Authorized Under GP-0-20-001

When applicable:

1. Upon the effective date of this permit, an *owner or operator* of *a construction activity*, with coverage under GP-0-20-001, will have interim coverage under GP-0-25-001 for 45 calendar days starting on the effective date of GP-0-25-001 so long as the *owner or operator* maintains compliance with all applicable requirements of this permit.

2. Within 30 calendar days of the effective date of this permit, the *owner or operator*, with coverage under GP-0-20-001, must submit a complete Request to Continue Coverage electronically using a NYSDEC approved form,[4] which contains the information identified in Part I.F.3. below, if:

   a. the *owner or operator* continues to implement the SMP component in conformance with the technical standards in place at the time of initial project authorization; and

   b. the *owner or operator* will comply with all non-design requirements of GP-0-25-001.

3. The Request to Continue Coverage form contains questions to: ensure eligibility requirements in Part I.A. have been met; verify *owner or operator* contact information; verify the permit identification number; verify the original eNOI submission ID, if applicable; verify Part I.F.2.a. and b.; verify the version of the Design Manual that the technical/design components conform to; and receive an updated Owner/Operator Certification Form, Appendix I.

4. The *owner or operator* has obtained continued coverage under GP-0-25-001 as of the date indicated in the LOCC, which is sent by NYSDEC after a complete Request to Continue Coverage form is submitted.

5. If the owner or operator does not submit the Request to Continue Coverage form in accordance with Part I.F.2. and 3., coverage under this permit is automatically terminated after interim coverage expires.

[4] Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505.

G. Change of *Owner or Operator*

When applicable:

1. When property ownership changes, or when there is a change in operational control over the construction plans and specifications, the following process applies:

    a. The new *owner or operator* must meet the applicable prerequisites for submitting an eNOI in accordance with Part I.D.2.; and

    b. The new *owner or operator* must submit an eNOI in accordance with Part I.D.3.; and

    c. Permit coverage for the new *owner or operator* will be effective upon receipt of the LOA in accordance with Part I.D.3.b.; and

    d. The new *owner or operator*, upon receipt of their LOA, must provide their Permit ID to the original *owner or operator*; and

    e. If the original *owner or operator* will no longer be the *owner or operator* of the *construction activity* identified in the original *owner's or operator's* eNOI, the original *owner or operator*, upon receipt of the new *owner's or operator's* Permit ID in accordance with Part I.G.1.d., must submit to NYSDEC a completed eNOT in accordance with Part V. that includes the name and Permit ID of the new *owner or operator*; or

    f. If the original *owner or operator* maintains ownership of a portion of the *construction activity*, the original *owner or operator* must maintain their coverage under the permit by modifying their eNOI; modifications to the eNOI must include:

        i. the revised area of disturbance and/or *impervious area(s)*; and

        ii. the revised SMP information, if applicable; and

        iii. a narrative description of what has changed; and

        iv. the new *owner's or operator's* Permit ID for the portion of the project removed from the eNOI.

    Owners or operators must follow Part I.E.9. to modify the eNOI.

Part II. Water Quality-Based Effluent Limitations

A. Maintaining Water Quality

NYSDEC expects that compliance with the requirements of this permit will control *discharge*s necessary to meet applicable *water quality standard*s. It shall be a violation of the *ECL* for any *discharge* to either cause or contribute to a violation of the following *water quality standards* as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York:

1. There must be no increase in turbidity that will cause a substantial visible contrast to natural conditions; and

2. There must be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages; and

3. There must be no residue from oil and floating substances, nor visible oil film, nor globules of grease.

If there is evidence indicating that the *stormwater discharge*s authorized by this permit are causing, have the reasonable potential to cause, or are contributing to a violation of the *water quality standard,* the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this permit and document in accordance with Part IV.C.4. of this permit. To address the *water quality standard* violation the *owner or operator* must include and implement appropriate controls in the *SWPPP* to correct the problem or obtain an individual SPDES permit.

If, despite compliance with the requirements of this permit, it is demonstrated that the *stormwater discharge*s authorized by this permit are causing or contributing to a violation of *water quality standards*, or if NYSDEC determines that a modification of this permit is necessary to prevent a violation of *water quality standards*, the authorized *discharge*s will no longer be eligible for coverage under this permit, and the *owner or operator* must obtain an individual SPDES permit prior to further *discharges* from the *construction site*.

B. Effluent Limitations Applicable to *Discharges* from *Construction Activities*

*Discharge*s authorized by this permit must achieve, at a minimum, the effluent limitations in Part II.B.1.a., b., c., d., and e. These limitations represent the

degree of effluent reduction attainable by the application of best practicable technology currently available.

1. Erosion and Sediment Control Requirements - The *owner or operator* must select, design, install, implement, and maintain control measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part II.B.1.a., b., c., d., and e. and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (BB), dated November 2016, using sound engineering judgment. Where control measures are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must include in *SWPPP* the reason(s) for the deviation, or alternative design, and provide information in the *SWPPP* demonstrating that the deviation or alternative design is *equivalent* to the technical standard.

    a. **Erosion and Sediment Controls.** At a minimum, erosion and sediment controls must be selected, designed, installed, implemented, and maintained to:

        i. *Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharge*s; and

        ii. Control *stormwater discharge*s, including both peak flow rates and total *stormwater* volume, to *minimize* channel and *streambank* erosion and scour in the immediate vicinity of the *discharge* points; and

        iii. *Minimize* the amount of soil exposed during *construction activity*; and

        iv. *Minimize* the disturbance of *steep slope*; and

        v. *Minimize* sediment *discharge*s from the site; and

        vi. Provide and maintain *natural buffers* around surface waters, direct *stormwater* to vegetated areas and maximize *stormwater* infiltration to reduce *pollutant discharge*s, unless *infeasible*; and

        vii. *Minimize* soil compaction. *Minimizing* soil compaction is not required

where the intended function of a specific area of the site dictates that it be compacted; and

viii. Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover; and

ix. *Minimize* dust. On areas of exposed soil, *minimize* dust through the appropriate application of water or other dust suppression techniques to control the generation of *pollutants* that could be discharged from the site.

b. **Soil Stabilization**. In areas where soil disturbance activity has ceased, whether permanently or *temporarily ceased*, the application of soil stabilization measures must be initiated by the end of the next business day and completed within 14 calendar days from the date the current soil disturbance activity ceased. For *construction sites* that *directly discharge* to one of the 303(d) segments listed in Appendix D, or are located in one of the watersheds listed in Appendix C, or are authorized to disturb greater than five acres in accordance with Part I.E.5.a.viii., the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven calendar days from the date the soil disturbance activity ceased.

c. **Dewatering**. *Discharge*s from *dewatering* activities, including *discharge*s from *dewatering* of trenches and excavations, must be managed by appropriate control measures.

d. **Pollution Prevention Measures**. Select, design, install, implement, and maintain effective pollution prevention measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such measures must be selected, designed, installed, implemented, and maintained to:

i. *Minimize* the *discharge* of *pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. Soaps, detergents and solvents cannot be used; and

ii. *Minimize* the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, hazardous and toxic waste, and other materials present on the site to precipitation

and to *stormwater*. *Minimization* of exposure is not required in cases where the exposure to precipitation and to *stormwater* will not result in a *discharge* of *pollutants*, or where exposure of a specific material or product poses little risk of *stormwater* contamination (such as final products and materials intended for outdoor use); and

iii. Prevent the *discharge* of *pollutants* from spills and leaks and implement chemical spill and leak prevention and response procedures.

e. **Surface Outlets.** When discharging from basins and impoundments, the surface outlets must be designed, constructed, and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion at or below the outlet does not occur.

C. Post-Construction Stormwater Management Practice (SMP) Requirements

1. The *owner or operator* of a *construction activity* that requires post-construction SMPs, in accordance with Part III.C., must select, design, install, implement, and maintain the SMPs to meet the *performance criteria* in the New York State Stormwater Management Design Manual, dated July 31, 2024 (DM), using sound engineering judgment. Where SMPs are not designed in conformance with the *performance criteria* in the DM, the *owner or operator* must include in the *SWPPP* the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

2. The *owner or operator* of a *construction activity*, that requires SMPs in accordance with Part III.C., must design the practices to meet the applicable *sizing criteria* in Part II.C.2.a., b., c., or d.

a. Sizing Criteria for *New Development*

i. Runoff Reduction Volume (RRv) and Water Quality Volume (WQv):

1. Reduce the total WQv by application of RR techniques and standard SMPs with RRv capacity. The total WQv must be calculated in accordance with the criteria in Section 4.2 of the DM; or

2. Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the requirements in Part II.C.2.a.i.1. due to *site limitations* must direct runoff from all newly constructed *impervious areas* to a RR technique or standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv must be documented in the *SWPPP*. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the *SWPPP* must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible*.

   In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 4.4 of the DM. The remaining portion of the total WQv that cannot be reduced must be treated by application of standard SMPs.

ii. Channel Protection Volume (CPv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event, remaining after runoff reduction. Where a CPv control orifice is provided, the minimum orifice size must be 3 inches, with acceptable external trash rack or orifice protection. The CPv requirement does not apply when:

   1. Reduction of the entire CPv is achieved by application of runoff reduction techniques or infiltration systems; or

   2. The 1-year post-development peak *discharge* is less than or equal to 2.0 cfs without detention or velocity controls; or

   3. The site *directly discharges* into a fifth order or larger water body (stream, river, or lake), or tidal waters, where the increase in smaller flows will not impact the stream bank or channel integrity. However, the point of *discharge* must be adequately protected against scour and erosion by the increased peak *discharge*.

iii. *Overbank* Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:

1. the site *directly discharges* to tidal waters or fifth order or larger streams, or

2. A downstream analysis reveals that *overbank* control is not required.

iv. Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:

1. the site *directly discharges* to tidal waters or fifth order or larger streams, or

2. A downstream analysis reveals that *overbank* control is not required.

b. *Sizing Criteria* for *New Development* in Enhanced Phosphorus Removal Watersheds

i. Runoff Reduction Volume (RRv) and Water Quality Volume (WQv):

1. Reduce the WQv by application of RR techniques and standard SMPs with RRv capacity. The total WQv is the runoff volume from the 1-year, 24-hour design storm over the post-developed watershed and must be calculated in accordance with the criteria in Section 4.3 of the DM; or

2. Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part II.C.2.b.i.1. due to *site limitations* must direct runoff from all newly constructed *impervious areas* to a RR technique or standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv must be documented in the *SWPPP*. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the *SWPPP* must include

documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible.*

In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 4.5 of the DM. The remaining portion of the total WQv that cannot be reduced must be treated by application of standard SMPs.

ii. Channel Protection Volume (CPv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event, remaining after runoff reduction. Where a CPv control orifice is provided, the minimum orifice size must be 3 inches, with acceptable external trash rack or orifice protection. The CPv requirement does not apply when:

1. Reduction of the entire CPv is achieved by application of runoff reduction techniques or infiltration systems; or

2. The 1-year post-development peak *discharge* is less than or equal to 2.0 cfs; or

3. The site *directly discharges* to tidal waters, or a fifth order or larger water body (stream, river, or lake) where the increase in smaller flows will not impact the stream bank or channel integrity. However, the point of *discharge* must be adequately protected against scour and erosion by the increased peak *discharge*.

iii. *Overbank* Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:

1. the site *directly discharges* to tidal waters or fifth order or larger streams; or

2. A downstream analysis reveals that *overbank* control is not required.

iv. Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:

1. the site *directly discharges* to tidal waters or fifth order or larger streams; or

2. A downstream analysis reveals that *overbank* control is not required.

c. *Sizing Criteria* for *Redevelopment Activity*

i. Water Quality Volume (WQv): The WQv treatment objective for *redevelopment activity* must be addressed by one of the following options, as outlined in Section 9.2.1. *Redevelopment activities* located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C) must calculate the WQv in accordance with Section 4.3 of the DM. All other *redevelopment activities* must calculate the WQv in accordance with Section 4.2 of the DM.

1. Reduce the existing *impervious cover* by a minimum of 25% of the total disturbed, *impervious area*. The Soil Restoration criteria in Section 5.1.6 of the DM must be applied to all newly created pervious areas; or

2. Capture and treat 100% of the required WQv, for a minimum of 25% of the disturbed redevelopment *impervious area*, by implementation of standard SMPs or reduced by application of runoff reduction techniques; or

3. Capture and treat 100% of the required WQv, for a minimum of 75% of the disturbed redevelopment *impervious area*, by implementation of a volume-based alternative SMP, as defined in Section 9.4 of the DM; or

4. Capture and treat 100% of the required WQv, for a minimum of 75% of the disturbed redevelopment *impervious area*, by implementation of a flow-through alternative SMP sized to treat the peak rate of runoff from the WQv design storm; or

5. Application of a combination of 1 through 4 above that provide a weighted average of at least two of the above methods. Application of this method must be in accordance with the criteria in Section 9.2.1(A)(V) of the DM; or

6. If there is an existing SMP located on the site that captures and treats runoff from the *impervious area* that is being disturbed, the WQv treatment option selected must, at a minimum, provide treatment equal to the treatment that was being provided by the existing practice(s) if that treatment is greater than the treatment required by options 1 through 5 above.

ii. Channel Protection Volume (CPv) is not required if there is 0% change to hydrology that increases the *discharge* rate and volume from the project site.

iii. *Overbank* Flood Control (Qp) is not required if there is 0% change to hydrology that increases the *discharge* rate from the project site.

iv. Extreme Flood Control (Qf) is not required if there is 0% change to hydrology that increases the *discharge* rate from the project site.

d. *Sizing Criteria* for Combination of *Redevelopment Activity* and *New Development*

Construction projects, that include both *new development* and *redevelopment activity*, must use SMPs that meet the *sizing criteria* calculated as an aggregate of the *sizing criteria* in Part II.C.2.a. or b. for the *new development* portion of the project and Part II.C.2.c. for the *redevelopment activity* portion of the project.

Part III. Stormwater Pollution Prevention Plan (SWPPP)

A. General *SWPPP* Requirements

1. A *SWPPP* must be prepared and implemented by the *owner or operator* of all *construction activity* covered by this permit. All authorized *discharges* must be identified in the *SWPPP*. The *SWPPP* must document the selection, design, installation, implementation and maintenance of the control measures and

practices that will be used to meet the effluent limitations in Part II.B. and, where applicable, the SMP requirements in Part II.C.

2. The *SWPPP* must demonstrate consideration in narrative format of the future physical risks due to climate change pursuant to the Community Risk and Resiliency Act (CRRA), 6 NYCRR Part 490, and associated guidance.

    a. The owner or operator must consider:

        i. the following physical risks due to climate change:

            (i) increasing temperature; and

            (ii) increasing precipitation; and

            (iii) increasing variability in precipitation, including chance of drought; and

            (iv) increasing frequency and severity of flooding; and

            (v) rising sea level; and

            (vi) increasing storm surge; and

            (vii) shifting ecology.

        ii. for each of the following:

            (i) overall site planning; and

            (ii) location, elevation, and sizing of:

                a. control measures and practices; and

                b. conveyance system(s); and

                c. detention system(s).

3. The *SWPPP* must describe the erosion and sediment control practices and where required, SMPs that will be used and/or constructed to reduce the *pollutants* in *stormwater discharges* and to assure compliance with the

requirements of this permit. In addition, the *SWPPP* must identify potential sources of pollution which may reasonably be expected to affect the quality of *stormwater discharges*.

4. All *SWPPPs*, that require the SMP component in accordance with Part III.B.2., must be prepared by a *qualified professional*.

5. The *owner or operator* must keep the *SWPPP* current so that, at all times, it accurately documents the erosion and sediment control practices that are being used or will be used during construction, and all SMPs that will be constructed on the site. At a minimum, the *owner or operator* must modify the *SWPPP*, including construction drawings:

   a. whenever the current provisions prove to be ineffective in *minimizing pollutants* in *stormwater discharges* from the site; and

   b. whenever there is a change in design, construction, or operation at the *construction site* that has or could have an effect on the *discharge* of *pollutants*; and

   c. to address issues or deficiencies identified during an inspection by the *qualified inspector,* NYSDEC, or other regulatory authority; and

   d. to document the final construction conditions in an as-built drawing.

6. NYSDEC may notify the *owner or operator* at any time that the *SWPPP* does not meet one or more of the minimum requirements of this permit. The notification must be in writing and identify the provisions of the *SWPPP* that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by NYSDEC, the *owner or operator* must make the required changes to the *SWPPP* and submit written notification to NYSDEC that the changes have been made. If the *owner or operator* does not respond to NYSDEC's comments in the specified time frame, NYSDEC may suspend the *owner's or operator's* coverage under this permit or require the *owner or operator* to obtain coverage under an individual SPDES permit in accordance with Part II.D.4.

7. Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting, and maintaining the erosion and sediment control practices included in the *SWPPP* and the

contractor(s) and subcontractor(s) that will be responsible for constructing the SMPs included in the *SWPPP*. The *owner or operator* must have each of the contractors and subcontractors identify at least one person from their company to be *trained contractor* that will be responsible for implementation of the *SWPPP*. The *owner or operator* must ensure that at least one *trained contractor* is on site daily when soil disturbance activities are being performed.

The *owner or operator* must have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before the *commencement of construction activities*:

> "I hereby certify under penalty of law that I understand and agree to comply with the requirements of the *SWPPP* and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with the requirements of the most current version of the New York State Pollutant Discharge Elimination System (SPDES) Construction General Permit (CGP) for Stormwater Discharges from Construction Activities and that it is unlawful for any person to cause or contribute to a violation of *water quality standards*. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

In addition to providing the certification statement above, the certification page must also identify the specific elements of the *SWPPP* that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the *trained contractor* responsible for *SWPPP* implementation; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The *owner or operator* must attach the certification statement(s) to the copy of the *SWPPP* that is maintained at the *construction site*. If new or additional contractors are hired to implement measures identified in the *SWPPP* after the *commencement of construction activities*, they must also sign the certification statement and provide the information listed above prior to performing *construction activities*.

B. Required *SWPPP* Contents

1. Erosion and sediment control component - The *owner or operator* must prepare a *SWPPP* that includes erosion and sediment control practices.

    a. Erosion and sediment control practices must be designed:

        i. in conformance with the BB; or

        ii. *equivalent* to the BB if deviating from Part III.B.1.a.i.

    b. If the erosion and sediment control practices are designed in conformance with Part III.B.1.a.ii., the *SWPPP* must include a demonstration of *equivalence* to the BB.

    c. At a minimum, the erosion and sediment control component of the *SWPPP* must include the following:

        i. Background information about the scope of the project, including the location, type and size of project; and

        ii. A site map/construction drawing(s) with north arrows for the project, including a general location map. At a minimum, the site map must show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the *construction activity*; existing and final contours; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the *stormwater discharge*(s) and receiving surface water(s); and

        iii. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG); and

        iv. A phasing plan for the project and sequencing plans for all *phases*, both of which must address clearing and grubbing, excavation and grading, utility and infrastructure installation, *final stabilization*,

and any other *construction activity* at the site that will result in soil disturbance.

1. The phasing plan must include:

    a. a map delineating and labeling the limits of soil disturbance for all *phases* of a project; and

    b. a table identifying the order and intended schedule of when each *phase* will begin and end its sequencing plan. The table must identify the total disturbed area for each *phase* at any one time and the total disturbed area for the overall project at any one time all on one timeline showing all overlapping quantities of disturbed area at any one time; and

2. A sequencing plan for a specific *phase* must include:

    a. a table indicating the order and intended schedule of *construction activities* within a *phase*, and corresponding construction drawings with a description of the work to be performed; and

    b. all permanent and *temporary stabilization* measures; and

v. A description of the minimum erosion and sediment control practices to be installed or implemented for each *construction activity* that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented; and

vi. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice; and

vii. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any

temporary sediment basins and structural practices that will be used to divert flows from exposed soils; and

viii. A maintenance inspection schedule for the contractor(s) and subcontractor(s) identified in Part III.A.7. to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule must be in accordance with the requirements in the BB technical standard; and

ix. A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a *pollutant* source in the *stormwater discharges*; and

x. A description and location of any *stormwater discharges* associated with industrial activity other than construction at the site, including, but not limited to, *stormwater discharges* from asphalt plants and concrete plants located on the *construction site*; and

xi. Identification of any elements of the design that are not in conformance with the design criteria in the BB technical standard. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

2. SMP component – The *owner or operator* of *construction activity* identified in Table 2 of Appendix B must prepare a *SWPPP* that includes SMPs.

   a. SMPs must be designed in conformance with the applicable *sizing criteria* in Part II.C.2.a., c., or d.; and

   b. SMPs must be designed in conformance with the *performance criteria*:

      i. in the DM; or

      ii. *equivalent* to the DM if deviating from Part III.B.2.b.i.; or

      iii. in the New York State Stormwater Management Design Manual, dated January 2015 (2015 Design Manual), or *equivalent* to it, if the following criteria are met:

1. The eNOI is submitted in accordance with Part I.D. before January 29, 2027 for *construction activities* that are either:

    a. subject to governmental review and approval:

        i. where the *owner or operator* made any application to that governmental entity prior to the effective date of this permit; and

        ii. such application included a *SWPPP* developed using the 2015 Design Manual or *equivalent* to it; or

    b. not subject to governmental review and approval:

        i. where a fiscal allocation for the *construction activities* has been developed and approved by a governmental entity; and

        ii. the *SWPPP* was developed using the 2015 Design Manual or *equivalent* to it; and

c. If SMPs are designed in conformance with Part III.B.2.b.ii., the *SWPPP* must include the reason(s) for the deviation or alternative design and a demonstration of *equivalence* to the DM; and

d. If SMPs are designed in conformance with Part III.B.2.b.iii., the *SWPPP* must include supporting information or documentation demonstrating that Part III.B.2.b.iii.1.a. or b. apply; and

e. The SMP component of the *SWPPP* must include the following:

    i. Identification of all SMPs to be constructed as part of the project, including which option the SMP designs conform to, either Part III.B.2.b.i., ii., or iii. Include the dimensions, material specifications and installation details for each SMP; and

    ii. A site map/construction drawing(s) showing the specific location and size of each SMP; and

iii. A Stormwater Modeling and Analysis Report that includes:

(i) Map(s) showing pre-development conditions, including watershed/subcatchments boundaries, flow paths/routing, and design points; and

(ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and SMPs; and

(iii) Results of *stormwater* modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre- and post-development runoff rates and volumes for the different storm events; and

(iv) Summary table, with supporting calculations, which demonstrates that each SMP has been designed in conformance with the *sizing criteria* included in the DM; and

(v) Identification of any *sizing criteria* that is not required based on the requirements included in Part II.C.; and

(vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the DM. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the DM.

iv. Soil testing results and locations (test pits, borings); and

v. Infiltration test results, when required in accordance with Part III.B.2.a.; and

vi. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each SMP. The plan must identify the entity

that will be responsible for the long-term operation and maintenance of each practice; and

3. Enhanced Phosphorus Removal Standards - The *owner or operator* of *construction activity* identified in Table 2 of Appendix B that is located in a watershed identified in Appendix C must prepare a *SWPPP* that includes SMPs designed in conformance with the applicable *sizing criteria* in Part II.C.2.b., c., or d. and the *performance criteria* Enhanced Phosphorus Removal Standards included in the DM. At a minimum, the SMP component of the *SWPPP* must meet the requirements of Part III.B.2.

C. Required *SWPPP* Components by Project Type

Owners or operators of *construction activities*, identified in Table 1 of Appendix B, are required to prepare a *SWPPP* that only includes erosion and sediment control practices designed in accordance with Part III.B.1. *Owners or operators* of the *construction activities*, identified in Table 2 of Appendix B, must prepare a *SWPPP* that also includes SMPs designed in accordance with Part III.B.2 or 3.

For the entire area of disturbance, including the entire *common plan of development or sale* if applicable, the owner or operator must evaluate every bullet from Appendix B Table 1 and Table 2 separately. If bullets from both Table 1 and Table 2 apply, the *SWPPP* must include erosion and sediment control practices for all *construction activities* but SMPs for only those portions of the *construction activities* that fall under Table 2 bullet(s).

Part IV. Inspection and Maintenance Requirements

A. General Construction Site Inspection and Maintenance Requirements

1. The *owner or operator* must ensure that all erosion and sediment control practices (including pollution prevention measures), and all SMPs identified in the *SWPPP*, are inspected and maintained in accordance with Part IV.B. and C.

B. Contractor Maintenance Inspection Requirements

1. The *owner or operator* of each *construction activity*, identified in Tables 1 and 2 of Appendix B, must have a *trained contractor* inspect the erosion and sediment control practices and pollution prevention measures being

implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor must:

a. if the corrective action does not require engineering design:

    i. begin implementing corrective actions within one business day; and

    ii. complete the corrective actions within five business days; or

b. if the corrective action requires engineering design:

    i. begin the engineering design process within five business days; and

    ii. complete the corrective action in a reasonable time frame but no later than within 60 calendar days.

2. For *construction sites* where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *trained contractor* can stop conducting the maintenance inspections in accordance with Part IV.B.1. The *trained contractor* must begin conducting the maintenance inspections in accordance with Part IV.B.1. as soon as soil disturbance activities resume.

3. For *construction sites* where soil disturbance activities have been shut down with partial project completion, the *trained contractor* can stop conducting the maintenance inspections in accordance with Part IV.B.1. if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational.

C. *Qualified Inspector* Inspection Requirements

1. With the exception of the following *construction activities* identified in Tables 1 and 2 of Appendix B, a *qualified inspector* must conduct site inspections for all other *construction activities* identified in Tables 1 and 2 of Appendix B:

    a. the construction of a single-family residential subdivision with 25% or less *impervious cover* at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than or equal to five (5) acres and is

not located in one of the watersheds listed in Appendix C and not *directly discharging* to one of the 303(d) segments listed in Appendix D; and

b. the construction of a single-family home that involves soil disturbances of one (1) or more acres but less than or equal to five (5) acres and is not located in one of the watersheds listed in Appendix C and not *directly discharging* to one of the 303(d) segments listed in Appendix D; and

c. construction on *agricultural property* that involves soil disturbances of one (1) or more acres but less than five (5) acres; and

d. *construction activities* located in the New York City Watershed located east of the Hudson River, see Appendix C Figure 1, that involve soil disturbances of 5,000 square feet or more, but less than one acre.

2. The *qualified inspector* must conduct site inspections in accordance with the following timetable:

a. For *construction sites* where soil disturbance activities are on-going, the *qualified inspector* must conduct a site inspection at least once every seven (7) calendar days; or

b. For *construction sites* where soil disturbance activities are on-going and the *owner or operator* has received authorization in accordance with Part I.E.6. to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* must conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections must be separated by a minimum of two (2) full calendar days; or

c. For *construction sites* where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *qualified inspector* must conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* must notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix E) or, in areas under the jurisdiction of a *Traditional Land Use Control MS4 Operator,* the *Traditional Land Use Control MS4 Operator* (provided the *Traditional Land Use Control MS4 Operator* is not the *owner or operator* of the *construction activity*) by hard copy or email prior to reducing the inspections to this frequency and again by hard copy or email prior to re-commencing construction; or

d. For *construction sites* where soil disturbance activities have been shut down with partial project completion, the requirement to have the *qualified inspector* conduct inspections ceases if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational. The *owner or operator* must notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix E) or, in areas subject to the review authority of *Traditional Land Use Control MS4 Operator(s)* in accordance with Part I.D.2.b.ii.1., the *Traditional Land Use Control MS4 Operator(s)* (provided the *Traditional Land Use Control MS4 Operator(s)* are not the *owners or operators* of the *construction activity*) in writing prior to the shutdown and again in writing prior to resuming *construction activity*. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* must terminate coverage by meeting the requirements of Part V; or

e. For *construction sites* involving soil disturbance of one (1) or more acres that *directly discharge* to one of the 303(d) segments listed in Appendix D or is located in one of the watersheds listed in Appendix C, the *qualified inspector* must conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections must be separated by a minimum of two (2) full calendar days.

3. At a minimum, the *qualified inspector* must inspect:

   a. all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness; and

   b. all SMPs under construction to ensure that they are constructed in conformance with the *SWPPP*; and

   c. all areas of disturbance that have not achieved *final stabilization*; and

   d. all points of *discharge* to *surface waters of the State* located within, or immediately adjacent to, the property boundaries of the *construction site*; and

   e. all points of *discharge* from the *construction site*.

4. The *qualified inspector* must prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report must include and/or address all of the following, for all *construction activities* except those listed in Part IV.C.1.:

    a. Permit identification number; and

    b. Date and time of inspection; and

    c. Name and title of person(s) performing inspection; and

    d. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection, including the temperature at the time of the inspection; and

    e. A description of the condition of the runoff at all points of *discharge* from the *construction site*. This must include identification of any *discharges* of sediment from the *construction site*. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow; and

    f. A description of the condition of all *surface waters of the State* located within, or immediately adjacent to, the property boundaries of the *construction site* which receive runoff from disturbed areas. This must include identification of any *discharges* of sediment to the *surface waters of the State*; and

    g. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance; and

    h. Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced; and

    i. Description and sketch (map) of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection; and

    j. Estimates, in square feet or acres, of the following areas:

i. Total area with active soil disturbance (not requiring either *temporary stabilization* or *final stabilization*); and

ii. Total area with inactive soil disturbance (requiring either *temporary stabilization* or *final stabilization*); and

iii. Total area that has achieved *temporary stabilization*; and

iv. Total area that has achieved *final stabilization*; and

k. Current stage of construction of all SMPs and identification of all *construction activity* on site that is not in conformance with the *SWPPP* and technical standards; and

l. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures; and to correct deficiencies identified with the construction of the SMP(s); and

m. Identification and status of all corrective actions that were required by previous inspection; and

n. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* must attach color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* must also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* must attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.

5. Within one business day of the completion of an inspection, the *qualified inspector* must notify the *owner or operator*, and appropriate contractor or subcontractor identified in Part III.A.7., of any corrective actions that need to be taken. The contractor or subcontractor must:

a. if the corrective action does not require engineering design:

i. begin implementing corrective actions within one business day; and

ii. complete the corrective actions within five business days; or

b. if the corrective action requires engineering design:

i. begin the engineering design process within five business days; and

ii. complete the corrective action in a reasonable time frame but no later than within 60 calendar days.

6. All inspection reports must be signed by the *qualified inspector.* In accordance with Part I.E.3., the inspection reports must be maintained on site with the *SWPPP*.

Part V. How to Terminate CGP Coverage

A. Electronic Notice of Termination (eNOT) Submittal

The eNOT contains questions to ensure requirements in Part V.A. have been met.

1. An *owner or operator* must terminate coverage when one or more of the following requirements have been met:

a. Total project completion:

i. all *construction activity* identified in the *SWPPP* has been completed; and

ii. all areas of disturbance have achieved *final stabilization*; and

iii. all temporary, structural erosion and sediment control measures have been removed; and

iv. all SMPs have been constructed in conformance with the *SWPPP* and are operational; and

v. an as-built drawing has been prepared; or

b. Planned shutdown with partial project completion:

   i. all soil disturbance activities have ceased; and

   ii. all areas disturbed as of the project shutdown date have achieved *final stabilization*; and

   iii. all temporary, structural erosion and sediment control measures have been removed; and

   iv. all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational; and

   v. an as-built drawing has been prepared; or

c. In accordance with Part I.G. Change of Owner or Operator; or

d. The *owner or operator* has obtained coverage under an alternative general SPDES permit or an individual SPDES permit.

2. For *construction activities* that require *qualified inspector* inspections in accordance with Part IV.C.1. and have met Part V.A.1.a. or b., the *owner or operator* must have the *qualified inspector* perform a final site inspection prior to submitting the eNOT. The *qualified inspector* must, by signing the “Final Stabilization” and “Post-Construction Stormwater Management Practice(s)” certification statements on the eNOT, certify that all the requirements in Part V.A.1.a. or b. have been achieved.

3. For *construction activities* that are subject to the review authority of *Traditional Land Use Control MS4 Operator(s)* in accordance with Part I.D.2.b.ii.1. and meet Part V.A.1.a. or b., the *owner or operator* must have the *Traditional Land Use Control MS4 Operator(s)* sign the “MS4 Acceptance” statement on the eNOT in accordance with the requirements in Part VII.J. A *Traditional Land Use Control MS4 Operator* official, by signing this statement, determined that it is acceptable for the *owner or operator* to submit the eNOT in accordance with the requirements of this Part. A *Traditional Land Use Control MS4 Operator* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector*’s final site inspection certification(s) when required in Part V.A.2.

4. For *construction activities* that require SMPs and meet Part V.A.1.a. or b., the *owner or operator* must, prior to submitting the eNOT, ensure one of the following:

    a. for SMP(s) that were constructed by a private entity, but will be owned, operated, and maintained by a public entity, the SMP(s) and any right-of-way(s) needed to operate and maintain such practice(s) have been deeded to the municipality in which the practice(s) is located; or

    b. for SMP(s) that are privately owned, but will be operated and maintained by a public entity, an executed operation and maintenance agreement is in place with the municipality that will operate and maintain the SMP(s); or

    c. for SMP(s) that are privately owned, the *owner or operator* has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the *owner or operator's* deed of record; or

    d. for SMP(s) that are owned by a public or private institution (e.g. school, university, hospital), government agency or authority, or public utility, the *owner or operator* has policies and procedures in place that ensure operation and maintenance of the practices in accordance with the operation and maintenance plan.

5. An *owner or operator* that has met the requirements of Part V.A.1., 2., 3., and 4. must request termination of coverage under this permit by submitting a complete Notice of Termination form electronically using a NYSDEC approved form.[5]

    a. The owner's or operator's coverage is terminated as of the termination date indicated in the Letter of Termination (LOT), which is sent by NYSDEC after a complete eNOT is submitted.

[5] Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505.

Part VI. Record Retention and Reporting

A. Record Retention

The *owner or operator* must retain a copy of the documents listed in Part I.E.3. and a copy of the LOT for a period of at least five years from the date that NYSDEC accepts a complete NOT submitted in accordance with Part V.

B. Reporting

Except for the eNOI, the signature forms associated with the eNOI, and the eNOT, all other written correspondence requested by NYSDEC, including individual permit applications, must be sent to the address of the appropriate DOW (SPDES) Program contact at the Regional Office listed in Appendix E.

Part VII. Standard Permit Requirements

For the purposes of this permit, examples of contractors and subcontractors include: third-party maintenance and construction contractors.

A. Duty to Comply

The *owner or operator*, and all contractors or subcontractors, must comply with all requirements of this permit. Any non-compliance with the requirements of this permit constitutes a violation of the New York State Environmental Conservation Law (ECL), and its implementing regulations, and is grounds for enforcement action. Filing of a request for termination of coverage under this permit, or a notification of planned changes or anticipated non-compliance, does not limit, diminish or stay compliance with any requirements of this permit.

B. Need to Halt or Reduce Activity Not a Defense

The necessity to halt or reduce the *construction activity* regulated by this permit, in order to maintain compliance with the requirements of this permit, must not be a defense in an enforcement action.

C. Penalties

There are substantial criminal, civil, and administrative penalties associated with violating the requirements of this permit. Fines of up to $37,500 per day for each

violation and imprisonment for up to 15 years may be assessed depending upon the nature and degree of the offense.

D. False Statements

Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, or other document filed or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance must, upon conviction, be punished in accordance with ECL §71-1933 and or New York State Penal Law Articles 175 and 210.

E. Re-Opener Clause

Upon issuance of this permit, a determination has been made on the basis of a submitted Notice of Intent, plans, or other available information, that compliance with the specified permit requirements will reasonably protect classified water use and assure compliance with applicable *water quality standards*. Satisfaction of the requirements of this permit notwithstanding, if operation pursuant to this permit causes or contributes to a condition in contravention of State *water quality standards* or guidance values, or if NYSDEC determines that a modification is necessary to prevent impairment of the best use of the waters or to assure maintenance of *water quality standards* or compliance with other provisions of ECL Article 17 or the Clean Water Act (CWA), or any regulations adopted pursuant thereto, NYSDEC may require such modification and the Commissioner may require abatement action to be taken by the *owner or operator* and may also prohibit such operation until the modification has been implemented.

F. Duty to Mitigate

The *owner or operator*, and its contractors and subcontractors, must take all reasonable steps to *minimize* or prevent any *discharge* in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

G. Requiring Another General Permit or Individual SPDES Permit

NYSDEC may require any *owner or operator* authorized to *discharge* in accordance with this permit to apply for and obtain an individual SPDES permit or apply for authorization to *discharge* in accordance with another general SPDES permit.

1. Cases where an individual SPDES permit or authorization to discharge in accordance with another general SPDES permit may be required include, but is not limited to the following:

a. the *owner or operator* is not in compliance with the conditions of this permit or does not meet the requirements for coverage under this permit; and

b. a change has occurred in the availability of demonstrated technology or practices for the control or abatement of *pollutants* applicable to the *point source*; and

c. new effluent limitation guidelines or new source performance standards are promulgated that are applicable to *point sources* authorized to *discharge* in accordance with this permit; and

d. existing effluent limitation guidelines or new source performance standards that are applicable to *point sources* authorized to *discharge* in accordance with this permit are modified; and

e. a water quality management plan containing requirements applicable to such *point sources* is approved by NYSDEC; and

f. circumstances have changed since the time of the request to be covered so that the *owner or operator* is no longer appropriately controlled under this permit, or either a temporary or permanent reduction or elimination of the authorized *discharge* is necessary; and

g. the *discharge* is in violation of section 17-0501 of the ECL; and

h. the *discharge(s)* is a significant contributor of *pollutants*. In making this determination, NYSDEC may consider the following factors:

   i. the location of the *discharge(s)* with respect to *surface waters of the State*; and

   ii. the size of the *discharge(s)*; and

   iii. the quantity and nature of the *pollutants discharged* to *surface waters of the State*; and

   iv. other relevant factors including compliance with other provisions of ECL Article 17, or the CWA.

2. When NYSDEC requires any *owner or operator* authorized by this permit to apply for an individual SPDES permit as provided for in this subdivision, it must notify the *owner or operator* in writing that a permit application is required. This notice must include a brief statement of the reasons for this decision, an application

form, a statement setting a time for the *owner or operator* to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from the *owner's or operator's* receipt of the notification letter, whereby the authorization to *discharge* under this permit must be terminated. NYSDEC may grant additional time upon demonstration, to the satisfaction of the RWE,[6] that additional time to apply for an alternative authorization is necessary or where NYSDEC has not provided a permit determination in accordance with 6 NYCRR Part 621.

3. When an individual SPDES permit is issued to an *owner or operator* authorized to *discharge* under this permit for the same *discharge(s)*, this permit authorization for *construction activities* authorized under the individual SPDES permit is automatically terminated on the effective date of the individual SPDES permit unless termination is earlier in accordance with 6 NYCRR Part 750.

H. Duty to Provide Information

The *owner or operator* must furnish to NYSDEC, within five business days, unless otherwise set forth by NYSDEC, any information that NYSDEC may request to determine whether cause exists to determine compliance with this permit or to determine whether cause exists for requiring an individual SPDES permit in accordance with 6 NYCRR 750-1.21(e) (see Part VII.G. Requiring Another General Permit or Individual Permit).

The *owner or operator* must make available to NYSDEC, for inspection and copying, or furnish to NYSDEC within 25 business days of receipt of a NYSDEC request for such information, any information retained in accordance with this permit.

Except for Part I.D.4. and 5. and Part I.G., the following applies: where the *owner or operator* becomes aware that it failed to submit any relevant facts on the Notice of Intent, or submitted incorrect information in a Notice of Intent or in any report to NYSDEC, the *owner or operator* must submit such facts or corrected information to NYSDEC within five business days.

I. Extension

In the event a new permit is not issued and effective prior to the expiration of this permit, and this permit is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, then the *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the requirements of this permit until a new permit is issued and effective.

[6] The Regional Water Manager where a DEC Region does not have a RWE.

J. Signatories and Certification

The Notice of Intent, Notice of Termination, and reports required by this permit must be signed as provided in 40 CFR §122.22.

1. All Notices of Intent and Notices of Termination must be signed as follows:

    a. For a corporation. By a responsible corporate officer. For the purpose of this section, 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 Notice of Intent or Notice of Termination requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

        Note: NYSDEC does not require specific assignments or delegations of authority to responsible corporate officers identified in 40 CFR §122.22(a)(1)(i). NYSDEC will presume that these responsible corporate officers have the requisite authority to sign the Notice of Intent or Notice of Termination unless the corporation has notified NYSDEC to the contrary. Corporate procedures governing authority to sign a Notice of Intent or Notice of Termination may provide for assignment or delegation to applicable corporate positions under 40 CFR §122.22(a)(1)(ii) rather than to specific individuals.

    b. For a partnership or sole proprietorship. By a general partner or the proprietor, respectively.

c. For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

    1. the chief executive officer of the agency; or

    2. a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. All reports required by this permit, and other information requested by NYSDEC, must be signed by a person described in Part VII.J.1., or by a duly authorized representative of that person. A person is a duly authorized representative only if:

    a. The authorization is made in writing by a person described in Part VII.J.1. or using the Duly Authorized Form, found on the DEC website; and

    b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and

    c. The written authorization is submitted to NYSDEC.

3. Changes to authorization. If an authorization under Part VII.J.2. is no longer accurate because a different individual or position has responsibility for the overall operation of the *construction activity*, a new authorization satisfying the requirements of Part VII.J.2. must be submitted to NYSDEC prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under Part VII.J.1. or 2. must make the following certification:

    I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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.

5. Electronic reporting. If documents described in Part VII.J.1. or 2. are submitted electronically by or on behalf of the *construction activity* with coverage under this permit, any person providing the electronic signature for such documents must meet all relevant requirements of this section, and must ensure that all of the relevant requirements of 40 CFR Part 3 (including, in all cases, subpart D to Part 3) (Cross-Media Electronic Reporting) and 40 CFR Part 127 (NPDES Electronic Reporting Requirements) are met for that submission.

K. Inspection and Entry

The *owner or operator* must allow NYSDEC, the USEPA Regional Administrator, the applicable county health department, or any authorized representatives of those entities, or, in the case of a *construction site* which *discharges* through an *MS4*, an authorized representative of the *MS4* receiving the *discharge*, upon the presentation of credentials and other documents as may be required by law, to:

1. enter upon the *owner's or operator's* premises where a regulated facility or activity is located or conducted or where records must be kept under the requirements of this permit; and

2. have access to and copy at reasonable times, any records that must be kept under the requirements of this permit, including records required to be maintained for purposes of operation and maintenance; and

3. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and

4. sample or monitor at reasonable times, for the purposes of assuring general SPDES permit compliance or as otherwise authorized by the CWA or ECL, any substances or parameters at any location; and

5. enter upon the property of any contributor to the regulated facility or activity under authority of the *owner or operator*.

L. Confidentiality of Information

The following must not be held confidential: this permit, the fact sheet for this permit, the name and address of any *owner or operator*, effluent data, the Notice of Intent, and information regarding the need to obtain an individual permit or an alternative general SPDES permit. This includes information submitted on forms themselves and any attachments used to supply information required by the forms (except information submitted on usage of substances). Upon the request of the *owner or operator*, NYSDEC must make determinations of confidentiality in accordance with 6 NYCRR Part 616, except as set forth in the previous sentence. Any information accorded confidential status must be disclosed to the Regional Administrator upon his or her written request. Prior to disclosing such information to the Regional Administrator, NYSDEC will notify the Regional Administrator of the confidential status of such information.

M. Other Permits May Be Required

Nothing in this permit relieves the *owner or operator* from a requirement to obtain any other permits required by law.

N. NYSDEC Orders or Civil Decrees/Judgments

The issuance of this permit by the NYSDEC, and the coverage under this permit by the *owner or operator*, does not supersede, revoke, or rescind any existing order on consent or civil Decree/Judgment, or modification to any such documents or to any order issued by the Commissioner, or any of the terms, conditions, or requirements contained in such order or modification therefore, unless expressly noted.

O. Property Rights

Coverage under this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining the assent of any other jurisdiction as required by law for the *discharge* authorized.

P. Compliance with Interstate Standards

If the *construction activity* covered by this permit originates within the jurisdiction of an interstate water pollution control agency, then the *construction activity* must also comply with any applicable effluent standards or *water quality standards* promulgated by that interstate agency and as set forth in this permit for such *construction activities*.

Q. Oil and Hazardous Substance Liability

Coverage under this permit does not affect the imposition of responsibilities upon, or the institution of any legal action against, the *owner or operator* under section 311 of the CWA, which must be in conformance with regulations promulgated pursuant to section 311 governing the applicability of section 311 of the CWA to *discharges* from facilities with *NPDES* permits, nor must such issuance preclude the institution of any legal action or relieve the *owner or operator* from any responsibilities, liabilities, or penalties to which the *owner or operator* is or may be subject pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. section 9601 et seq. (CERCLA).

R. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, must not be affected thereby.

S. NYSDEC Approved Forms

The *owner or operator* must provide all relevant information that is requested by NYSDEC, and required by this permit, on all NYSDEC approved forms.

APPENDIX A – Abbreviations and Definitions

Abbreviations

APO – Agency Preservation Officer
BB – New York State Standards and Specifications for Erosion and Sediment Control (Blue Book), dated November 2016
BMP – Best Management Practice
CPESC – Certified Professional in Erosion and Sediment Control
CPv – Channel Protection Volume
CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)
DM – New York State Stormwater Management Design Manual (Design Manual), dated July 31, 2024
DOW – Division of Water
EAF – Environmental Assessment Form
ECL – chapter 43-B of the Consolidated Laws of the State of New York, entitled the Environmental Conservation Law
EPA – U.S. Environmental Protection Agency
HSG – Hydrologic Soil Group
MS4 – Municipal Separate Storm Sewer System
NOI – Notice of Intent
NOT – Notice of Termination
NPDES – National Pollutant Discharge Elimination System
NYC – The City of New York
NYCDEP – The City of New York Department of Environmental Protection
NYSDEC – The New York State Department of Environmental Conservation
OPRHP – Office of Parks, Recreation and Historic Places
Qf – Extreme Flood
Qp – Overbank Flood
RR – Runoff Reduction
RRv – Runoff Reduction Volume
RWE – Regional Water Engineer
SEQR – State Environmental Quality Review Act
SHPA – State Historic Preservation Act
SMP – Post-Construction Stormwater Management Practice
SPDES – State Pollutant Discharge Elimination System
SWPPP – Stormwater Pollution Prevention Plan
TMDL – Total Maximum Daily Load
UPA – Uniform Procedures Act
USDA – United States Department of Agriculture
WQv – Water Quality Volume

Definitions

All definitions in this section are solely for the purposes of this permit. If a word is not italicized in the permit, use its common definition.

Agricultural Building – a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products; excluding any structure designed, constructed or used, in whole or in part, for human habitation, as a place of employment where agricultural products are processed, treated or packaged, or as a place used by the public.

Agricultural Property – the land for construction of a barn, *agricultural building*, silo, stockyard, pen or other structural practices identified in Table II in the "Agricultural Best Management Practice Systems Catalogue" (dated June 2023).

Alter Hydrology from Pre- to Post-Development Conditions – the post-development peak flow rate(s) has increased by more than 5% of the pre-developed condition for the design storm of interest (e.g. 10 yr and 100 yr).

Combined Sewer System – a sewer system which conveys sewage and *stormwater* through a single pipe system to a publicly owned treatment works.

Commence (Commencement of) Construction Activities – the initial disturbance of soils associated with clearing, grading or excavation activities; or other construction related activities that disturb or expose soils such as demolition, stockpiling of fill material, and the initial installation of erosion and sediment control practices required in the *SWPPP*. See definition for "*Construction Activity(ies)*" also.

Common Plan of Development or Sale – a contiguous area where multiple separate and distinct *construction activities* are occurring, or may occur, under one plan. The "common plan" of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, marketing plan, advertisement, drawing, permit application, State Environmental Quality Review Act (SEQR) environmental assessment form or other documents, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating *construction activities* may occur on a specific plot. A *common plan of development or sale* is comprised of two or more *phases*.

Common plan of development or sale does not include separate and distinct *construction activities* that are occurring, or may occur, under one plan that are at least 1/4 mile apart provided any interconnecting road, pipeline or utility project that is part of the same "common plan" is not concurrently being disturbed.

Construction Activity(ies) – identified within 40 CFR 122.26(b)(14)(x), 122.26(b)(15)(i), and 122.26(b)(15)(ii), any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, mechanized logging equipment operation, the cutting and skidding of trees, stump removal and/or brush root removal.

Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility, which is excluded from the calculation of the soil disturbance for a project. Routine maintenance includes, but is not limited to:

- Re-grading of gravel roads or parking lots; and
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity of the ditch; and
- Replacement of existing culverts that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity of a ditch; and
- Replacement of existing bridges that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity beneath the bridges; and
- Cleaning and shaping of existing roadside ditches that does not maintain the approximate original grade, hydraulic capacity and purpose of the ditch if the changes to the line and grade, hydraulic capacity or purpose of the ditch are installed to improve water quality and quantity controls (e.g. installing grass lined ditch); and
- Placement of aggregate shoulder backing that stabilizes the transition between the road shoulder and the ditch or *embankment*; and
- Full depth milling and filling of existing asphalt pavements, replacement of concrete pavement slabs, and similar work that does not expose soil or disturb the bottom six (6) inches of subbase material; and
- Long-term use of equipment storage areas at or near highway maintenance facilities; and
- Removal of sediment from the edge of the highway to restore a previously existing sheet-flow drainage connection from the highway surface to the highway ditch or *embankment*; and
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts; and
- Maintenance of ski trails including brush hog use and mowing; and
- Above ground snowmaking pipe replacement; and
- Replacement of existing utility poles; etc.

Construction Site – the land area where *construction activity(ies)* will occur. See also the definitions for "*Commence (Commencement of) Construction Activities"* and "*Common Plan of Development or Sale."*

Dewatering – the act of draining rainwater and/or groundwater from building foundations, vaults or excavations/trenches.

Directly Discharge(s)(ing) (to a specific surface waterbody) – runoff flows from a *construction site* by overland flow and the first point of *discharge* is the specific surface waterbody, or runoff flows from a *construction site* to a separate storm sewer system and the first point of *discharge* from the separate storm sewer system is the specific surface waterbody.

Discharge(s)(d) – any addition of any *pollutant* to waters of the State through an outlet or *point source*.

Embankment – an earthen or rock slope that supports a road/highway.

Equivalent (Equivalence) – the practice or measure meets all the performance, longevity, maintenance, and safety objectives of the technical standard and will provide an equal or greater degree of water quality protection.

Final Stabilization – all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established; or other *equivalent* stabilization measures, such as permanent landscape mulches, rock rip-rap or washed/crushed stone have been applied on all disturbed areas that are not covered by permanent structures, concrete or pavement.

Historic Property – any building, structure, site, object or district that is listed on the State or National Registers of Historic Places or is determined to be eligible for listing on the State or National Registers of Historic Places.

Impervious Area (Cover) – all impermeable surfaces that cannot effectively infiltrate rainfall. This includes paved, concrete and compacted gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks); building rooftops and miscellaneous impermeable structures such as patios, pools, and sheds.

Infeasible – not technologically possible, or not economically practicable and achievable considering best industry practices.

Minimize(ing)(ation) – reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

Municipal Separate Storm Sewer System (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

1. owned or operated by a State, city, town, village, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, *stormwater*, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA, that *discharges* to *surface waters of the State*; and

2. designed or used for collecting or conveying *stormwater*; and

3. which is not a *combined sewer system*; and

4. which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

Natural Buffer(s) – an undisturbed area with natural cover running along a surface water (e.g. wetland, stream, river, lake, etc.).

New Development – any land disturbance that does not meet the definition of *Redevelopment Activity* included in this appendix.

New York State Erosion and Sediment Control Certificate Program – a certificate program that establishes and maintains a process to identify and recognize individuals who are capable of developing, designing, inspecting and maintaining erosion and sediment control plans on projects that disturb soils in New York State. The certificate program is administered by the New York State Conservation District Employees Association.

Nonpoint Source(s) – any source of water pollution or *pollutants* which is not a discrete conveyance or *point source* permitted pursuant to Title 7 or 8 of Article 17 of the Environmental Conservation Law (see ECL Section 17-1403).

Overbank – flow events that exceed the capacity of the stream channel and spill out into the adjacent floodplain.

Owner or Operator – the person, persons, or legal entity which owns or leases the property on which the *construction activity* is occurring; an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications; and/or an entity that has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit requirements.

Performance Criteria – the six performance criteria for each group of SMPs in Chapters 5 and 6 of the technical standard, New York State Stormwater Management Design Manual (DM), dated July 31, 2024. These include feasibility, conveyance, pretreatment, treatment, landscaping, and maintenance. It does not include the *Sizing Criteria* (i.e. WQv, RRv, CPv, Qp and Qf) in Part I.C.2. of the permit.

Phase – a defined area in which *construction activities* are occurring or will occur separate from other defined area(s).

Point Source – any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, or landfill leachate collection system from which *pollutants* are or may be *discharged*.

Pollutant(s) – dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast *discharged* into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in 6 NYCRR Parts 700 et seq.

Qualified Inspector – a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, *New York State Erosion and Sediment Control Certificate Program* holder or other NYSDEC endorsed individual(s).

It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect shall receive four (4) hours of training every three (3) years.

It can also mean a person that meets the *Qualified Professional* qualifications in addition to the *Qualified Inspector* qualifications.

Note: Inspections of any SMPs that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

Qualified Professional – a person that is knowledgeable in the principles and practices of *stormwater* management and treatment, such as a licensed Professional Engineer, Registered Landscape Architect or other NYSDEC endorsed individual(s). Individuals preparing *SWPPPs* that require the SMP component must have an understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics. All components of the *SWPPP* that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), shall be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York.

Redevelopment Activity(ies) – the disturbance and reconstruction of existing *impervious area*, including *impervious areas* that were removed from a project site within five (5) years of preliminary project plan submission to the local government (i.e. site plan, subdivision, etc.).

Renewable Energy – electricity or thermal energy generated by renewable energy systems through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

Site Limitations – site conditions that prevent the use of an infiltration technique and or infiltration of the total WQv. Typical *site limitations* include: seasonal high groundwater, shallow depth to bedrock, and soils with an infiltration rate less than 0.5 inches/hour. The existence of *site limitations* shall be confirmed and documented using actual field testing (i.e. test pits, soil borings, and infiltration test) or using information from the most current United States Department of Agriculture (USDA) Soil Survey for the County where the project is located.

Sizing Criteria – the criteria included in Part I.C.2 of the permit that are used to size SMPs. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), *Overbank* Flood (Qp), and Extreme Flood (Qf).

Steep Slope – land area designated on the current United States Department of Agriculture (USDA) Soil Survey as Soil Slope Phase D, (provided the map unit name or description is inclusive of slopes greater than 25%), or Soil Slope Phase E or F, (regardless of the map unit name), or a combination of the three designations.

Stormwater – that portion of precipitation that, once having fallen to the ground, is in excess of the evaporative or infiltrative capacity of soils, or the retentive capacity of surface features, which flows or will flow off the land by surface runoff to waters of the State.

Streambank – the terrain alongside the bed of a creek or stream. The bank consists of the sides of the channel, between which the flow is confined.

Stormwater Pollution Prevention Plan (SWPPP) – a project specific report, including construction drawings, that among other things: describes the *construction activity(ies)*, identifies the potential sources of pollution at the *construction site*; describes and shows the *stormwater* controls that will be used to control the *pollutants* (i.e. erosion and sediment controls; for many projects, includes SMPs); and identifies procedures the *owner or operator* will implement to comply with the requirements of the permit. See Part III of the permit for a complete description of the information that must be included in the *SWPPP*.

Surface Waters of the State – shall be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface waters), which are wholly or partially within or bordering the state or within its jurisdiction. Waters of the state are further defined in 6 NYCRR Parts 800 to 941.

Temporarily Ceased – an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

Temporary Stabilization – exposed soil has been covered with material(s) as set forth in the technical standard, New York Standards and Specifications for Erosion and Sediment Control, to prevent the exposed soil from eroding. The materials can include, but are not limited to, mulch, seed and mulch, and erosion control mats (e.g. jute twisted yarn, excelsior wood fiber mats).

Total Maximum Daily Load (TMDL) – the sum of the allowable loads of a single *pollutant* from all contributing point and *nonpoint source*s. It is a calculation of the maximum amount of a *pollutant* that a waterbody can receive and still meet *water quality standards*, and an allocation of that amount to the *pollutant's* sources. A TMDL stipulates Waste Load Allocations (WLA) for *point source discharges*, Load Allocations (LA) for *nonpoint source*s, and a margin of safety (MOS).

Traditional Land Use Control MS4 Operator – a city, town, or village with land use control authority that is authorized to *discharge* under New York State DEC's SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s) or the City of New York's Individual SPDES Permit for their Municipal Separate Storm Sewer Systems (NY-0287890).

Trained Contractor – an employee from the contracting (construction) company, identified in Part III.A.7., that has received four (4) hours of NYSDEC endorsed training

in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC endorsed entity. After receiving the initial training, the *trained contractor* shall receive four (4) hours of training every three (3) years.

It can also mean an employee from the contracting (construction) company, identified in Part III.A.7., that meets the *qualified inspector* qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, *New York State Erosion and Sediment Control Certificate Program* holder, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC endorsed entity).

The *trained contractor* is responsible for the day-to-day implementation of the *SWPPP*.

Tree Clearing – *construction activities* limited to felling and removal of trees.

Tree clearing does not include hand felling and leaving the trees in place with no support from mechanized equipment, which is not considered *construction activity* requiring coverage under this permit.

Water Quality Standard – such measures of purity or quality for any waters in relation to their reasonable and necessary use as promulgated in 6 NYCRR Part 700 et seq.

APPENDIX B – Required SWPPP Components by Project Type

Table 1
CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A *SWPPP* THAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS

The following *construction activities* that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:

- Single-family home not located in one of the watersheds listed in Appendix C and not *directly discharging* to one of the 303(d) segments listed in Appendix D
- Single-family residential subdivisions with 25% or less *impervious cover* at total site build-out and not located in one of the watersheds listed in Appendix C and not *directly discharging* to one of the 303(d) segments listed in Appendix D
- Construction of a barn or other *agricultural building*, silo, stock yard or pen.
- Structural agricultural conservation practices as identified in Table II in the "Agricultural Best Management Practice Systems Catalogue" (dated June 2023) that include construction or reconstruction of *impervious area* or *alter hydrology from pre- to post-development* conditions.

The following *construction activities* that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:

- All construction activities located in the New York City Watershed located east of the Hudson River, see Appendix C Figure 1, that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

Within the municipal boundaries of NYC:

- Stand-alone road reconstruction, where the total soil disturbance from only that road construction, is less than one (1) acre of land.

The following *construction activities*:

- Installation of underground linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains
- Environmental enhancement projects, such as wetland mitigation, *stormwater* retrofits, stream restoration, and resiliency projects that reconstruct shoreline areas to address sea level rise
- Pond construction
- Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an *impervious cover*
- Cross-country ski trails, walking/hiking trails, and mountain biking trails, including a de minimis parking lot (maximum 10 spaces total, sized for passenger cars) with 35 feet minimum preservation of undisturbed area downgradient from the parking lot
- Dam rehabilitation (the structure of the dam itself)
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are not part of residential, commercial, or institutional development;
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that include incidental shoulder or curb work along an existing highway to support construction of the sidewalk, bike path, or walking path.

Table 1 (Continued)
CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A *SWPPP* THAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS

The following *construction activities*:

- Slope stabilization
- Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics
- Spoil areas that will be covered with vegetation
- Vegetated open space (i.e. recreational parks, lawns, meadows, fields, downhill ski trails) that do not *alter hydrology from pre- to post-development* conditions
- Athletic fields (natural grass) that do not include the construction or reconstruction of *impervious area* and do not *alter hydrology from pre- to post-development* conditions
- Demolition where vegetation will be established, and no *redevelopment activity* is planned[1]
- Installation or replacement of either an overhead electric transmission line or a ski lift tower that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*.
- Solar array field areas that have tables elevated off the ground, spaced one table width apart, do not *alter hydrology from pre- to post-development conditions*, and address water quality volume and runoff reduction volume by maintaining sheet flow on slopes less than 8%.
- Structural agricultural conservation practices as identified in Table II in the "Agricultural Best Management Practice Systems Catalogue" (dated June 2023) that do not include construction or reconstruction of *impervious area* and do not *alter hydrology from pre- to post-development* conditions.
- Temporary access roads, median crossovers, detour roads, lanes, or other temporary *impervious areas* that will be restored to pre-construction conditions once the *construction activity* is complete (in this context, "temporary" means the *impervious area* will be in place for two years or less)
- Other *construction activities* that do not include the construction or reconstruction of *impervious area*, and do not *alter hydrology from pre- to post-development* conditions, and are not listed in Table 2.

1. If the site is redeveloped in the future, a new eNOI must be submitted.

Table 2

CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A *SWPPP* THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES (SMPS)

The following *construction activities*:

- Single-family home located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix D
- Single-family home that disturbs five (5) or more acres of land
- Single-family residential subdivisions located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix D
- Single-family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% *impervious cover* at total site build-out
- Single-family residential subdivisions that involve soil disturbances of between 20,000 square feet and one (1) acre of land within the municipal boundaries of NYC with greater than 25% *impervious cover* at total site build-out
- Single-family residential subdivisions that involve soil disturbances of five (5) or more acres of land, and single-family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a *common plan of development or sale* that will ultimately disturb five (5) or more acres of land
- Multi-family residential developments; includes duplexes, townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Creation of 5,000 square feet or more of *impervious area* in the municipal boundaries of NYC
- Airports
- Amusement parks
- Breweries, cideries, and wineries, including establishments constructed on agricultural land
- Campgrounds
- Cemeteries that include the construction or reconstruction of *impervious area* (>5% of disturbed area) or *alter the hydrology from pre- to post-development* conditions
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other *agricultural building* (e.g. silo) that involves soil disturbance greater than five acres.
- Structural agricultural conservation practices as identified in Table II in the “Agricultural Best Management Practice Systems Catalogue” (dated June 2023) that involves soil disturbance greater than five acres and include the construction or reconstruction of *impervious area* or *alter hydrology from pre- to post-development* conditions.
- Facility buildings, including ski lodges, restroom buildings, pumphouses, ski lift terminals, and maintenance and groomer garages
- Institutional development; includes hospitals, prisons, schools and colleges
- Industrial facilities; includes industrial parks
- Landfills; including creation of landfills or capping landfills.
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTWs, water treatment plants, and water storage tanks
- Golf courses
- Office complexes

Table 2 (Continued)

CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A *SWPPP* THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES (SMPS)

The following *construction activities*:

- Permanent laydown yards and equipment storage lots
- Playgrounds that include the construction or reconstruction of *impervious area*
- Sports complexes
- Racetracks; includes racetracks with earthen (dirt) surfaces
- Road construction or reconstruction, outside the municipal boundaries of NYC
- Road construction within the municipal boundaries of NYC
- Stand-alone road reconstruction, within the municipal boundaries of NYC where the total soil disturbance from that road reconstruction involves soil disturbance of one (1) acre or more of land
- Parking lot construction or reconstruction (as with all Table 2 bullets, this includes parking lots constructed as part of the *construction activities* listed in Table 1, unless a Table 1 bullet specifies otherwise)
- Athletic fields (natural grass) that include the construction or reconstruction of *impervious area* (>5% of disturbed area) or *alter the hydrology from pre- to post-development* conditions
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations, and well drilling pads, surfaced with *impervious cover,* and constructed as part of an overhead electric transmission line, wind-power, cell tower, oil or gas well drilling, sewer or water main, ski lift, or other linear utility project
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are part of a residential, commercial or institutional development
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are part of highway construction or reconstruction
- Solar array field areas on slopes greater than 8% that cannot maintain sheet flow using management practices identified in the BB or the DM
- Solar array field areas on slopes less than 8% that will *alter the hydrology from pre- to post-development* conditions
- Solar array field areas with tables that are not elevated high enough to achieve *final stabilization* beneath the tables
- Traditional *impervious areas* associated with solar development (e.g. roads, buildings, transformers)
- Utility pads surfaced with *impervious cover*, including electric vehicle charging stations
- All other *construction activities* that include the construction or reconstruction of *impervious area* or *alter the hydrology from pre- to post-development* conditions, and are not listed in Table 1

APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

Watersheds where *owners or operators* of *construction activities* identified in Table 2 of Appendix B must prepare a *SWPPP* that includes SMPs designed in conformance with the Enhanced Phosphorus Removal Standards included in the DM technical standard.

- Entire New York City Watershed located east of the Hudson River – Figure 1
- Onondaga Lake Watershed – Figure 2
- Greenwood Lake Watershed – Figure 3
- Oscawana Lake Watershed – Figure 4
- Kinderhook Lake Watershed – Figure 5

Figure 1 - New York City Watershed East of the Hudson

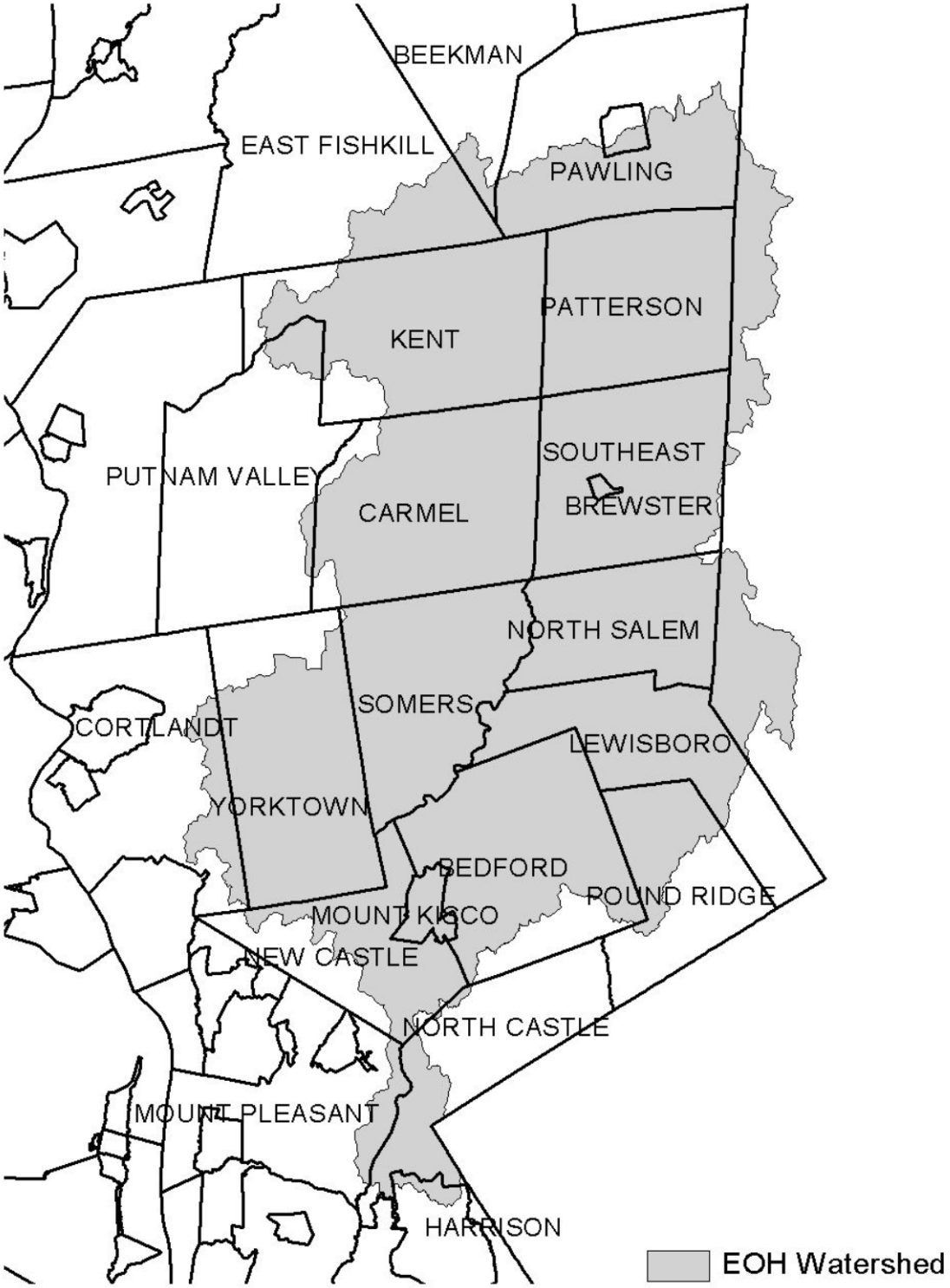


Figure 2 - Onondaga Lake Watershed

Figure 3 - Greenwood Lake Watershed

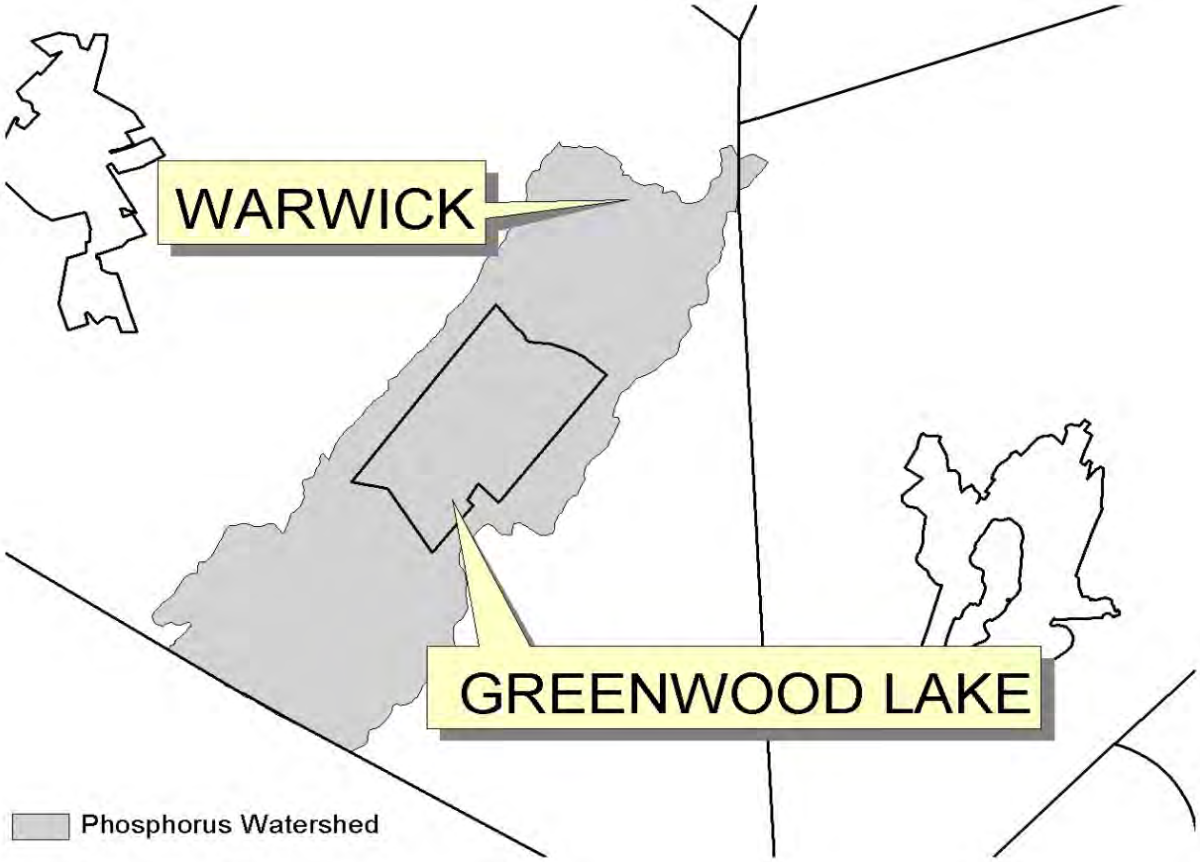


Figure 4 - Oscawana Lake Watershed

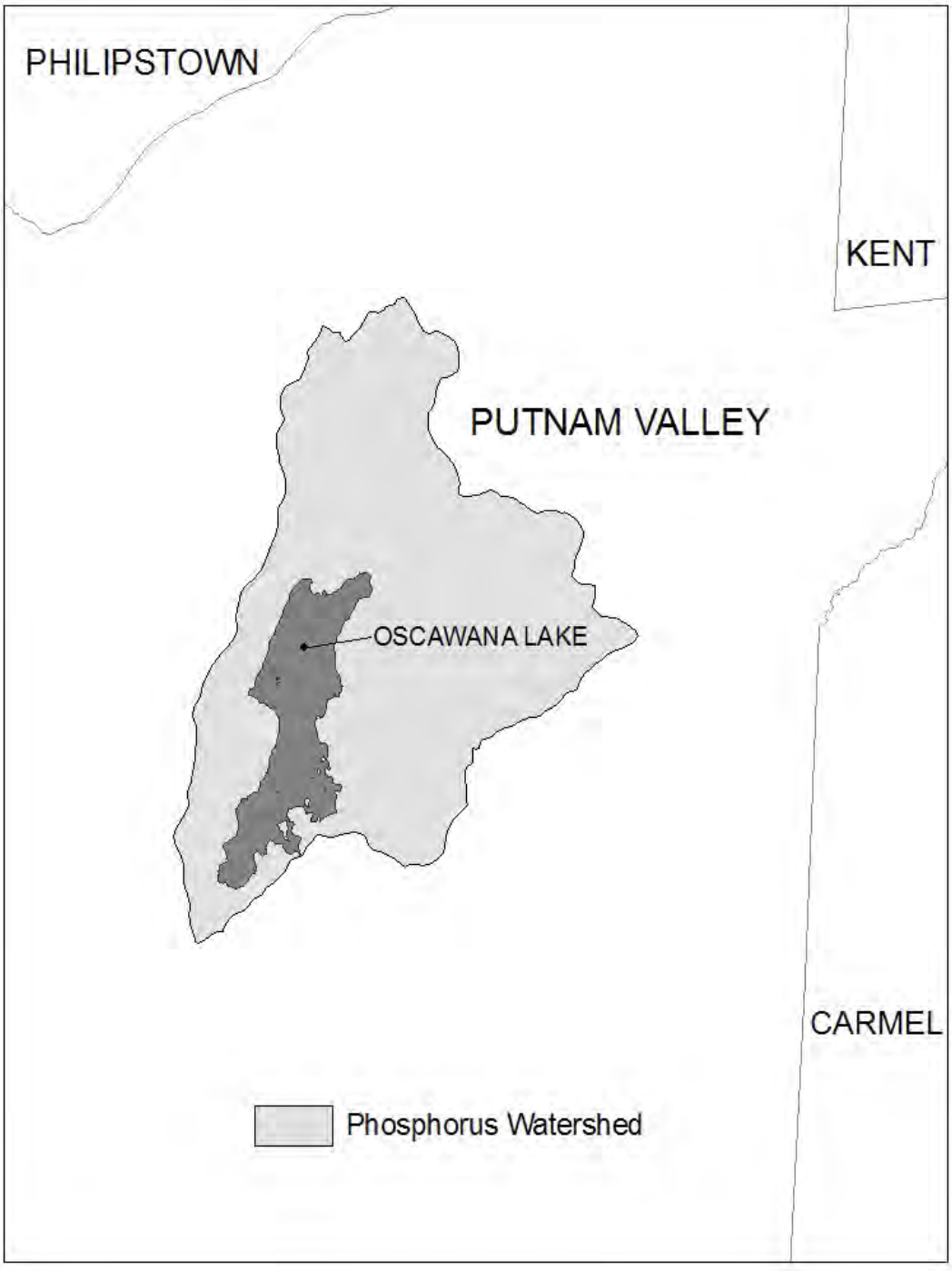
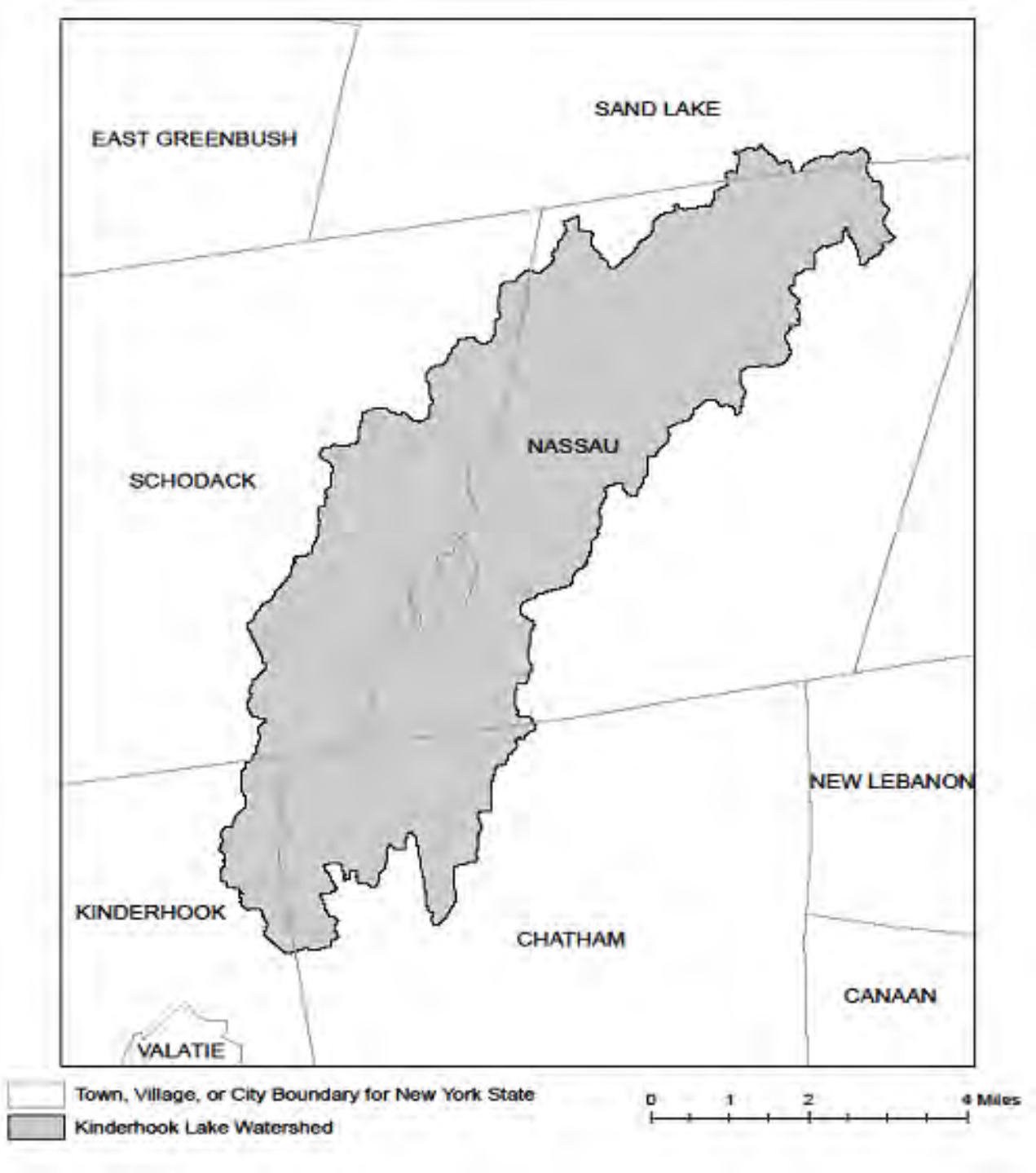


Figure 5 - Kinderhook Lake Watershed



APPENDIX D – Impaired Waterbodies (by Construction Related Pollutants)

List of waterbodies impaired by *pollutants* related to *construction activity*, including turbidity, silt/sediment, and nutrients (e.g. nitrogen, phosphorus). This list is a subset of "The Final New York State 2018 Section 303(d) List of Impaired Waters Requiring a TMDL" dated June 2020.

County	Waterbody	Pollutant
Albany	Ann Lee (Shakers) Pond, Stump Pond (1201-0096)	Phosphorus
Albany	Lawsons Lake (1301-0235)	Phosphorus
Allegany	Amity Lake, Saunders Pond (0403-0054)	Phosphorus
Allegany	Andover Pond (0403-0056)	Phosphorus
Bronx	Reservoir No.1/Lake Isle (1702-0075)	Phosphorus
Bronx	Van Cortlandt Lake (1702-0008)	Phosphorus
Broome	Blueberry, Laurel Lakes (1404-0033)	Phosphorus
Broome	Fly Pond, Deer Lake (1404-0038)	Phosphorus
Broome	Minor Tribs to Lower Susquehanna (0603-0044)	Phosphorus
Broome	Whitney Point Lake/Reservoir (0602-0004)	Phosphorus
Cattaraugus	Allegheny River/Reservoir (0201-0023)	Phosphorus
Cattaraugus	Beaver Lake/Alma Pond (0201-0073)	Phosphorus
Cattaraugus	Case Lake (0201-0020)	Phosphorus
Cattaraugus	Linlyco/Club Pond (0201-0035)	Phosphorus
Cayuga	Duck Lake (0704-0025)	Phosphorus
Cayuga	Owasco Inlet, Upper, and tribs (0706-0014)	Nutrients
Chautauqua	Chadakoin River and tribs (0202-0018)	Phosphorus
Chautauqua	Hulburt/Clymer Pond (0202-0079)	Phosphorus
Chautauqua	Middle Cassadaga Lake (0202-0002)	Phosphorus
Clinton	Great Chazy River, Lower, Main Stem (1002-0001)	Silt/Sediment
Columbia	Robinson Pond (1308-0003)	Phosphorus
Cortland	Dean Pond (0602-0077)	Phosphorus
Dutchess	Fallkill Creek (1301-0087)	Phosphorus
Dutchess	Hillside Lake (1304-0001)	Phosphorus
Dutchess	Wappingers Lake (1305-0001)	Phosphorus
Dutchess	Wappingers Lake (1305-0001)	Silt/Sediment
Erie	Beeman Creek and tribs (0102-0030)	Phosphorus
Erie	Delaware Park Pond (0101-0026)	Phosphorus
Erie	Ellicott Creek, Lower, and tribs (0102-0018)	Phosphorus
Erie	Ellicott Creek, Lower, and tribs (0102-0018)	Silt/Sediment
Erie	Green Lake (0101-0038)	Phosphorus
Erie	Little Sister Creek, Lower, and tribs (0104-0045)	Phosphorus
Erie	Murder Creek, Lower, and tribs (0102-0031)	Phosphorus

Erie	Rush Creek and tribs (0104-0018)	Phosphorus
Erie	Scajaquada Creek, Lower, and tribs (0101-0023)	Phosphorus
Erie	Scajaquada Creek, Middle, and tribs (0101-0033)	Phosphorus
Erie	Scajaquada Creek, Upper, and tribs (0101-0034)	Phosphorus
Erie	South Branch Smoke Cr, Lower, and tribs (0101-0036)	Phosphorus
Erie	South Branch Smoke Cr, Lower, and tribs (0101-0036)	Silt/Sediment
Genesee	Bigelow Creek and tribs (0402-0016)	Phosphorus
Genesee	Black Creek, Middle, and minor tribs (0402 0028)	Phosphorus
Genesee	Black Creek, Upper, and minor tribs (0402-0048)	Phosphorus
Genesee	Bowen Brook and tribs (0102-0036)	Phosphorus
Genesee	LeRoy Reservoir (0402-0003)	Phosphorus
Genesee	Mill Pond (0402-0050)	Phosphorus
Genesee	Oak Orchard Cr, Upper, and tribs (0301-0014)	Phosphorus
Genesee	Oatka Creek, Middle, and minor tribs (0402-0031)	Phosphorus
Genessee	Tonawanda Cr, Middle, Main Stem (0102-0002)	Phosphorus
Greene	Schoharie Reservoir (1202-0012)	Silt/Sediment
Greene	Sleepy Hollow Lake (1301-0059)	Silt/Sediment
Herkimer	Steele Creek tribs (1201-0197)	Phosphorus
Herkimer	Steele Creek tribs (1201-0197)	Silt/Sediment
Kings	Hendrix Creek (1701-0006) 18	Nitrogen
Kings	Prospect Park Lake (1701-0196)	Phosphorus
Lewis	Mill Creek/South Branch, and tribs (0801-0200)	Nutrients
Livingston	Christie Creek and tribs (0402-0060)	Phosphorus
Livingston	Conesus Lake (0402-0004)	Phosphorus
Livingston	Mill Creek and minor tribs (0404-0011)	Silt/Sediment
Monroe	Black Creek, Lower, and minor tribs (0402-0033)	Phosphorus
Monroe	Buck Pond (0301-0017)	Phosphorus
Monroe	Cranberry Pond (0301-0016)	Phosphorus
Monroe	Durand, Eastman Lakes (0302-0037)	Phosphorus
Monroe	Lake Ontario Shoreline, Western (0301-0069) 9	Phosphorus
Monroe	Long Pond (0301-0015)	Phosphorus
Monroe	Mill Creek and tribs (0302-0025)	Phosphorus 2
Monroe	Mill Creek/Blue Pond Outlet and tribs (0402-0049)	Phosphorus
Monroe	Minor Tribs to Irondequoit Bay (0302-0038)	Phosphorus
Monroe	Rochester Embayment - East (0302-0002) [9]	Phosphorus
Monroe	Rochester Embayment - West (0301-0068) 9	Phosphorus
Monroe	Shipbuilders Creek and tribs (0302-0026)	Phosphorus 2
Monroe	Thomas Creek/White Brook and tribs (0302-0023)	Phosphorus

Nassau	Bannister Creek/Bay (1701-0380)	Nitrogen
Nassau	Beaver Lake (1702-0152)	Phosphorus
Nassau	Browswere Bay (1701-0383)	Nitrogen
Nassau	Camaans Pond (1701-0052)	Phosphorus
Nassau	East Meadow Brook, Upper, and tribs (1701-0211)	Silt/Sediment
Nassau	East Rockaway Channel (1701-0381)	Nitrogen
Nassau	Glen Cove Creek, Lower, and tribs (1702-0146)	Silt/Sediment
Nassau	Grant Park Pond (1701-0054)	Phosphorus
Nassau	Hempstead Bay, Broad Channel (1701-0032)	Nitrogen
Nassau	Hempstead Lake (1701-0015)	Phosphorus
Nassau	Hewlett Bay (1701-0382)	Nitrogen
Nassau	Hog Island Channel (1701-0220)	Nitrogen
Nassau	Massapequa Creek, Upper, and tribs (1701-0174)	Phosphorus
Nassau	Milburn/Parsonage Creeks, Upp, and tribs (1701-0212)	Phosphorus
Nassau	Reynolds Channel, East (1701-0215) [12]	Nitrogen
Nassau	Reynolds Channel, West (1701-0216) 12	Nitrogen
Nassau	Tidal Tribs to Hempstead Bay (1701-0218)	Nitrogen
Nassau	Tribs (fresh) to East Bay (1701-0204)	Silt/Sediment
Nassau	Tribs (fresh) to East Bay (1701-0204)	Phosphorus
Nassau	Tribs to Smith Pond/Halls Pond (1701-0221)	Phosphorus
Nassau	Woodmere Channel (1701-0219)	Nitrogen
New York	Harlem Meer (1702-0103)	Phosphorus
New York	The Lake in Central Park (1702-0105)	Phosphorus
Niagara	Bergholtz Creek and tribs (0101-0004)	Phosphorus
Niagara	Hyde Park Lake (0101-0030)	Phosphorus
Niagara	Lake Ontario Shoreline, Western (0301-0053) 9	Phosphorus
Niagara	Lake Ontario Shoreline, Western (0301-0072) 9	Phosphorus
Oneida	Ballou, Nail Creeks (1201-0203)	Phosphorus
Onondaga	Ley Creek and tribs (0702-0001) 10	Nutrients (phosphorus)
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Nutrients (phosphorus)
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Nitrogen (NH3, NO2)
Onondaga	Onondaga Creek, Lower (0702-0023) 10	Nutrients (phosphorus)
Onondaga	Onondaga Creek, Lower, and tribs (0702-0023)	Turbidity
Onondaga	Onondaga Creek, Middle, and tribs (0702-0004)	Turbidity
Onondaga	Onondaga Creek, Upper, and tribs (0702-0024)	Turbidity
Ontario	Great Brook and minor tribs (0704-0034)	Phosphorus 2
Ontario	Great Brook and minor tribs (0704-0034)	Silt/Sediment

Ontario	Hemlock Lake Outlet and minor tribs (0402-0013)	Phosphorus
Ontario	Honeoye Lake (0402-0032)	Phosphorus
Orange	Brown Pond Reservoir (1303-0013)	Phosphorus
Orange	Lake Washington (1303-0012)	Phosphorus
Orange	Minor Tribs to Middle Wallkill (1306-0061)	Phosphorus
Orange	Monhagen Brook and tribs (1306-0074)	Phosphorus
Orange	Orange Lake (1301-0008) [16]	Phosphorus
Orange	Quaker Creek and tribs (1306-0025)	Phosphorus
Orange	Wallkill River, Middle, Main Stem (1306-0038)	Phosphorus
Orange	Wallkill River, Upper, and Minor tribs (1306-0017)	Phosphorus
Orleans	Glenvwood Lake (0301-0041)	Phosphorus
Orleans	Lake Ontario Shoreline, Western (0301-0070) 9	Phosphorus
Orleans	Lake Ontario Shoreline, Western (0301-0071) 9	Phosphorus
Oswego	Lake Neatahwanta (0701-0018)	Nutrients (phosphorus)
Oswego	Pleasant Lake (0703-0047)	Phosphorus
Putnam	Lost Lake, Putnam Lake (1302-0053)	Phosphorus
Putnam	Minor Tribs to Croton Falls Reservoir (1302-0001)	Phosphorus
Queens	Bergen Basin (1701-0009) 18	Nitrogen
Queens	Jamaica Bay, Eastern, and tribs, Queens (1701-0005) 18	Nitrogen
Queens	Kissena Lake (1702-0258)	Phosphorus
Queens	Meadow Lake (1702-0030)	Phosphorus
Queens	Shellbank Basin (1701-0001) 18	Nitrogen
Queens	Willow Lake (1702-0031)	Phosphorus
Rensselaer	Nassau Lake (1310-0001)	Phosphorus
Rensselaer	Snyders Lake (1301-0043)	Phosphorus
Richmond	Grassmere Lake/Bradys Pond (1701-0357)	Phosphorus
Rockland	Congers Lake, Swartout Lake (1501-0019)	Phosphorus
Rockland	Rockland Lake (1501-0021)	Phosphorus
Saratoga	Ballston Lake (1101-0036)	Phosphorus
Saratoga	Dwaas Kill and tribs (1101-0007)	Phosphorus
Saratoga	Dwaas Kill and tribs (1101-0007)	Silt/Sediment
Saratoga	Lake Lonely (1101-0034)	Phosphorus
Saratoga	Round Lake (1101-0060)	Phosphorus
Saratoga	Tribs to Lake Lonely (1101-0001)	Phosphorus
Schenectady	Collins Lake (1201-0077)	Phosphorus
Schenectady	Duane Lake (1311-0006)	Phosphorus
Schenectady Lake	Mariaville Lake (1201-0113)	Phosphorus
Schuyler	Cayuta Lake (0603-0005)	Phosphorus

Seneca	Reeder Creek and tribs (0705-0074)	Phosphorus
St.Lawrence	Black Lake Outlet, Black Lake (0906-0001)	Phosphorus
St.Lawrence	Fish Creek and minor tribs (0906-0026)	Phosphorus
Steuben	Smith Pond (0502-0012)	Phosphorus
Suffolk	Agawam Lake (1701-0117)	Phosphorus
Suffolk	Big/Little Fresh Ponds (1701-0125)	Phosphorus
Suffolk	Canaan Lake (1701-0018)	Phosphorus
Suffolk	Canaan Lake (1701-0018)	Silt/Sediment
Suffolk	Fresh Pond (1701-0241)	Phosphorus
Suffolk	Great South Bay, East (1701-0039)	Nitrogen
Suffolk	Great South Bay, Middle (1701-0040)	Nitrogen
Suffolk	Great South Bay, West (1701-0173)	Nitrogen
Suffolk	Lake Ronkonkoma (1701-0020)	Phosphorus
Suffolk	Mattituck/Marratooka Pond (1701-0129)	Phosphorus
Suffolk	Mill and Seven Ponds (1701-0113)	Phosphorus
Suffolk	Millers Pond (1702-0013)	Phosphorus
Suffolk	Moriches Bay, East (1701-0305)	Nitrogen
Suffolk	Moriches Bay, West (1701-0038)	Nitrogen
Suffolk	Quantuck Bay (1701-0042)	Nitrogen
Suffolk	Shinnecock Bay and Inlet (1701-0033)	Nitrogen
Suffolk	Tidal Tribs to West Moriches Bay (1701-0312)	Nitrogen
Sullivan	Bodine, Mongomery Lakes (1401-0091)	Phosphorus
Sullivan	Davies Lake (1402-0047)	Phosphorus
Sullivan	Evens Lake (1402-0004)	Phosphorus
Sullivan	Pleasure Lake (1402-0055)	Phosphorus
Sullivan	Swan Lake (1401-0063)	Phosphorus
Tompkins	Cayuga Lake, Southern End (0705-0040)	Phosphorus
Tompkins	Cayuga Lake, Southern End (0705-0040)	Silt/Sediment
Ulster	Ashokan Reservoir (1307-0004)	Silt/Sediment
Ulster	Esopus Creek, Lower, Main Stem (1307-0010) [17]	Turbidity
Ulster	Esopus Creek, Middle, Main Stem (1307-0003) 17	Turbidity
Ulster	Esopus Creek, Upper, and minor tribs (1307-0007)[3]	Silt/Sediment
Ulster	Wallkill River, Lower, Main Stem (1306-0027)	Phosphorus
Warren	Hague Brook and tribs (1006-0006)	Silt/Sediment
Warren	Huddle/Finkle Brooks and tribs (1006-0003)	Silt/Sediment
Warren	Indian Brook and tribs (1006-0002)	Silt/Sediment
Warren	Lake George (1006-0016) and tribs	Silt/Sediment
Warren	Tribs to Lake George, East Shore (1006-0020)	Silt/Sediment
Warren	Tribs to Lake George, Lk.George Village (1006-0008)	Silt/Sediment

Washington	Wood Cr/Champlain Canal and tribs (1005-0036)	Phosphorus
Westchester	Lake Katonah (1302-0136)	Phosphorus
Westchester	Lake Lincolndale (1302-0089)	Phosphorus
Westchester	Lake Meahagh (1301-0053)	Phosphorus
Westchester	Lake Mohegan (1301-0149)	Phosphorus
Westchester	Lake Shenorock (1302-0083)	Phosphorus
Westchester	Mamaroneck River, Lower (1702-0071)	Silt/Sediment
Westchester	Mamaroneck River, Upp, & minor tribs (1702-0123)	Silt/Sediment
Westchester	Saw Mill River (1301-0007)	Phosphorus
Westchester	Saw Mill River, Middle, and tribs (1301-0100)	Phosphorus
Westchester	Sheldrake River (1702-0069)	Phosphorus
Westchester	Sheldrake River (1702-0069)	Silt/Sedimnt
Westchester	Silver Lake (1702-0040)	Phosphorus
Westchester	Teatown Lake (1302-0150)	Phosphorus
Westchester	Truesdale Lake (1302-0054)	Phosphorus
Westchester	Wallace Pond (1301-0140)	Phosphorus

APPENDIX E – List of NYSDEC Regional Offices

Region	Covering the following counties:	DIVISION OF ENVIRONMENTAL PERMITS (DEP) Permit Administrators	DIVISION OF WATER (DOW) Water (SPDES) Program
1	Nassau and Suffolk	50 Circle Road Stony Brook, NY 11790 Tel. (631) 444-0365	50 Circle Road Stony Brook, NY 11790-3409 Tel. (631) 444-0405
2	Bronx, Kings, New York, Queens and Richmond	1 Hunters Point Plaza, 47-40 21st St. Long Island City, NY 11101-5407 Tel. (718) 482-4997	1 Hunters Point Plaza, 47-40 21st St. Long Island City, NY 11101-5407 Tel. (718) 482-4933
3	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester	21 South Putt Corners Road New Paltz, NY 12561-1696 Tel. (845) 256-3059	220 White Plains Road, Suite 110 Tel. (914) 428 - 2505
4	Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer, Schenectady and Schoharie	1130 North Westcott Road Schenectady, NY 12306-2014 Tel. (518) 357-2069	1130 North Westcott Road Schenectady, NY 12306-2014 Tel. (518) 357-2045
5	Clinton, Essex, Franklin, Fulton, Hamilton, Saratoga, Warren and Washington	1115 State Route 86, Po Box 296 Ray Brook, NY 12977-0296 Tel. (518) 897-1234	232 Golf Course Road Warrensburg, NY 12885-1172 Tel. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	5786 WIDEWATERS PARKWAY SYRACUSE, NY 13214-1867 TEL. (315) 426-7438	5786 WIDEWATERS PARKWAY SYRACUSE, NY 13214-1867 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROADAVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	700 DELAWARE AVENUE BUFFALO, NY 14209-2999 TEL. (716) 851-7165	700 DELAWARE AVENUE BUFFALO, NY 14209-2999 TEL. (716) 851-7070

APPENDIX F – SWPPP Preparer Certification Form

The SWPPP Preparer Certification Form required by this permit begins on the following page.

SWPPP Preparer Certification Form

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

Project/Site Name:

eNOI Submission ID:

Owner/Operator Name:

Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the requirements of GP-0-25-001. I certify under penalty of law that the SWPPP and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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.

SWPPP Preparer First Name | MI | SWPPP Preparer Last Name

Signature | Date

Revised: January 2025

APPENDIX G – MS4 SWPPP Acceptance Form

The MS4 SWPPP Acceptance Form required by this permit begins on the following page.

MS4 SWPPP Acceptance Form

for construction activities seeking authorization under the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

I. Project Owner/Operator Information
1. Owner/Operator Name:
2. Contact Person:
3. Street Address:
4. City/State/Zip:
II. Project Site Information
5. Project/Site Name:
6. Street Address:
7. City/State/Zip:
III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information
8. SWPPP Reviewed by:
9. Title/Position:
10. Date Final SWPPP Reviewed and Accepted:
IV. Regulated MS4 Information
11. Name of MS4 Operator:
12. MS4 SPDES Permit Identification Number: NYR20A
13. Street Address:
14. City/State/Zip:
15. Telephone Number:

MS4 SWPPP Acceptance Form - continued

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in section II. of this form has been reviewed and meets the substantive requirements in the SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP). Note: The MS4 Operator, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 Operator does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name[1]:

Title/Position:

Signature:

Date:

VI. Additional Information

[1] Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.

APPENDIX H – NYCDEP SWPPP Acceptance/Approval Form

The City of New York Department of Environmental Protection (NYCDEP) SWPPP Acceptance/Approval form required by this permit begins on the following page.

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Planning and Analysis
59-17 Junction Blvd., 9th Floor; Flushing, NY 11373

SWPPP Acceptance/Approval

Application Number:

I. Project Owner/Operator Information

1. Owner/Operator Name:
2. Contact Person:
3. Street Address:
4. City/State/Zip:

II. Project Site Information

5. Project/Site Name:
6. Street Address:
7. City/State/Zip:

III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance/Approval

8. SWPPP Reviewed by:
9. Title/Position: /
10. Date Final SWPPP Reviewed and Accepted:
11. Acceptance/Approval Expiration Date:

IV. Regulated MS4 Information for projects that require coverage under the NY State Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity

12. Name of MS4: *CITY OF NEW YORK*
13. MS4 SPDES Permit Identification Number: *NY-0287890*
14. Contact Person:
15. Street Address: *59-17 Junction Blvd. 9th Floor*
16. City/State/Zip: *Flushing, NY 11373*
17. Telephone Number:

Projects in the MS4 area must submit a copy of this SWPPP Acceptance with a Notice of Intent for coverage under the NY SPDES General Permit for Stormwater Discharges from Construction Activity to: NYS Department of Environmental Conservation, Division of Water; 625 Broadway, 4th Floor; Albany, New York 12233-3505.

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

VI. Conditions of Acceptance/Approval and Additional Information

Projects in the MS4 area must submit a copy of this SWPPP Acceptance with a Notice of Intent for coverage under the NY SPDES General Permit for Stormwater Discharges from Construction Activity to: NYS Department of Environmental Conservation, Division of Water; 625 Broadway, 4th Floor; Albany, New York 12233-3505.

APPENDIX I – MS4 No Jurisdiction Form

The MS4 No Jurisdiction Form required by this permit begins on the following page.

MS4 No Jurisdiction Form

for construction activities seeking authorization under the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

I. Project Owner/Operator Information

a. Owner/Operator Name:

b. Contact Person:

c. Street Address:

d. City/State/Zip:

II. Project Site Information

a. Project/Site Name:

b. Street Address:

c. City/State/Zip:

d. eNOI Submission ID:

III. Traditional Land Use Control MS4 Operator Information

a. Name of MS4 Operator:

b. MS4 SPDES Permit ID Number: NYR20A

c. Street Address:

d. City/State/Zip:

e. Telephone Number:

IV. Certification Statement

In accordance with CGP Part I.D.2.b.ii.3., I hereby certify that the Traditional Land Use Control MS4 Operator identified in section III. of this form does not have review authority over the construction project identified in section II. of this form, which is owned/operated by the entity identified in section I. of this form. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

a. Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.:

b. Title/Position:

c. Signature:

d. Date:

APPENDIX J – Owner/Operator Certification Form

The Owner/Operator Certification Form required by this permit begins on the following page.

Owner/Operator Certification Form

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b. or Part I.F.2. and 3., the completed form must be attached to the eNOI or the Request to Continue Coverage, and submitted to NYSDEC electronically.

Project/Site Name: _____

eNOI Submission ID: _____

eNOI Submitted by: ☐ **Owner/Operator** ☐ **SWPPP Preparer** ☐ **Other**

Certification Statement - Owner/Operator

I hereby certify that I read, and will comply with, the GP-0-25-001 permit requirements. I understand that authorization to discharge under the permit for the project/site named above is dependent on receipt of a Letter of Authorization (LOA) or a Letter of Continued Coverage (LOCC) from the New York State Department of Environmental Conservation (NYSDEC) in accordance with CGP Part I.D.3.b. or Part I.F.4. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Owner/Operator First Name MI Owner/Operator Last Name

_____

Signature

_____

Date

Revised: January 2025

APPENDIX 6

Certifications to NYSDEC

Digitally signed by:
nFormNY
dec0117pw5web.svc.ny.gov
Date: 2024.12.12 10:28:01 -05:00
Reason: Copy Of Record
Location: Albany, New York

MS4 Notice of Intent

version 1.2

(Submission #: HQ8-T01H-P9FEP, version 1)

Details

Alternate Identifier NYR20A250

Submission ID HQ8-T01H-P9FEP

Form Input

MS4 Operator Information

MS4 Operator

The MS4 Operator is the person, persons, or legal entity that obtains coverage and is responsible for the MS4.

Is this NOI for an MS4 Operator continuing coverage?
Yes

Permit ID #:
NYR20A250

MS4 Operator Type
Traditional land use control

Traditional Land Use Control

Traditional land use control MS4 Operator requirements are found in Part VI of the MS4 General Permit.

Municipality Name or Legal Entity Name
VILLAGE OF ISLANDIA

Legal Municipal/Entity Mailing address

1100 OLD NICHOLS ROAD
ISLANDIA, NY 11749
Suffolk

Ranking Official

Official Title	First and Last Name	Phone	Email
Mayor	ALLAN DORMAN	631-348-1133	ADORMAN@NEWVILLAGEOFISLANDIA.COM

NOI Preparer

NOI Preparer Title	First and Last Name	Phone	Email
Other: ENGINEERING CONSULTANT-CASHIN ASSOCIATES P.C.	LATIKA CHADHA	631-348-7600	LCHADHA@CA-PC.COM

NAICS Codes

Federal, State or Local Government - 924110
Military Bases - 928110
Highway, road or other thoroughfare system - 237310
Large Hospitals - 622110

Public Colleges and Universities - 611310
Correctional Institutions - 922140
NAICS Code Lookup

NAICS Code
924110

Is the MS4 Operator working with other MS4 Operators to implement the Stormwater Management Program?
No

Does the MS4 Operator have any facilities that need to obtain MSGP coverage under MSGP permit?
No

MS4 Location Information

MS4 Facility Name
VILLAGE OF ISLANDIA MS4

On the map below, place the pin at the center of the MS4 Operator. This can be either the geographic center or the population center.

Central point of the MS4 Operator
40.8066024,-73.16358149999999

Waterbody Information (1 of 1)

If the MS4 Operator discharges to multiple waterbodies, all waterbodies must be listed. Use the 'Duplicate Waterbody Information' or 'Add New Waterbody Information' buttons to add as many waterbodies as necessary.

To find the names of waterbodies, including any impaired waterbodies, use the DEC's Stormwater Interactive Map. Under the Permit Related Layers check the box for the Impaired Waterbodies for MS4GP and the box for Waterbody Inventory/Priority Waterbodies List.
Stormwater Interactive Map

Waterbody name and segment receiving MS4 Operator discharges
Connetquot River, Upper, and tribs - 1701-0095

Is this waterbody segment listed in Appendix C (List of Impaired Waters) of the MS4 General Permit?
No

Is this waterbody segment listed in Table 3 (Approved TMDL Watersheds with MS4 Contribution) of the MS4 General Permit?
No

CERTIFICATION

The MS4 Operator has read and understands the SPDES MS4 General Permit, GP-0-24-001, as it pertains to permit requirements as well as the timeframes for compliance set forth in the permit.
Yes

I am the ranking elected official or Principal Executive Officer for the MS4 Operator and will be signing the form electronically.
Yes

As the Ranking Elected Official or Principal Executive Officer, please download the certification form from the link below. Complete and sign the certification. Then upload the certification form to this NOI.

This certification form must be signed and uploaded every time the NOI is submitted.
Certification Form

Attach completed certification form.

2024-12-12 MS4 NOI Certification- signed.pdf - 12/12/2024 10:24 AM

Comment

NONE PROVIDED

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water
625 Broadway, Albany, New York 12233-3500
P: (518) 402-8233 | F: (518) 402-9029
www.dec.ny.gov

MS4 Operator Certification Form for eReports

SPDES General Permit for
Stormwater Discharges From
Municipal Separate Storm Sewer Systems (GP-0-24-001)

Instructions
Please review Part X.J. of GP-0-24-001 before signing this form. A signature by an unauthorized person will delay permit coverage.

This form must be signed by one of the following:

1. For a corporation: by a responsible corporate officer
2. For a partnership: by a general partner
3. For a sole proprietorship: by the proprietor
4. For a municipality, state, federal or other public agency: by a principal executive officer or ranking elected official

MS4 Operator Name: Village of Islandia

eReport Submission Number: HQ8-T01H-P9FEP

MS4 Operator Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision 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.

Allan Dorman	Mayor	Village of Islandia
Name (please print or type)	Title	Organization
Signature	12-12-24 Date	

Digitally signed by:
nFormNY
dec0117pw5web.svc.ny.gov
Date: 2025.01.08 11:33:31 -05:00
Reason: Copy Of Record
Location: Albany, New York

MS4 Interim Progress Certification 6 Month Requirements

version 1.0

(Submission #: HQ8-TVXD-H800E, version 1)

Details

Alternate Identifier NYR20A250

Submission ID HQ8-TVXD-H800E

Form Input

MS4 Operator Information

Municipality Name or Legal Entity Name
VILLAGE OF ISLANDIA

Permit ID #:
NYR20A250

MS4 Operator Type
Traditional land use control

Traditional Land Use Control
Village

Traditional Land Use Control

Traditional land use control MS4 Operator requirements are found in Part VI of the MS4 General Permit.

Legal Municipal/Entity Mailing address

1100 OLD NICHOLS ROAD
ISLANDIA, NY 11749
Suffolk

Ranking Official

Official Title	First and Last Name	Phone	Email
Mayor	Allan Dorman	631-348-1133	adorman@newvillageofislandia.com

Report Preparer

Report Preparer Title	First and Last Name	Phone	Email
Other: Engineering Consultant- Cashin Associates P.C.	Latika Chadha	631-348-7600	Lchadha@ca-pc.com

Stormwater Program Coordinator

Coordinator Title	First and Last Name	Phone	Email
Stormwater Program Coordinator	Patricia Dorman	6313481133	pdorman@newvillageofislandia.com

Part I-V

MS4 General Permit Resources

Use the following webpages for more information on the permit and fact sheet:
MS4 Permit Webpage

MS4 Toolbox

Part II

Obtaining Permit Coverage

Has a complete Notice of Intent (NOI) been submitted? (Part II.A.)
Yes

Part IV

Administrative

Has a written staffing/organizational chart, which includes job titles and other entities as identified in Part IV.A.1, and the roles and responsibilities for each, corresponding to the required elements of the SWMP been developed? (Part IV.A.2.)
Yes

SWMP Plan

Has the current SWMP Plan, and any documentation associated with the implementation of the SWMP Plan, been made available during normal business hours? (Part IV.B.2.a.)
Yes

Is a copy of the current SWMP Plan available for public inspection during normal business hours at a location that is accessible to the public, or on a public website? (Part IV.B.2.b.)
Yes

Mapping

Are the required components included in the comprehensive system mapping? (Part IV.D.1.)
No

Please clarify the reason for selecting "No" for this item.
Mapping is in progress.

Legal Authority

Has adequate legal authority been maintained? (Part IV.E.)
Yes

Enforcement Measures & Tracking

Has an enforcement response plan (ERP) which clearly describes the action(s) to be taken for violations that the MS4 Operator has enacted for illicit discharge been developed? (Part IV.F.1.)
Yes

Has an enforcement response plan (ERP) which clearly describes the action(s) to be taken for violations that the MS4 Operator has enacted for construction been developed? (Part IV.F.1.)
Yes

Has an enforcement response plan (ERP) which clearly describes the action(s) to be taken for violations that the MS4 Operator has enacted for post-construction been developed? (Part IV.F.1.)
Yes

Please enter any comments related to the questions in this section below:
A preliminary ERP for violations for illicit discharge, active construction sites and post construction has been developed based on local laws enacted (L.L. 2-2008). A more comprehensive ERP is under progress.

Part VI & VII

Minimum Control Measure 1

Has information related to the prevention of illicit discharges been made available? (Part VI/VII.A.1.d.)
Yes

Minimum Control Measure 2

Has a local point of contact to receive and respond to public concerns regarding stormwater management and compliance with permit requirements been identified? (Part VI/VII.B.1.c.)
Yes

Minimum Control Measure 3

Has an email or phone number to allow the public to report illicit discharges been established? (Part VI/VII.C.1.a.i.)
Yes

Minimum Control Measure 4

Has an email or phone number to allow the public to report complaints related to construction stormwater activity been established? (Part VI/VII.D.2.a.)
Yes

Has a construction site inventory been developed? (Part VI/VII.D.4.a.)
Yes

Minimum Control Measure 5

Has the inventory of post-construction stormwater management practices (SMPs) been maintained from previous iterations of this SPDES general permit? (Part VI/VII.E.2.a.i.)
Yes

Has the inventory of post-construction stormwater management practices (SMPs) been developed as they are approved/discovered or after the owner/operator of the construction activity has filed the Notice of Termination? (Part VI/VII.E.2.a.ii.)
Yes

Minimum Control Measure 6

Have procedures for sweeping and/or cleaning of municipal streets, bridges, parking lots, and right of ways been developed? (Part VI/VII.F.3.d.i.)
Yes

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Part VIII

Does the MS4 Operator discharge to an impaired water listed in Appendix C of GP-0-24-001?
No

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Part IX

Does the MS4 Operator discharge to a TMDL listed in Table 3 of GP-0-24-001?
No

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Compliance Schedule Review

Compliance Schedule Resources

Use the following links for more information on the permit and compliance schedule:
MS4 Permit Webpage

MS4 Toolbox

What is the status for compliance items due within one year of effective date of coverage (EDC), January 2, 2025?

Citation	Compliance Items	Compliance Progress
Part VI/VII.D.3.	Develop and implement a construction oversight program	In Progress
Part VI/VII.D.5.a.	Prioritize construction sites	In Progress
Part VI/VII.E.4.	Develop and implement a post-construction stormwater management practice inspection and maintenance program	In Progress
Part VIII.C.7.b.iv.	Evaluate the effectiveness of deterrents, population controls, and other measures that may reduce bird related pathogen contributions	In Progress
Part VIII.C.7.c.	Make dog waste receptacles available in areas where pets/domestic animals may frequent	In Progress
Part IX.A.6.f.i.a. and IX.B.6.f.i.a.	Submit to the Department a retrofit plan that identifies the required components	In Progress

Have you reviewed compliance items due within two years of EDC, January 2, 2026?
Yes

Have you reviewed compliance items due within three years of EDC, January 2, 2027?
Yes

Have you reviewed compliance items due within four years of EDC, January 2, 2028?
Yes

Have you reviewed compliance items due within five years of EDC, January 2, 2029?
Yes

Have you reviewed compliance items which need to be completed routinely (annually, every five (5) years, etc.)?
Yes

Please enter any comments related to the questions in this section.
NONE PROVIDED

Certification

I am the ranking elected official or Principal Executive Officer for the MS4 Operator and will be signing the form electronically.
Yes

As the Ranking Elected Official or Principal Executive Officer, please download the certification form using the link below. Complete and sign the certification. Then, upload the certification form to this Interim Progress Certification and/or Annual Report.
Certification Form

Attach completed certification form.
2025-01-07 MS4 Interim Progress Certification- signed by Mayor.pdf - 01/08/2025 11:31 AM
Comment
NONE PROVIDED

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Water Permits
625 Broadway, Albany, New York 12233-3505
P: (518) 402-8111 | F: (518) 402-9029
www.dec.ny.gov

MS4 Operator Certification Form for eReports

SPDES General Permit for
Stormwater Discharges From
Municipal Separate Storm Sewer Systems (GP-0-24-001)

Instructions

As required by Part V.B.2. and Part V.B.3. of GP-0-24-001, the MS4 Operator must submit the Annual Report and the Interim Progress Certification, respectively. As stated in Part V.B.5. of GP-0-24-001, all reports must be signed in accordance with Part X.J. of GP-0-24-001.

MS4 Operator Name: Village of Islandia

Permit ID: NYR20A 250

eReport Submission Number: HQ8-TVXD-H800E

MS4 Operator Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision 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.

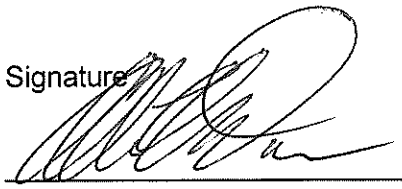
Name (please print or type)

Allan Dorman

Title

Mayor

Signature



Date

1-7-25

Digitally signed by:
nFormNY
dec0117pw5web.svc.ny.gov
Date: 2025.03.26 11:21:06 -04:00
Reason: Copy Of Record
Location: Albany, New York

MS4 Annual Report/Interim Progress Certification❓2025

version 1.0

(Submission #: HQ9-NJFQ-KTZXH, version 1)

Details

Alternate Identifier NYR20A250

Submission ID HQ9-NJFQ-KTZXH

Form Input

MS4 Operator Information

Municipality Name or Legal Entity Name
VILLAGE OF ISLANDIA

Permit ID #:
NYR20A250

MS4 Operator Type
Traditional land use control

Traditional Land Use Control
Village

Traditional Land Use Control

Traditional land use control MS4 Operator requirements are found in Part VI of the MS4 General Permit.

Legal Municipal/Entity Mailing address

1100 OLD NICHOLS ROAD
ISLANDIA, NY 11749
Suffolk

Ranking Official

Official Title	First and Last Name	Phone	Email
Mayor	ALLAN DORMAN	631-348-1133	ADORMAN@NEWVILLAGEOFISLANDIA.COM

Report Preparer

Report Preparer Title	First and Last Name	Phone	Email
Other: ENGINEERING CONSULTANT-CASHIN ASSOCIATES P.C.	Latika Chadha	631-348-7600	LCHADHA@CA-PC.COM

Stormwater Program Coordinator

Coordinator Title	First and Last Name	Phone	Email
Stormwater Program Coordinator	Patricia Dorman	631-348-1133	pdorman@newvillageofislandia.com

Part IV

Was the information in this section completed as part of a coalition/group?
No

MS4 General Permit Resources

Use the following webpages for more information on the permit and fact sheet:
MS4 Permit Webpage

MS4 Toolbox

SWMP Plan

Annually: Have the alternative implementation agreements in the SWMP Plan been updated? (Part IV.A.1.e.)
Yes

Annually: Has the SWMP been updated? (Part IV.B.3.)
Yes

Mapping

Annually: Has the comprehensive system mapping been updated? (Part IV.D.)
Yes

What tools are used to satisfy the comprehensive system mapping requirements? (e.g. paper maps, GIS, web mappers, etc.)
Paper Maps

Within three (3) years of the EDC: Has Phase I of the comprehensive mapping been completed? (Part IV.D.2.a.)
No

Please clarify the reason for selecting "No" for this item.
Item is not due this year

Within five (5) years of the EDC: Has Phase II of the comprehensive mapping been completed? (Part IV.D.2.b.)
No

Please clarify the reason for selecting "No" for this item.
Item is not due this year

Legal Authority

Within three (3) years of the EDC: For newly designated MS4 Operators, has adequate legal authority been developed and implemented? (Part IV.E.)
N/A

Please clarify the reason for selecting "No" or "N/A" for this item.
Village of Islandia is not newly designated. Adequate legal authority was adopted in 2008.

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Part V

In Year 5: Has the SWMP Plan been evaluated? (Part V.C.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Part VI

Which MCMs in this Part were completed as a coalition/group, if any?
NONE PROVIDED

Minimum Control Measure 1

Within three (3) years of the EDC: Have the focus areas been identified? (Part VI.A.1.a.)
Yes

What focus areas were identified?
Areas with construction activities
Residential, commercial, and industrial areas (mapped in accordance with Part IV.D.1.e.iii.)
Areas with illicit discharges

Within three (3) years of the EDC: Have the target audience(s) and associated pollutant generating activities been identified? (Part VI.A.1.b.)
Yes

What target audience(s) and associated pollutant generating activities were identified?
Residents
Institutions: Managers, staff, and students
Industrial: Owners and staff
Commercial: Business owners and staff
Construction: Developers, contractors, and design professionals
MS4 Operator's municipal staff

Within three (3) years of the EDC: Have the education and outreach topics been identified and how the education and outreach topics will reduce the potential for pollutants explained? (Part VI.A.1.c.)
Yes

What education and outreach topics were identified?
• Sanitation/recycling information • Snow removal/salt application • Pharmaceutical disposal information • Auto care and auto products disposal • Pet waste management • Yard care/landscaping • Fertilizer and household chemicals management and disposal • Paint recycling and disposal programs • Septic maintenance • Swimming Pool discharges • Benefits of Rain Gardens, Rain Barrels • Feeding water bird (geese, ducks) • Construction site BMPs.

In Year 5: Has the method(s) used for distribution of educational messages been identified? (Part VI.A.2.a.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Has one educational message been delivered to each target audience(s) for each focus area based on the education and outreach topic(s)? (Part VI.A.2.b.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 4 and Year 5: Have target audiences, focus areas, and/or education and outreach topics been updated? (Part VI.A.2.c.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Minimum Control Measure 2

Annually: Has an opportunity for public involvement/participation in the development and implementation of the SWMP been provided? (Part VI.B.1.a.)
Yes

What was the opportunity for public involvement/participation in the SWMP?
Public hearings or meetings
Citizen volunteers to educate other individuals about the SWMP
Coordination with other pre-existing public involvement/participation opportunities

Annually: Has the public been informed about the opportunity for their involvement in the development and implementation of the SWMP and how they can get involved? (Part VI.B.1.b.)
Yes

What is the method(s) used for distribution to inform the public of the opportunity for involvement?
Displays in public areas (e.g., town halls, library, parks)

Annually: Has an opportunity to review and comment on the publicly available SWMP Plan been provided? (Part VI.B.2.a.)
Yes

Annually: Has an opportunity to review and comment on the draft annual report been provided? (Part VI.B.2.b.i.)
Yes

What opportunity for review and comment on the draft annual report has been provided?
Presentation of the draft Annual Report

Annually: Have the comments received on the SWMP Plan been summarized? (Part VI.B.2.c.i.)
N/A

Please clarify the reason for selecting "No" or "N/A" for this item.
No comments were received

Annually: Have the comments received on the draft annual report been summarized? (Part VI.B.2.c.i.)
N/A

Please clarify the reason for selecting "No" or "N/A" for this item.
No comments were received

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Minimum Control Measure 3

Within three (3) years of the EDC: Has an inventory of monitoring locations been developed? (Part VI.C.1.c.i.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 4 and Year 5: Has the monitoring location inventory been updated? (Part VI.C.1.c.ii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within three (3) years of the EDC: Have monitoring locations been prioritized? (Part VI.C.1.d.i.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 4 and Year 5: Has the monitoring location prioritization been updated? (Part VI.C.1.d.iii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within two (2) years of the EDC: Has a monitoring locations inspection and sampling program been developed and implemented? (Part VI.C.1.e.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Have all the monitoring locations been inspected? (Part VI.C.1.e.i.a))
N/A

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Has training on the MS4 Operator's monitoring locations inspection and sampling procedures been provided? (Part VI.C.1.e.ii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 3, Year 4, and Year 5: Have the names, titles, and contact information for the individuals who have received monitoring locations inspection and sampling training been updated? (Part VI.C.1.e.iii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 3, Year 4, and Year 5: Have the monitoring locations inspection and sampling procedures been updated? (Part VI.C.1.e.iv.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within two (2) years of the EDC: Has an illicit discharge track down program been developed and implemented? (Part VI.C.2.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Has training on the MS4 Operator's illicit discharge track down procedures prior to conducting illicit discharge track down been provided? (Part VI.C.2.b.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 3, Year 4, and Year 5: Have the names, titles, and contact information for the individuals who have received illicit discharge track down procedures training been updated? (Part VI.C.2.c.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 3, Year 4, and Year 5: Have the illicit discharge track down procedures been reviewed and updated? (Part VI.C.2.d.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within two (2) years of the EDC: Has an illicit discharge elimination program been developed and implemented? (Part VI.C.3.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Has training on the MS4 Operator's illicit discharge elimination procedures prior to conducting illicit discharge elimination been provided? (Part VI.C.3.b.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 3, Year 4, and Year 5: Have the names, titles, and contact information for the individuals who have received illicit discharge elimination procedures training been updated? (Part VI.C.3.c.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 3, Year 4, and Year 5: Have the illicit discharge elimination procedures been reviewed and updated? (Part VI.C.3.d.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Minimum Control Measure 4

Within one (1) year of the EDC: Has a construction oversight program been developed and implemented? (Part VI.D.3)
Yes

In Year 5: Has training on the MS4 Operator's construction oversight procedures prior to conducting construction oversight been provided? (Part VI.D.3.b.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 2, Year 3, Year 4, and Year 5: Have the names, titles, and contact information for the individuals who have received construction oversight procedures training been updated? (Part VI.D.3.c.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 2, Year 3, Year 4, and Year 5: Have the construction oversight procedures been reviewed and updated? (Part VI.D.3.e.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Annually: Has the inventory of construction sites been updated? (Part VI.D.4.b.)
Yes

How many construction sites are on the inventory?
11

Within one (1) year of the EDC: Have construction sites been prioritized? (Part VI.D.5.a.)
Yes

How many high priority construction sites are on the inventory?
0

In Year 2, Year 3, Year 4, and Year 5: Has the construction site prioritization been updated? (Part VI.D.5.c.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within three (3) years of the EDC: Have the individuals responsible for reviewing SWPPPs for acceptance received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other Department endorsed entity prior to conducting SWPPP reviews and/or approvals? (Part VI.D.6.a.i.)
Yes

Annually: Have the names, titles, and contact information for the individuals who have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other Department endorsed entity, for individuals responsible for reviewing SWPPPs been updated? (Part VI.D.6.d.)
Yes

Are pre-construction meetings conducted prior to the commencement of construction activity? (Part VI.D.7.)
Yes

Within three (3) years of the EDC: Have the individuals responsible for construction site inspections received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other Department endorsed entity prior to conducting construction site inspections? (Part VI.D.8.a.i.)
Yes

Annually: Have all sites with construction activity identified in the inventory been inspected during active construction after the pre-construction meeting, or sooner if deficiencies are noted that require attention? (Part VI.D.8.c.)
Yes

Annually: Have the names, titles, and contact information for the individuals who have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other Department endorsed entity, for individuals responsible for construction site inspections been updated? (Part VI.D.8.d.)
Yes

Are final construction site inspections conducted? (Part VI.D.9.)
Yes

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Minimum Control Measure 5

Annually: Has the inventory of post-construction SMPs been updated? (Part VI.E.2.c.)
Yes

How many post-construction SMPs are on the inventory?
5

Within five (5) years of the EDC: Have the required components been included in the post-construction SMP inventory? (Part VI.E.2.d.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within one (1) year of the EDC: Has a post-construction SMP inspection and maintenance program been developed and implemented? (Part VI.E.4.)
Yes

Has each post-construction SMP identified in the inventory been inspected at the required frequency? (Part VI.E.4.a.)
Yes

In Year 5: Has training on the MS4 Operator's post-construction SMP inspection and maintenance procedures prior to conducting post-construction SMP inspection and maintenance been provided? (Part VI.E.4.b.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Annually: Have names, titles, and contact information for the individuals who have received post-construction SMP inspection and maintenance procedures training updated? (Part VI.E.4.c.)
Yes

In Year 2, Year 3, Year 4, and Year 5: Have the post-construction SMP inspection and maintenance procedures been reviewed and updated? (Part VI.E.4.d.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Minimum Control Measure 6

Within three (3) years of the EDC: Have best management practices (BMPs) been incorporated into the municipal facility program and municipal operations program? (Part VI.F.1.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within three (3) years of the EDC: Has a municipal facility program been developed and implemented? (Part VI.F.2.a.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Has training on the MS4 Operator's municipal facility procedures prior to conducting municipal facility procedures been provided? (Part VI.F.2.a.ii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 4 and Year 5: Have the names, titles, and contact information for the individuals who have received municipal facility procedures training been updated? (Part VI.F.2.a.iii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 4 and Year 5: Have the municipal facility procedures been updated? (Part VI.F.2.a.iv.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within two (2) years of the EDC: Has a municipal facility inventory been developed? (Part VI.F.2.b.i.)
Yes

How many municipal facilities are on the inventory?
13

In Year 3, Year 4, and Year 5: Has the municipal facility inventory been updated? (Part VI.F.2.b.ii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within three (3) years of the EDC: Have the municipal facilities been prioritized? (Part VI.F.2.c.i.)
Yes

How many high priority municipal facilities are on the inventory?
0

In Year 4 and Year 5: Has the municipal facility prioritization been updated? (Part VI.F.2.c.iii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within five (5) years of the EDC: Has a municipal facility specific SWPPP for each high priority municipal facility been developed? (Part VI.F.2.d.i.)
N/A

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Has all wet weather visual monitoring of the monitoring locations at all high priority municipal facilities been conducted? (Part VI.F.2.d.ii.a))
N/A

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Has a comprehensive site assessment for each high priority municipal facility been completed? (Part VI.F.2.d.ii.c))
N/A

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Has a comprehensive site assessment for each low priority municipal facility been completed? (Part VI.F.2.e.ii.c))
N/A

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within three (3) years of the EDC: Has a municipal operations program been developed? (Part VI.F.3.a.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Has training on the MS4 Operator's municipal operations procedures prior to conducting municipal operations been provided? (Part VI.F.3.a.ii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 4 and Year 5: Have the names, titles, and contact information for the individuals who have received municipal operations procedures training been updated? (Part VI.F.3.a.iii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 4 and Year 5: Have the municipal operations procedures been reviewed and updated? (Part VI.F.3.a.iv.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within three (3) years of the EDC: Have catch basins in need of inspection been identified? (Part VI.F.3.c.i.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within three (3) years of the EDC: Has catch basin inspection information been inventoried? (Part VI.F.3.c.ii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

In Year 5: Have all streets, bridges, parking lots, and right of ways been swept? (Part VI.F.3.d.i.a))
N/A

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Annually: Have all streets in business districts and commercial areas been swept? (Part VI.F.3.d.i.b))
Yes

Within five (5) years of the EDC: Have roads, bridges, parking lots, and right of way maintenance specific BMPs been implemented? (Part VI.F.3.d.ii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Within five (5) years of the EDC: Have winter road maintenance specific BMPs been implemented? (Part VI.F.3.d.iii.)
No

Please clarify the reason for selecting "No" or "N/A" for this item.
Item is not due this year

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Part VIII

Does the MS4 Operator discharge to an impaired water listed in Appendix C of GP-0-24-001?
No

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Part IX

Does the MS4 Operator discharge to a TMDL listed in Table 3 of GP-0-24-001?
No

Please enter any comments related to the questions in this section below:
NONE PROVIDED

Interim Progress Status

Interim Progress Resources

Use the following webpages for more information on the permit and fact sheet:
MS4 Permit Webpage

MS4 Toolbox

Have you reviewed compliance items due within two years of EDC?
No

Have you reviewed compliance items due within three years of EDC?
No

Have you reviewed compliance items due within four years of EDC?
No

Have you reviewed compliance items due within five years of EDC?
No

Have you reviewed compliance items which need to be completed routinely (annually, every five (5) years, etc.)?
Yes

Please clarify the reason for selecting "No" for one or more of the future compliance items above.
Items are in progress but are not due this year.

Please enter any comments related to the questions in this section.
NONE PROVIDED

Certification

The ranking elected official or Principal Executive Officer for the MS4 Operator will be signing the form.
Yes

As the Ranking Elected Official or Principal Executive Officer, please download the certification form using the link below. Complete and sign the certification. Then, upload the certification form to this Interim Progress Certification and/or Annual Report.
Certification Form

Attach completed certification form.
2025-03-25 MS4 Annual Progress Certification- signed by Mayor.pdf - 03/25/2025 11:44 AM
Comment
NONE PROVIDED

APPENDIX 7

Stormwater and Erosion Control Details

For additional details - see the latest edition of the

NYS Standards and Specifications for Erosion and Sediment Control

STANDARD AND SPECIFICATIONS FOR CONSTRUCTION ROAD STABILIZATION

Definition & Scope

The stabilization of temporary construction access routes, on-site vehicle transportation routes, and construction parking areas to control erosion on temporary construction routes and parking areas.

Conditions Where Practice Applies

All traffic routes and parking areas for temporary use by construction traffic.

Design Criteria

Construction roads should be located to reduce erosion potential, minimize impact on existing site resources, and maintain operations in a safe manner. Highly erosive soils, wet or rocky areas, and steep slopes should be avoided. Roads should be routed where seasonal water tables are deeper than 18 inches. Surface runoff and control should be in accordance with other standards.

Road Grade – A maximum grade of 12% is recommended, although grades up to 15% are possible for short distances.

Road Width – 12 foot minimum for one-way traffic or 24 foot minimum for two-way traffic.

Side Slope of Road Embankment – 2:1 or flatter.

Ditch Capacity – On-site roadside ditch and culvert capacities shall be the 10 yr. peak runoff.

Composition – Use a 6-inch layer of NYS DOT sub-base Types 1,2,3, 4 or equivalent as specified in NYSDOT Standard Specifications.

Construction Specifications

1. Clear and strip roadbed and parking areas of all vegetation, roots, and other objectionable material.

2. Locate parking areas on naturally flat areas as available. Keep grades sufficient for drainage, but not more than 2 to 3 percent.

3. Provide surface drainage and divert excess runoff to stabilized areas.

4. Maintain cut and fill slopes to 2:1 or flatter and stabilized with vegetation as soon as grading is accomplished.

5. Spread 6-inch layer of sub-base material evenly over the full width of the road and smooth to avoid depressions.

6. Provide appropriate sediment control measures to prevent offsite sedimentation.

Maintenance

Inspect construction roads and parking areas periodically for condition of surface. Top dress with new gravel as needed. Check ditches for erosion and sedimentation after rainfall events. Maintain vegetation in a healthy, vigorous condition. Areas producing sediment should be treated immediately.

STANDARD AND SPECIFICATIONS FOR CONCRETE TRUCK WASHOUT

Definition & Scope

A temporary excavated or above ground lined constructed pit where concrete truck mixers and equipment can be washed after their loads have been discharged, to prevent highly alkaline runoff from entering storm drainage systems or leaching into soil.

Conditions Where Practice Applies

Washout facilities shall be provided for every project where concrete will be poured or otherwise formed on the site. This facility will receive highly alkaline wash water from the cleaning of chutes, mixers, hoppers, vibrators, placing equipment, trowels, and screeds. Under no circumstances will wash water from these operations be allowed to infiltrate into the soil or enter surface waters.

Design Criteria

Capacity: The washout facility should be sized to contain solids, wash water, and rainfall and sized to allow for the evaporation of the wash water and rainfall. Wash water shall be estimated at 7 gallons per chute and 50 gallons per hopper of the concrete pump truck and/or discharging drum. The minimum size shall be 8 feet by 8 feet at the bottom and 2 feet deep. If excavated, the side slopes shall be 2 horizontal to 1 vertical.

Location: Locate the facility a minimum of 100 feet from drainage swales, storm drain inlets, wetlands, streams and other surface waters. Prevent surface water from entering the structure except for the access road. Provide appropriate access with a gravel access road sloped down to the structure. Signs shall be placed to direct drivers to the facility after their load is discharged.

Liner: All washout facilities will be lined to prevent leaching of liquids into the ground. The liner shall be plastic sheeting with a minimum thickness of 10 mils with no holes or tears, and anchored beyond the top of the pit with an earthen berm, sand bags, stone, or other structural appurtenance except at the access point.

If pre-fabricated washouts are used they must ensure the capture and containment of the concrete wash and be sized based on the expected frequency of concrete pours. They shall be sited as noted in the location criteria.

Maintenance

- All concrete washout facilities shall be inspected daily. Damaged or leaking facilities shall be deactivated and repaired or replaced immediately. Excess rainwater that has accumulated over hardened concrete should be pumped to a stabilized area, such as a grass filter strip.
- Accumulated hardened material shall be removed when 75% of the storage capacity of the structure is filled. Any excess wash water shall be pumped into a containment vessel and properly disposed of off site.
- Dispose of the hardened material off-site in a construction/demolition landfill. On-site disposal may be allowed if this has been approved and accepted as part of the projects SWPPP. In that case, the material should be recycled as specified, or buried and covered with a minimum of 2 feet of clean compacted earthfill that is permanently stabilized to prevent erosion.
- The plastic liner shall be replaced with each cleaning of the washout facility.
- Inspect the project site frequently to ensure that no concrete discharges are taking place in non-designated areas.

STANDARD AND SPECIFICATIONS FOR DUST CONTROL

Definition & Scope

The control of dust resulting from land-disturbing activities, to prevent surface and air movement of dust from disturbed soil surfaces that may cause off-site damage, health hazards, and traffic safety problems.

Conditions Where Practice Applies

On construction roads, access points, and other disturbed areas subject to surface dust movement and dust blowing where off-site damage may occur if dust is not controlled.

Design Criteria

Construction operations should be scheduled to minimize the amount of area disturbed at one time. Buffer areas of vegetation should be left where practical. Temporary or permanent stabilization measures shall be installed. No specific design criteria is given; see construction specifications below for common methods of dust control.

Water quality must be considered when materials are selected for dust control. Where there is a potential for the material to wash off to a stream, ingredient information must be provided to the NYSDEC.

No polymer application shall take place without written approval from the NYSDEC.

Construction Specifications

A. **Non-driving Areas** – These areas use products and materials applied or placed on soil surfaces to prevent airborne migration of soil particles.

Vegetative Cover – For disturbed areas not subject to traffic, vegetation provides the most practical method of dust control (see Section 3).

Mulch (including gravel mulch) – Mulch offers a fast effective means of controlling dust. This can also include rolled erosion control blankets.

Spray adhesives – These are products generally composed of polymers in a liquid or solid form that are mixed with water to form an emulsion that is sprayed on the soil surface with typical hydroseeding equipment. The mixing ratios and application rates will be in accordance with the manufacturer's recommendations for the specific soils on the site. In no case should the application of these adhesives be made on wet soils or if there is a probability of precipitation within 48 hours of its proposed use. Material Safety Data Sheets will be provided to all applicators and others working with the material.

B. **Driving Areas** – These areas utilize water, polymer emulsions, and barriers to prevent dust movement from the traffic surface into the air.

Sprinkling – The site may be sprayed with water until the surface is wet. This is especially effective on haul roads and access route to provide short term limited dust control.

Polymer Additives – These polymers are mixed with water and applied to the driving surface by a water truck with a gravity feed drip bar, spray bar or automated distributor truck. The mixing ratios and application rates will be in accordance with the manufacturer's recommendations. Incorporation of the emulsion into the soil will be done to the appropriate depth based on expected traffic. Compaction after incorporation will be by vibratory roller to a minimum of 95%. The prepared surface shall be moist and no application of the polymer will be made if there is a probability of precipitation within 48 hours of its proposed use. Material Safety Data Sheets will be provided to all applicators working with the material.

Barriers – Woven geo-textiles can be placed on the driving surface to effectively reduce dust throw and particle migration on haul roads. Stone can also be used for construction roads for effective dust control.

Windbreak – A silt fence or similar barrier can control air currents at intervals equal to ten times the barrier height. Preserve existing wind barrier vegetation as much as practical.

Maintenance

Maintain dust control measures through dry weather periods until all disturbed areas are stabilized.

STANDARD AND SPECIFICATIONS FOR PROTECTING VEGETATION DURING CONSTRUCTION

Definition & Scope

The protection of trees, shrubs, ground cover and other vegetation from damage by construction equipment. In order to preserve existing vegetation determined to be important for soil erosion control, water quality protection, shade, screening, buffers, wildlife habitat, wetland protection, and other values.

Conditions Where Practices Applies

On planned construction sites where valued vegetation exists and needs to be preserved.

Design Criteria

1. Planning Considerations

   A. Inventory:

      1) Property boundaries, topography, vegetation and soils information should be gathered. Identify potentially high erosion areas, areas with tree windthrow potential, etc. A vegetative cover type map should be made on a copy of a topographic map which shows other natural and manmade features. Vegetation that is desirable to preserve because of its value for screening, shade, critical erosion control, endangered species, aesthetics, etc., should be identified and marked on the map.

      2) Based upon this data, general statements should be prepared about the present condition, potential problem areas, and unique features of the property.

   B. Planning:

      1) After engineering plans (plot maps) are prepared, another field review should take place and recommendations made for the vegetation to be saved. Minor adjustments in location of roads, dwellings, and utilities may be needed. Construction on steep slopes, erodible soils, wetlands, and streams should be avoided. Clearing limits should be delineated (See "Determine Limits of Clearing and Grading" on page 2.2).

      2) Areas to be seeded and planted should be identified. Remaining vegetation should blend with their surroundings and/or provide special function such as a filter strip, buffer zone, or screen.

      3) Trees and shrubs of special seasonal interest, such as flowering dogwood, red maple, striped maple, serviceberry, or shadbush, and valuable potential shade trees should be identified and marked for special protective treatment as appropriate.

      4) Trees to be cut should be marked on the plans. If timber can be removed for salable products, a forester should be consulted for marketing advice.

      5) Trees that may become a hazard to people, personal property, or utilities should be removed. These include trees that are weak-wooded, disease-prone, subject to windthrow, or those that have severely damaged root systems.

      6) The vigor of remaining trees may be improved by a selective thinning. A forester should be consulted for implementing this practice.

2. Measures to Protect Vegetation

   A. Limit soil placement over existing tree and shrub roots to a maximum of 3 inches. Soils with loamy texture and good structure should be used.

   B. Use retaining walls and terraces to protect roots of trees and shrubs when grades are lowered. Lowered grades should start no closer than the dripline of the tree. For narrow-canopied trees and shrubs, the stem diameter in inches is converted to feet and doubled, such that a 10 inch tree should be protected to 20 feet.

   C. Trenching across tree root systems should be the same minimum distance from the trunk, as in "B". Tunnels under root systems for underground utilities should start 18 inches or deeper below the normal ground surface. Tree roots which must be severed should be cut clean. Backfill material that will be in contact with the roots should be topsoil or a prepared planting soil mixture.

   D. Construct sturdy fences, or barriers, of wood, steel, or other protective material around valuable

vegetation for protection from construction equipment. Place barriers far enough away from trees, but not less than the specifications in "B", so that tall equipment such as backhoes and dump trucks do not contact tree branches.

E. Construction limits should be identified and clearly marked to exclude equipment.

F. Avoid spills of oil/gas and other contaminants.

G. Obstructive and broken branches should be pruned properly. The branch collar on all branches whether living or dead should not be damaged. The 3 or 4 cut method should be used on all branches larger than two inches at the cut. First cut about one-third the way through the underside of the limb (about 6-12 inches from the tree trunk). Then (approximately an inch further out) make a second cut through the limb from the upper side. When the branch is removed, there is no splintering of the main tree trunk. Remove the stub. If the branch is larger than 5-6 inches in diameter, use the four cut system. Cuts 1 and 2 remain the same and cut 3 should be from the underside of the limb, on the outside of the branch collar. Cut 4 should be from the top and in alignment with the 3rd cut. Cut 3 should be 1/4 to 1/3 the way through the limb. This will prevent the bark from peeling down the trunk. Do not paint the cut surface.

H. Penalties for damage to valuable trees, shrubs, and herbaceous plants should be clearly spelled out in the contract.

PROTECTING TREES IN HEAVY USE AREAS

The compaction of soil over the roots of trees and shrubs by the trampling of recreationists, vehicular traffic, etc., reduces oxygen, water, and nutrient uptake by feeder roots. This weakens and may eventually kill the plants. Table 2.6 rates the “Susceptibility of Tree Species to Compaction.”

Where heavy compaction is anticipated, apply and maintain a 3 to 4 inch layer of undecayed wood chips or 2 inches of No. 2 washed, crushed gravel. In addition, use of a wooden or plastic mat may be used to lessen compaction, if applicable.

STANDARD AND SPECIFICATIONS FOR STABILIZED CONSTRUCTION ACCESS

Definition & Scope

A stabilized pad of aggregate underlain with geotextile located at any point where traffic will be entering or leaving a construction site to or from a public right-of-way, street, alley, sidewalk, or parking area. The purpose of stabilized construction access is to reduce or eliminate the tracking of sediment onto public rights-of-way or streets.

Conditions Where Practice Applies

A stabilized construction access shall be used at all points of construction ingress and egress.

Design Criteria

See Figure 2.1 on page 2.31 for details.

Aggregate Size: Use a matrix of 1-4 inch stone, or reclaimed or recycled concrete equivalent.

Thickness: Not less than six (6) inches.

Width: 12-foot minimum but not less than the full width of points where ingress or egress occurs. 24-foot minimum if there is only one access to the site.

Length: As required, but not less than 50 feet (except on a single residence lot where a 30 foot minimum would apply).

Geotextile: To be placed over the entire area to be covered with aggregate. Filter cloth will not be required on a single-family residence lot. Piping of surface water under entrance shall be provided as required. If piping is impossible, a mountable berm with 5:1 slopes will be permitted.

Criteria for Geotextile: The geotextile shall be woven or nonwoven fabric consisting only of continuous chain polymeric filaments or yarns of polyester. The fabric shall be inert to commonly encountered chemicals, hydro-carbons, mildew, rot resistant, and conform to the fabric properties as shown:

Fabric Properties[3]	Light Duty[1] Roads Grade Subgrade	Heavy Duty[2] Haul Roads Rough Graded	Test Method
Grab Tensile Strength (lbs)	200	220	ASTM D1682
Elongation at Failure (%)	50	60	ASTM D1682
Mullen Burst Strength (lbs)	190	430	ASTM D3786
Puncture Strength (lbs)	40	125	ASTM D751 Modified
Equivalent	40-80	40-80	US Std Sieve
Opening Size			CW-02215
Aggregate Depth	6	10	-

[1]Light Duty Road: Area sites that have been graded to subgrade and where most travel would be single axle vehicles and an occasional multi-axle truck. Acceptable materials are Trevira Spunbond 1115, Mirafi 100X, Typar 3401, or equivalent.

[2]Heavy Duty Road: Area sites with only rough grading, and where most travel would be multi-axle vehicles. Acceptable materials are Trevira Spunbond 1135, Mirafi 600X, or equivalent.

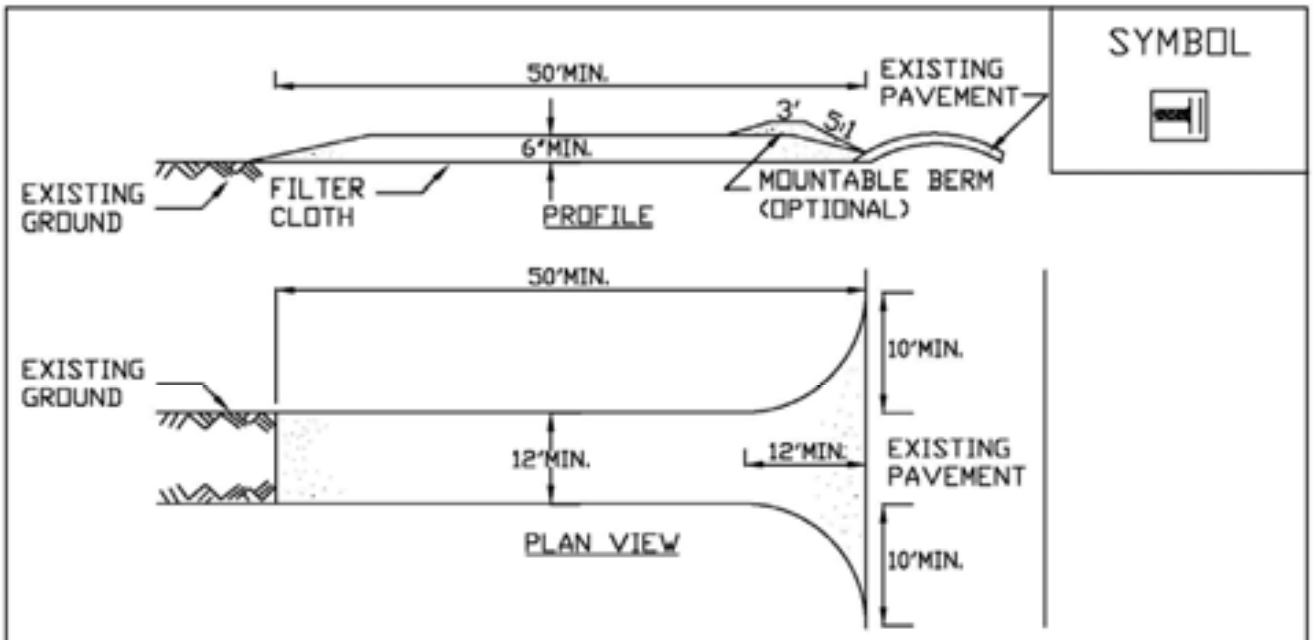
[3]Fabrics not meeting these specifications may be used only when design procedure and supporting documentation are supplied to determine aggregate depth and fabric strength.

Maintenance

The access shall be maintained in a condition which will prevent tracking of sediment onto public rights-of-way or streets. This may require periodic top dressing with additional aggregate. All sediment spilled, dropped, or washed onto public rights-of-way must be removed immediately.

When necessary, wheels must be cleaned to remove sediment prior to entrance onto public rights-of-way. When washing is required, it shall be done on an area stabilized with aggregate, which drains into an approved sediment-trapping device. All sediment shall be prevented from entering storm drains, ditches, or watercourses.

Figure 2.1
Stabilized Construction Access



CONSTRUCTION SPECIFICATIONS

1. STONE SIZE - USE 1-4 INCH STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. GEOTEXTILE - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ACCESS SHALL BE PIPED BENEATH THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY, ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

ADAPTED FROM DETAILS PROVIDED BY: USDA - NRCS, NEW YORK STATE DEPARTMENT OF TRANSPORTATION, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE

STABILIZED CONSTRUCTION ACCESS

STANDARD AND SPECIFICATIONS FOR WINTER STABILIZATION

Definition & Scope

A temporary site specific, enhanced erosion and sediment control plan to manage runoff and sediment at the site during construction activities in the winter months to protect off-site water resources.

Conditions Where Practice Applies

This standard applies to all construction activities involved with ongoing land disturbance and exposure between November 15th to the following April 1st.

Design Criteria

1. Prepare a snow management plan with adequate storage for snow and control of melt water, requiring cleared snow to be stored in a manner not affecting ongoing construction activities.

2. Enlarge and stabilize access points to provide for snow management and stockpiling. Snow management activities must not destroy or degrade installed erosion and sediment control practices.

3. A minimum 25 foot buffer shall be maintained from all perimeter controls such as silt fence. Mark silt fence with tall stakes that are visible above the snow pack.

4. Edges of disturbed areas that drain to a waterbody within 100 feet will have 2 rows of silt fence, 5 feet apart, installed on the contour.

5. Drainage structures must be kept open and free of snow and ice dams. All debris, ice dams, or debris from plowing operations, that restrict the flow of runoff and meltwater, shall be removed.

6. Sediment barriers must be installed at all appropriate perimeter and sensitive locations. Silt fence and other practices requiring earth disturbance must be installed before the ground freezes.

7. Soil stockpiles must be protected by the use of established vegetation, anchored straw mulch, rolled stabilization matting, or other durable covering. A barrier must be installed at least 15 feet from the toe of the stockpile to prevent soil migration and to capture loose soil.

8. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures should be initiated by the end of the next business day and completed within three (3) days. Rolled erosion control blankets must be used on all slopes 3 horizontal to 1 vertical or steeper.

9. If straw mulch alone is used for temporary stabilization, it shall be applied at double the standard rate of 2 tons per acre, making the application rate 4 tons per acre. Other manufactured mulches should be applied at double the manufacturer's recommended rate.

10. To ensure adequate stabilization of disturbed soil in advance of a melt event, areas of disturbed soil should be stabilized at the end of each work day unless:

    a. work will resume within 24 hours in the same area and no precipitation is forecast or;

    b. the work is in disturbed areas that collect and retain runoff, such as open utility trenches, foundation excavations, or water management areas.

11. Use stone paths to stabilize access perimeters of buildings under construction and areas where construction vehicle traffic is anticipated. Stone paths should be a minimum 10 feet in width but wider as necessary to accommodate equipment.

Maintenance

The site shall be inspected frequently to ensure that the erosion and sediment control plan is performing its winter stabilization function. If the site will not have earth disturbing activities ongoing during the "winter season", **all** bare exposed soil must be stabilized by established vegetation, straw or other acceptable mulch, matting, rock, or other approved material such as rolled erosion control products. Seeding of areas with mulch cover is preferred but seeding alone is not acceptable for proper stabilization.

Compliance inspections must be performed and reports filed properly in accordance with the SWPPP for all sites under a winter shutdown.

STANDARD AND SPECIFICATIONS FOR LANDGRADING

Definition & Scope

Permanent reshaping of the existing land surface by grading in accordance with an engineering topographic plan and specification to provide for erosion control and vegetative establishment on disturbed, reshaped areas.

Design Criteria

The grading plan should be based upon the incorporation of building designs and street layouts that fit and utilize existing topography and desirable natural surrounding to avoid extreme grade modifications. Information submitted must provide sufficient topographic surveys and soil investigations to determine limitations that must be imposed on the grading operation related to slope stability, effect on adjacent properties and drainage patterns, measures for drainage and water removal, and vegetative treatment, etc.

Many municipalities and counties have regulations and design procedures already established for land grading and cut and fill slopes. Where these requirements exist, they shall be followed.

The plan must show existing and proposed contours of the area(s) to be graded. The plan shall also include practices for erosion control, slope stabilization, safe disposal of runoff water and drainage, such as waterways, lined ditches, reverse slope benches (include grade and cross section), grade stabilization structures, retaining walls, and surface and subsurface drains. The plan shall also include phasing of these practices. The following shall be incorporated into the plan:

1. Provisions shall be made to safely convey surface runoff to storm drains, protected outlets, or to stable water courses to ensure that surface runoff will not damage slopes or other graded areas; see standards and specifications for Grassed Waterway, Diversion, or Grade Stabilization Structure.

2. Cut and fill slopes that are to be stabilized with grasses shall not be steeper than 2:1. When slopes exceed 2:1, special design and stabilization consideration are required and shall be adequately shown on the plans. (Note: Where the slope is to be mowed, the slope should be no steeper than 3:1, although 4:1 is preferred because of safety factors related to mowing steep slopes.)

3. Reverse slope benches or diversion shall be provided whenever the vertical interval (height) of any 2:1 slope exceeds 20 feet; for 3:1 slope it shall be increased to 30 feet and for 4:1 to 40 feet. Benches shall be located to divide the slope face as equally as possible and shall convey the water to a stable outlet. Soils, seeps, rock outcrops, etc., shall also be taken into consideration when designing benches.

   A. Benches shall be a minimum of six feet wide to provide for ease of maintenance.

   B. Benches shall be designed with a reverse slope of 6:1 or flatter to the toe of the upper slope and with a minimum of one foot in depth. Bench gradient to the outlet shall be between 2 percent and 3 percent, unless accompanied by appropriate design and computations.

   C. The flow length within a bench shall not exceed 800 feet unless accompanied by appropriate design and computations; see Standard and Specifications for Diversion on page 3.9

4. Surface water shall be diverted from the face of all cut and/or fill slopes by the use of diversions, ditches and swales or conveyed downslope by the use of a designed structure, except where:

   A. The face of the slope is or shall be stabilized and the face of all graded slopes shall be protected from surface runoff until they are stabilized.

   B. The face of the slope shall not be subject to any concentrated flows of surface water such as from natural drainage ways, graded ditches, downspouts, etc.

   C. The face of the slope will be protected by anchored stabilization matting, sod, gravel, riprap, or other stabilization method.

5. Cut slopes occurring in ripable rock shall be serrated as shown in Figure 4.9 on page 4.26. The serrations shall be made with conventional equipment as the excavation is made. Each step or serration shall be constructed on the contour and will have steps cut at nominal two-foot intervals with nominal three-foot horizontal shelves. These steps will vary depending on the slope ratio or the cut slope. The nominal slope line is 1 ½: 1. These steps will weather and act to hold moisture, lime, fertilizer, and seed thus producing a much quicker and longer-lived vegetative cover and better slope stabilization. Overland flow shall be diverted from the top of all serrated cut slopes and carried to a suitable outlet.

6. Subsurface drainage shall be provided where necessary to intercept seepage that would otherwise adversely affect slope stability or create excessively wet site conditions.

7. Slopes shall not be created so close to property lines as to endanger adjoining properties without adequately protecting such properties against sedimentation, erosion, slippage, settlement, subsidence, or other related damages.

8. Fill material shall be free of brush, rubbish, rocks, logs, stumps, building debris, and other objectionable material. It should be free of stones over two (2) inches in diameter where compacted by hand or mechanical tampers or over eight (8) inches in diameter where compacted by rollers or other equipment. Frozen material shall not be placed in the fill nor shall the fill material be placed on a frozen foundation.

9. Stockpiles, borrow areas, and spoil shall be shown on the plans and shall be subject to the provisions of this Standard and Specifications.

10. All disturbed areas shall be stabilized structurally or vegetatively in compliance with the Permanent Construction Area Planting Standard on page 4.42.

Construction Specifications

See Figures 4.9 and 4.10 for details.

1. All graded or disturbed areas, including slopes, shall be protected during clearing and construction in accordance with the erosion and sediment control plan until they are adequately stabilized.

2. All erosion and sediment control practices and measures shall be constructed, applied and maintained in accordance with the erosion and sediment control plan and these standards.

3. Topsoil required for the establishment of vegetation shall be stockpiled in amount necessary to complete finished grading of all exposed areas.

4. Areas to be filled shall be cleared, grubbed, and stripped of topsoil to remove trees, vegetation, roots, or other objectionable material.

5. Areas that are to be topsoiled shall be scarified to a minimum depth of four inches prior to placement of topsoil.

6. All fills shall be compacted as required to reduce erosion, slippage, settlement, subsidence, or other related problems. Fill intended to support buildings, structures, and conduits, etc., shall be compacted in accordance with local requirements or codes.

7. All fill shall be placed and compacted in layers not to exceed 9 inches in thickness.

8. Except for approved landfills or nonstructural fills, fill material shall be free of frozen particles, brush, roots, sod, or other foreign objectionable materials that would interfere with, or prevent, construction of satisfactory fills.

9. Frozen material or soft, mucky or highly compressible materials shall not be incorporated into fill slopes or structural fills.

10. Fill shall not be placed on saturated or frozen surfaces.

11. All benches shall be kept free of sediment during all phases of development.

12. Seeps or springs encountered during construction shall be handled in accordance with the Standard and Specification for Subsurface Drain on page 3.48 or other approved methods.

13. All graded areas shall be permanently stabilized immediately following finished grading.

14. Stockpiles, borrow areas, and spoil areas shall be shown on the plans and shall be subject to the provisions of this Standard and Specifications.

Figure 4.9
Typical Section of Serrated Cut Slope

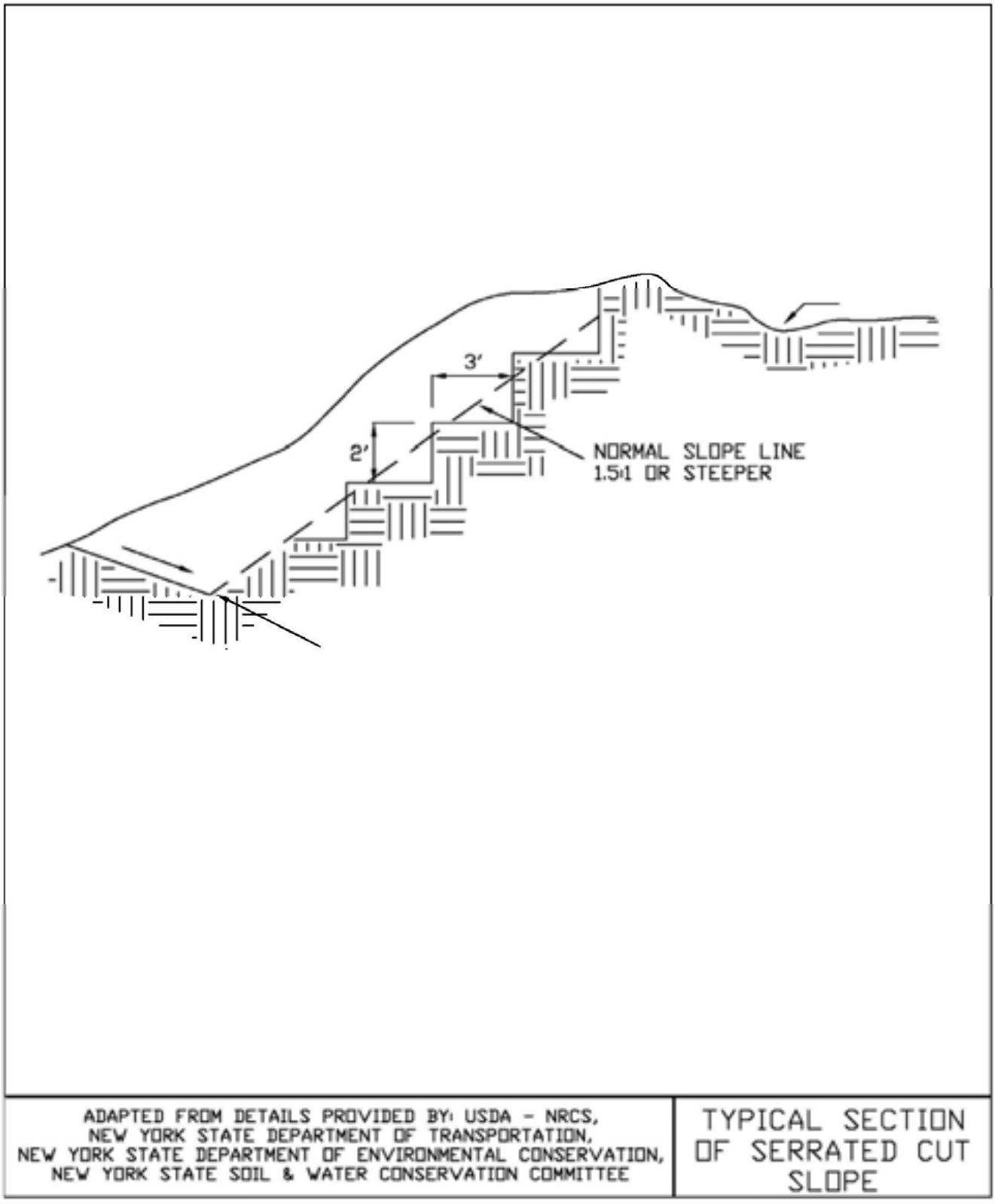


Figure 4.10
Landgrading

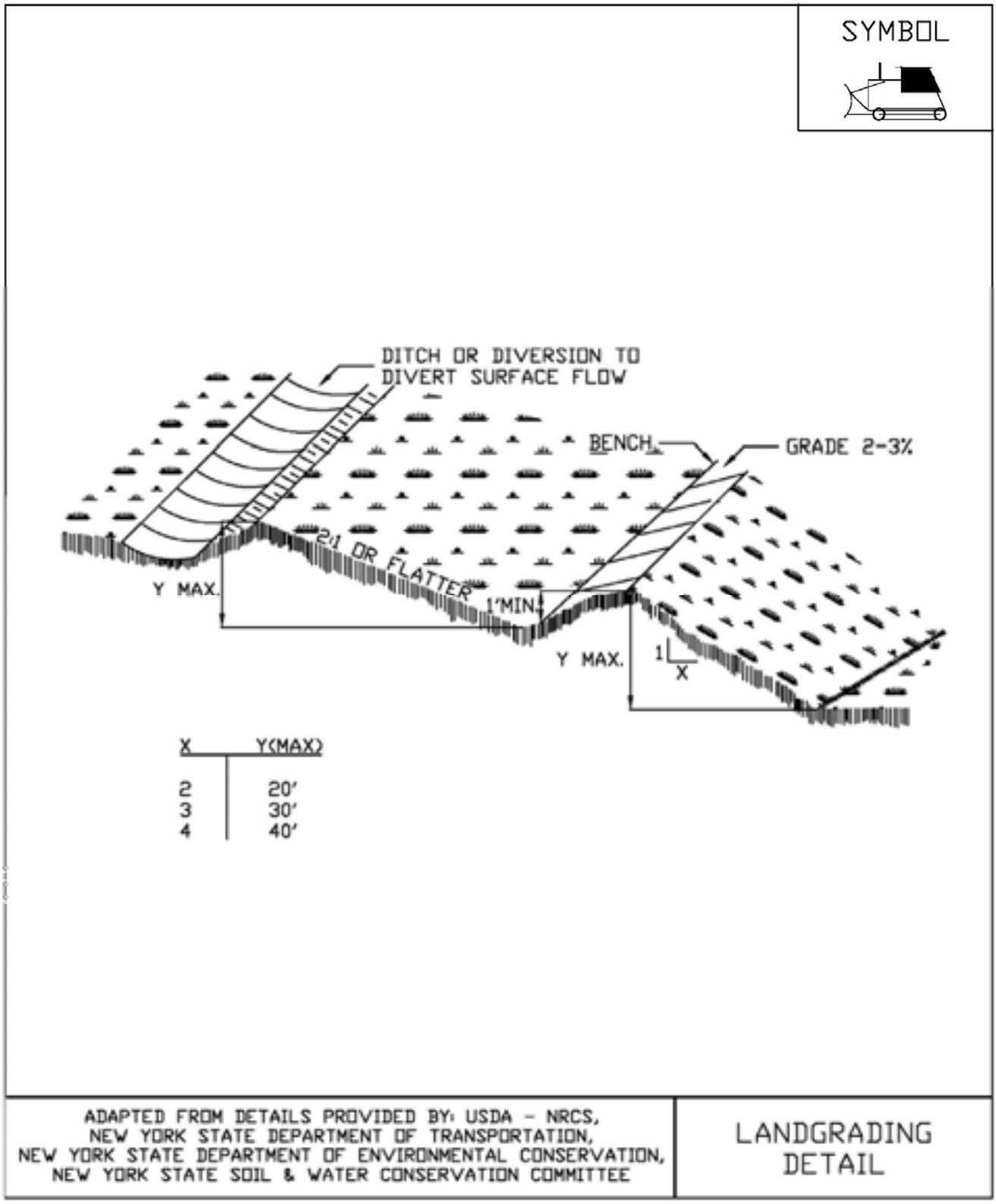
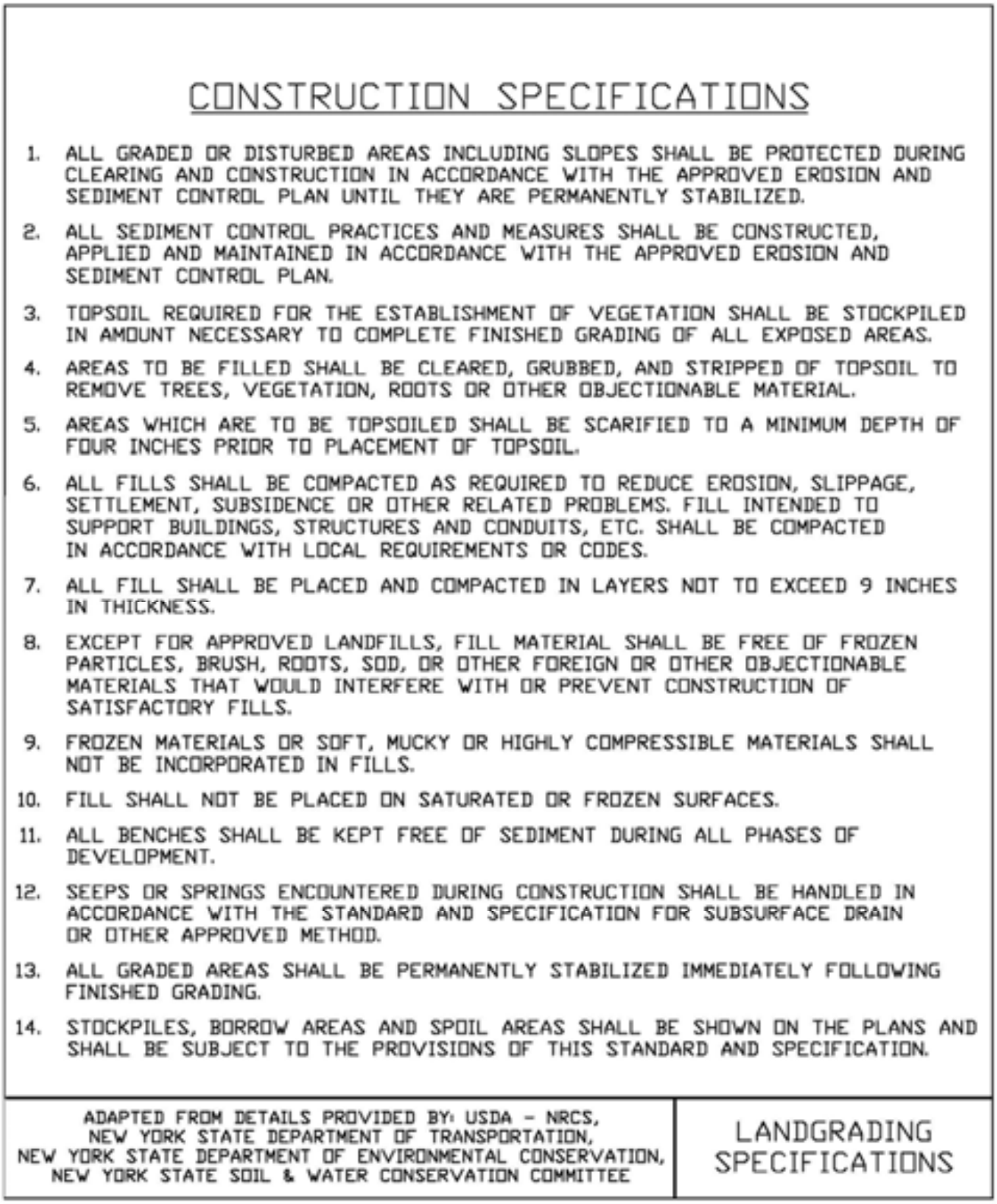


Figure 4.11
Landgrading - Construction Specifications



CONSTRUCTION SPECIFICATIONS

1. ALL GRADED OR DISTURBED AREAS INCLUDING SLOPES SHALL BE PROTECTED DURING CLEARING AND CONSTRUCTION IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN UNTIL THEY ARE PERMANENTLY STABILIZED.
2. ALL SEDIMENT CONTROL PRACTICES AND MEASURES SHALL BE CONSTRUCTED, APPLIED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN.
3. TOPSOIL REQUIRED FOR THE ESTABLISHMENT OF VEGETATION SHALL BE STOCKPILED IN AMOUNT NECESSARY TO COMPLETE FINISHED GRADING OF ALL EXPOSED AREAS.
4. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED, AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS OR OTHER OBJECTIONABLE MATERIAL.
5. AREAS WHICH ARE TO BE TOPSOILED SHALL BE SCARIFIED TO A MINIMUM DEPTH OF FOUR INCHES PRIOR TO PLACEMENT OF TOPSOIL.
6. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES.
7. ALL FILL SHALL BE PLACED AND COMPACTED IN LAYERS NOT TO EXCEED 9 INCHES IN THICKNESS.
8. EXCEPT FOR APPROVED LANDFILLS, FILL MATERIAL SHALL BE FREE OF FROZEN PARTICLES, BRUSH, ROOTS, SOD, OR OTHER FOREIGN OR OTHER OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS.
9. FROZEN MATERIALS OR SOFT, MUCKY OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED IN FILLS.
10. FILL SHALL NOT BE PLACED ON SATURATED OR FROZEN SURFACES.
11. ALL BENCHES SHALL BE KEPT FREE OF SEDIMENT DURING ALL PHASES OF DEVELOPMENT.
12. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH THE STANDARD AND SPECIFICATION FOR SUBSURFACE DRAIN OR OTHER APPROVED METHOD.
13. ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY FOLLOWING FINISHED GRADING.
14. STOCKPILES, BORROW AREAS AND SPOIL AREAS SHALL BE SHOWN ON THE PLANS AND SHALL BE SUBJECT TO THE PROVISIONS OF THIS STANDARD AND SPECIFICATION.

STANDARD AND SPECIFICATIONS FOR MULCHING

Definition and Scope

Applying coarse plant residue or chips, or other suitable materials, to cover the soil surface to provide initial erosion control while a seeding or shrub planting is establishing. Mulch will conserve moisture and modify the surface soil temperature and reduce fluctuation of both. Mulch will prevent soil surface crusting and aid in weed control. Mulch can also be used alone for temporary stabilization in non-growing months. Use of stone as a mulch could be more permanent and should not be limited to non-growing months.

Conditions Where Practice Applies

On soils subject to erosion and on new seedings and shrub plantings. Mulch is useful on soils with low infiltration rates by retarding runoff.

Criteria

Site preparation prior to mulching requires the installation of necessary erosion control or water management practices and drainage systems.

Slope, grade and smooth the site to fit needs of selected mulch products.

Remove all undesirable stones and other debris to meet the needs of the anticipated land use and maintenance required.

Apply mulch after soil amendments and planting is accomplished or simultaneously if hydroseeding is used.

Select appropriate mulch material and application rate or material needs. Hay mulch shall not be used in wetlands or in areas of permanent seeding. Clean straw mulch is preferred alternative in wetland application. Determine local availability.

Select appropriate mulch anchoring material.

NOTE: The best combination for grass/legume establishment is straw (cereal grain) mulch applied at 2 ton/ acre (90 lbs./1000sq.ft.) and anchored with wood fiber mulch (hydromulch) at 500 – 750 lbs./acre (11 – 17 lbs./1000 sq. ft.). The wood fiber mulch must be applied through a hydroseeder immediately after mulching.

Table 4.2
Guide to Mulch Materials, Rates, and Uses

Mulch Material	Quality Standards	per 1000 Sq. Ft.	per Acre	Depth of Application	Remarks
Wood chips or shavings	Air-dried. Free of objectionable coarse material	500-900 lbs.	10-20 tons	2-7”	Used primarily around shrub and tree plantings and recreation trails to inhibit weed competition. Resistant to wind blowing. Decomposes slowly.
Wood fiber cellulose (partly digested wood fibers)	Made from natural wood usually with green dye and dispersing agent	50 lbs.	2,000 lbs.	—	Apply with hydromulcher. No tie down required. Less erosion control provided than 2 tons of hay or straw.
Gravel, Crushed Stone or Slag	Washed; Size 2B or 3A—1 1/2”	9 cu. yds.	405 cu. yds.	3”	Excellent mulch for short slopes and around plants and ornamentals. Use 2B where subject to traffic. (Approximately 2,000 lbs./cu. yd.). Frequently used over filter fabric for better weed control.
Hay or Straw	Air-dried; free of undesirable seeds & coarse materials	90-100 lbs. 2-3 bales	2 tons (100-120 bales)	cover about 90% surface	Use small grain straw where mulch is maintained for more than three months. Subject to wind blowing unless anchored. Most commonly used mulching material. Provides the best micro-environment for germinating seeds.
Jute twisted yarn	Undyed, unbleached plain weave. Warp 78 ends/yd., Weft 41 ends/ yd. 60-90 lbs./roll	48” x 50 yds. or 48” x 75 yds.	—	—	Use without additional mulch. Tie down as per manufacturers specifications. Good for center line of concentrated water flow.
Excelsior wood fiber mats	Interlocking web of excelsior fibers with photodegradable plastic netting	4’ x 112.5’ or 8’ x 112.5’.	—	—	Use without additional mulch. Excellent for seeding establishment. Anchor as per manufacturers specifications. Approximately 72 lbs./roll for excelsior with plastic on both sides. Use two sided plastic for centerline of waterways.
Straw or coconut fiber, or combination	Photodegradable plastic net on one or two sides	Most are 6.5 ft. x 3.5 ft.	81 rolls	—	Designed to tolerate higher velocity water flow, centerlines of waterways, 60 sq. yds. per roll.

Table 4.3
Mulch Anchoring Guide

Anchoring Method or Material	Kind of Mulch to be Anchored	How to Apply
1. Peg and Twine	Hay or straw	After mulching, divide areas into blocks approximately 1 sq. yd. in size. Drive 4-6 pegs per block to within 2" to 3" of soil surface. Secure mulch to surface by stretching twine between pegs in criss-cross pattern on each block. Secure twine around each peg with 2 or more tight turns. Drive pegs flush with soil. Driving stakes into ground tightens the twine.
2. Mulch netting	Hay or straw	Staple the light-weight paper, jute, wood fiber, or plastic nettings to soil surface according to manufacturer's recommendations. Should be biodegradable. Most products are not suitable for foot traffic.
3. Wood cellulose fiber	Hay or straw	Apply with hydroseeder immediately after mulching. Use 500 lbs. wood fiber per acre. Some products contain an adhesive material ("tackifier"), possibly advantageous.
4. Mulch anchoring tool	Hay or straw	Apply mulch and pull a mulch anchoring tool (blunt, straight discs) over mulch as near to the contour as possible. Mulch material should be "tucked" into soil surface about 3".
5. Tackifier	Hay or straw	Mix and apply polymeric and gum tackifiers according to manufacturer's instructions. Avoid application during rain. A 24-hour curing period and a soil temperature higher than 45^0 Fahrenheit are required.

STANDARD AND SPECIFICATIONS FOR SOIL RESTORATION

Definition & Scope

The decompaction of areas of a development site or construction project where soils have been disturbed to recover the original properties and porosity of the soil; thus providing a sustainable growth medium for vegetation, reduction of runoff and filtering of pollutants from stormwater runoff.

Conditions Where Practice Applies

Soil restoration is to be applied to areas whose heavy construction traffic is done and final stabilization is to begin. This is generally applied in the cleanup, site restoration, and landscaping phase of construction followed by the permanent establishment of an appropriate ground cover to maintain the soil structure. Soil restoration measures should be applied over and adjacent to any runoff reduction practices to achieve design performance.

Design Criteria

1. Soil restoration areas will be designated on the plan views of areas to be disturbed.
2. Soil restoration will be completed in accordance with Table 4.6 on page 4.53.

Specification for Full Soil Restoration

During periods of relatively low to moderate subsoil moisture, the disturbed subsoils are returned to rough grade and the following Soil Restoration steps applied:

1. Apply 3 inches of compost over subsoil. The compost shall be well decomposed (matured at least 3 months), weed-free, organic matter. It shall be aerobically composted, possess no objectionable odors, and contain less than 1%, by dry weight, of man-made foreign matter. The physical parameters of the compost shall meet the standards listed in Table 5.2 - Compost Standards Table, except for "Particle Size" 100% will pass the 1/2" sieve. **Note: All biosolids compost produced in New York State (or approved for importation) must meet NYS DEC's 6 NYCRR Part 360 (Solid Waste Management Facilities) requirements. The Part 360 requirements are equal to or more stringent than 40 CFR Part 503 which ensure safe standards for pathogen reduction and heavy metals content.**

2. Till compost into subsoil to a depth of at least 12 inches using a cat-mounted ripper, tractor mounted disc, or tiller, to mix and circulate air and compost into the subsoil.
3. Rock-pick until uplifted stone/rock materials of four inches and larger size are cleaned off the site.
4. Apply topsoil to a depth of 6 inches.
5. Vegetate as required by the seeding plan. Use appropriate ground cover with deep roots to maintain the soil structure.
6. Topsoil may be manufactured as a mixture or a mineral component and organic material such as compost.

At the end of the project an inspector should be able to push a 3/8" metal bar 12 inches into the soil just with body weight. This should not be performed within the drip line of any existing trees or over utility installations that are within 24 inches of the surface.

Maintenance

Keep the site free of vehicular and foot traffic or other weight loads. Consider pedestrian footpaths.

Table 4.6
Soil Restoration Requirements

Type of Soil Disturbance	Soil Restoration Requirement		Comments/Examples
No soil disturbance	Restoration not permitted		Preservation of Natural Features
Minimal soil disturbance	Restoration not required		Clearing and grubbing
Areas where topsoil is stripped only - no change in grade	HSG A&B	HSG C&D	Protect area from any ongoing construction activities.
	Apply 6 inches of topsoil	Aerate* and apply 6 inches of topsoil	
Areas of cut or fill	HSG A&B	HSG C&D	
	Aerate* and apply 6 inches of topsoil	Apply full Soil Restoration**	
Heavy traffic areas on site (especially in a zone 5-25 feet around buildings but not within a 5 foot perimeter around foundation walls)	Apply full Soil Restoration (decompaction and compost enhancement)		
Areas where Runoff Reduction and/or Infiltration practices are applied	Restoration not required, but may be applied to enhance the reduction specified for appropriate practices.		Keep construction equipment from crossing these areas. To protect newly installed practice from any ongoing construction activities construct a single phase operation fence area
Redevelopment projects	Soil Restoration is required on redevelopment projects in areas where existing impervious area will be converted to pervious area.		

* Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which function like a mini-subsoiler.
** Per "Deep Ripping and De-compaction, DEC 2008".

STANDARD AND SPECIFICATIONS FOR STABILIZATION WITH SOD

Definition & Scope

Stabilizing restored, exposed soil surfaces by establishing long term stands of grass with sod to reduce damage from sediment and runoff to downstream areas and enhance natural beauty.

Conditions Where Practice Applies

On exposed soils that have a potential for causing off site environmental damage where a quick vegetative cover is desired. Moisture, either applied or natural, is essential to success.

Design Criteria

1. Sod shall be bluegrass or a bluegrass/red fescue mixture or a perennial ryegrass for average sites. (CAUTION: Perennial ryegrass has limited cold tolerance and may winter kill.) Use turf type cultivars of tall fescue for shady, droughty, or otherwise more critical areas. For variety selection, contact Cornell Cooperative Extension Turf Specialist.

2. Sod shall be machine cut at a uniform soil thickness of 3/4 inch, plus or minus 1/4 inch. Measurement for thickness shall exclude top growth and thatch.

3. Standard size sections of sod shall be strong enough to support their own weight and retain their size and shape when suspended vertically from a firm grasp on the upper 10 percent of the section.

4. Sod shall be free of weeds and undesirable coarse weedy grasses. Wild native or pasture grass sod shall not be used unless specified.

5. Sod shall not be harvested or transplanted when moisture content (excessively dry or wet) may adversely affect its survival.

6. Sod shall be harvested, delivered, and installed within a period of 36 hours. Sod not transplanted within this period shall be inspected and approved by the contracting officer or his designated representative prior to its installation.

Site Preparation

Fertilizer and lime application rates shall be determined by soil tests. Under unusual circumstances where there is insufficient time for a complete soil test and the contracting officer agrees, fertilizer and lime materials may be applied in amounts shown in subsection 2 below. Slope land such as to provide good surface water drainage. Avoid depressions or pockets.

1. Prior to sodding, the surface shall be smoothed and cleared of all trash, debris, and of all roots, brush, wire, grade stakes and other objects that would interfere with planting, fertilizing or maintenance operations.

2. **The soil should be tested to determine the amounts of amendments needed.** Where the soil is acid or composed of heavy clays, ground limestone shall be spread to raise the pH to 6.5. If the soil must be fertilized before results of a soil test can be obtained to determine fertilizer needs, apply commercial fertilizer at 20 lbs. of 5-5-10 (or equivalent) and mix into the top 3 inches of soil with the required lime for every 1,000 square feet. Soil should be moist prior to sodding. Arrange for temporary storage of sod to keep it shaded and cool.

Sod Installation

1. For the operation of laying, tamping, and irrigating for any areas, sod shall be completed within eight hours. During periods of excessively high temperature, the soil shall be lightly moistened immediately prior to laying the sod.

2. The first row of sod shall be laid in a straight line with subsequent rows placed parallel to, and tightly wedged against, each other. Lateral joints shall be staggered to promote more uniform growth and strength. Ensure that sod is not stretched or overlapped and that all joints are butted tight in order to prevent voids which would cause air drying of the roots. On sloping areas where erosion may be a problem, sod shall be laid with the long edges parallel to the contour and with

staggered joints.

3. Secure the sod by tamping and pegging, or other approved methods. As sodding is completed in any one section, the entire area shall be rolled or tamped to ensure solid contact of roots with the soil surface.

4. Sod shall be watered immediately after rolling or tamping until the underside of the new sod pad and soil surface below the sod are thoroughly wet. Keep sod moist for at least two weeks.

Sod Maintenance

1. In the absence of adequate rainfall, watering shall be performed daily, or as often as deemed necessary by the inspector, during the first week and in sufficient quantities to maintain moist soil to a depth of 4 inches. Watering should be done in the morning. Avoid excessive watering during applications.

2. After the first week, sod shall be watered as necessary to maintain adequate moisture and ensure establishment.

3. The first mowing should not be attempted until sod is firmly rooted. No more than 1/3 of the grass leaf shall be removed by the initial cutting or subsequent cuttings. Grass height shall be maintained between 2 and 3 inches unless otherwise specified. Avoid heavy mowing equipment for several weeks to prevent rutting.

4. If the soil must be fertilized before results of a soil test can be obtained to determine fertilizer needs, apply fertilizer three to four weeks after sodding, at a rate of 1 pound nitrogen/1,000 sq.ft. Use a complete fertilizer with a 2-1-1 ratio.

5. Weed Control: Target herbicides for weeds present. Consult current Cornell Pest Control Recommendations for Commercial Turfgrass Management or consult the local office of Cornell Cooperative Extension.

6. Disease Control: Consult the local office of the Cornell Cooperative Extension.

Additional References

1. Home Lawns, Establishment and Maintenance, CCE Information Bulletin 185, Revised November 1994. Cornell University, Ithaca, NY.

2. Installing a Sod Lawn. CCE Suffolk County, NY. Thomas Kowalsick February 1994, Revised January 1999. www.cce.cornell.edu/counties/suffolk/grownet

STANDARD AND SPECIFICATIONS FOR TEMPORARY CONSTRUCTION AREA SEEDING

Definition & Scope

Providing temporary erosion control protection to disturbed areas and/or localized critical areas for an interim period by covering all bare ground that exists as a result of construction activities or a natural event. Critical areas may include but are not limited to steep excavated cut or fill slopes and any disturbed, denuded natural slopes subject to erosion.

Conditions Where Practice Applies

Temporary seedings may be necessary on construction sites to protect an area, or section, where final grading is complete, when preparing for winter work shutdown, or to provide cover when permanent seedings are likely to fail due to mid-summer heat and drought. The intent is to provide temporary protective cover during temporary shutdown of construction and/or while waiting for optimal planting time.

Criteria

Water management practices must be installed as appropriate for site conditions. The area must be rough graded and slopes physically stable. Large debris and rocks are usually removed. Seedbed must be seeded within 24 hours of disturbance or scarification of the soil surface will be necessary prior to seeding.

Fertilizer or lime are not typically used for temporary seedings.

IF: Spring or summer or early fall, then seed the area with ryegrass (annual or perennial) at 30 lbs. per acre (Approximately 0.7 lb./1000 sq. ft. or use 1 lb./1000 sq. ft.).

IF: Late fall or early winter, then seed Certified 'Aroostook' winter rye (cereal rye) at 100 lbs. per acre (2.5 lbs./1000 sq. ft.).

Any seeding method may be used that will provide uniform application of seed to the area and result in relatively good soil to seed contact.

Mulch the area with hay or straw at 2 tons/acre (approx. 90 lbs./1000 sq. ft. or 2 bales). Quality of hay or straw mulch allowable will be determined based on long term use and visual concerns. Mulch anchoring will be required where wind or areas of concentrated water are of concern. Wood fiber hydromulch or other sprayable products approved for erosion control (nylon web or mesh) may be used if applied according to manufacturers' specification. Caution is advised when using nylon or other synthetic products. They may be difficult to remove prior to final seeding and can be a hazard to young wildlife species.

STANDARD AND SPECIFICATIONS FOR TOPSOILING

Definition & Scope

Spreading a specified quality and quantity of topsoil materials on graded or constructed subsoil areas to provide acceptable plant cover growing conditions, thereby reducing erosion; to reduce irrigation water needs; and to reduce the need for nitrogen fertilizer application.

Conditions Where Practice Applies

Topsoil is applied to subsoils that are droughty (low available moisture for plants), stony, slowly permeable, salty or extremely acid. It is also used to backfill around shrub and tree transplants. This standard does not apply to wetland soils.

Design Criteria

1. Preserve existing topsoil in place where possible, thereby reducing the need for added topsoil.

2. Conserve by stockpiling topsoil and friable fine textured subsoils that must be stripped from the excavated site and applied after final grading where vegetation will be established. Topsoil stockpiles must be stabilized. Stockpile surfaces can be stabilized by vegetation, geotextile or plastic covers. This can be aided by orientating the stockpile lengthwise into prevailing winds.

3. Refer to USDA Natural Resource Conservation Service soil surveys or soil interpretation record sheets for further soil texture information for selecting appropriate design topsoil depths.

Site Preparation

1. As needed, install erosion and sediment control practices such as diversions, channels, sediment traps, and stabilizing measures, or maintain if already installed.

2. Complete rough grading and final grade, allowing for depth of topsoil to be added.

3. Scarify all compact, slowly permeable, medium and fine textured subsoil areas. Scarify at approximately right angles to the slope direction in soil areas that are steeper than 5 percent. Areas that have been overly compacted shall be decompacted in accordance with the Soil Restoration Standard.

4. Remove refuse, woody plant parts, stones over 3 inches in diameter, and other litter.

Topsoil Materials

1. Topsoil shall have at least 6 percent by weight of fine textured stable organic material, and no greater than 20 percent. Muck soil shall not be considered topsoil.

2. Topsoil shall have not less than 20 percent fine textured material (passing the NO. 200 sieve) and not more than 15 percent clay.

3. Topsoil treated with soil sterilants or herbicides shall be so identified to the purchaser.

4. Topsoil shall be relatively free of stones over 1 1/2 inches in diameter, trash, noxious weeds such as nut sedge and quackgrass, and will have less than 10 percent gravel.

5. Topsoil containing soluble salts greater than 500 parts per million shall not be used.

6. Topsoil may be manufactured as a mixture of a mineral component and organic material such as compost.

Application and Grading

1. Topsoil shall be distributed to a uniform depth over the area. It shall not be placed when it is partly frozen, muddy, or on frozen slopes or over ice, snow, or standing water puddles.

2. Topsoil placed and graded on slopes steeper than 5 percent shall be promptly fertilized, seeded, mulched, and stabilized by “tracking” with suitable equipment.

3. Apply topsoil in the amounts shown in Table 4.7 below:

Table 4.7 - Topsoil Application Depth		
Site Conditions	**Intended Use**	**Minimum Topsoil Depth**
1. Deep sand or loamy sand	Mowed lawn	6 in.
	Tall legumes, unmowed	2 in.
	Tall grass, unmowed	1 in.
2. Deep sandy loam	Mowed lawn	5 in.
	Tall legumes, unmowed	2 in.
	Tall grass, unmowed	none
3. Six inches or more: silt loam, clay loam, loam, or silt	Mowed lawn	4 in.
	Tall legumes, unmowed	1 in.
	Tall grass, unmowed	1 in.

STANDARD AND SPECIFICATIONS FOR COMPOST FILTER SOCK

Definition & Scope

A **temporary** sediment control practice composed of a degradable geotextile mesh tube filled with compost filter media to filter sediment and other pollutants associated with construction activity to prevent their migration offsite.

Condition Where Practice Applies

Compost filter socks can be used in many construction site applications where erosion will occur in the form of sheet erosion and there is no concentration of water flowing to the sock. In areas with steep slopes and/or rocky terrain, soil conditions must be such that good continuous contact between the sock and the soil is maintained throughout its length. For use on impervious surfaces such as road pavement or parking areas, proper anchorage must be provided to prevent shifting of the sock or separation of the contact between the sock and the pavement. Compost filter socks are utilized both at the site perimeter as well as within the construction areas. These socks may be filled after placement by blowing compost into the tube pneumatically, or filled at a staging location and moved into its designed location.

Design Criteria

1. Compost filter socks will be placed on the contour with both terminal ends of the sock extended 8 feet upslope at a 45 degree angle to prevent bypass flow.

2. Diameters designed for use shall be 12" – 32" except that 8" diameter socks may be used for residential lots to control areas less than 0.25 acres.

3. The flat dimension of the sock shall be at least 1.5 times the nominal diameter.

4. The **Maximum Slope Length** (in feet) above a compost filter sock shall not exceed the following limits:

Dia. (in.)	Slope %						
	2	**5**	**10**	**20**	**25**	**33**	**50**
8	225*	200	100	50	20	—	—
12	250	225	125	65	50	40	25
18	275	250	150	70	55	45	30
24	350	275	200	130	100	60	35
32	450	325	275	150	120	75	50
* Length in feet							

5. The compost infill shall be well decomposed (matured at least 3 months), weed-free, organic matter. It shall be aerobically composted, possess no objectionable odors, and contain less than 1%, by dry weight, of man-made foreign matter. The physical parameters of the compost shall meet the standards listed in Table 5.2 - Compost Standards Table. **Note: All biosolids compost produced in New York State (or approved for importation) must meet NYS DEC's 6 NYCRR Part 360 (Solid Waste Management Facilities) requirements. The Part 360 requirements are equal to or more stringent than 40 CFR Part 503 which ensure safe standards for pathogen reduction and heavy metals content. When using compost filter socks adjacent to surface water, the compost should have a low nutrient value.**

6. The compost filter sock fabric material shall meet the

7. Compost filter socks shall be anchored in earth with 2" x 2" wooden stakes driven 12" into the soil on 10 foot centers on the centerline of the sock. On uneven terrain, effective ground contact can be enhanced by the placement of a fillet of filter media on the disturbed area side of the compost sock.

8. All specific construction details and material specifications shall appear on the erosion and sediment control constructions drawings when compost filter socks are included in the plan.

Maintenance

1. Traffic shall not be permitted to cross filter socks.

2. Accumulated sediment shall be removed when it reaches half the above ground height of the sock and disposed of in accordance with the plan.

3. Socks shall be inspected weekly and after each runoff event. Damaged socks shall be repaired in the manner required by the manufacturer or replaced within 24 hours of inspection notification.

4. Biodegradable filter socks shall be replaced after 6 months; photodegradable filter socks after 1 year. Polypropylene socks shall be replaced according to the manufacturer's recommendations.

5. Upon stabilization of the area contributory to the sock, stakes shall be removed. The sock may be left in place and vegetated or removed in accordance with the stabilization plan. For removal the mesh can be cut and the compost spread as an additional mulch to act as a soil supplement.

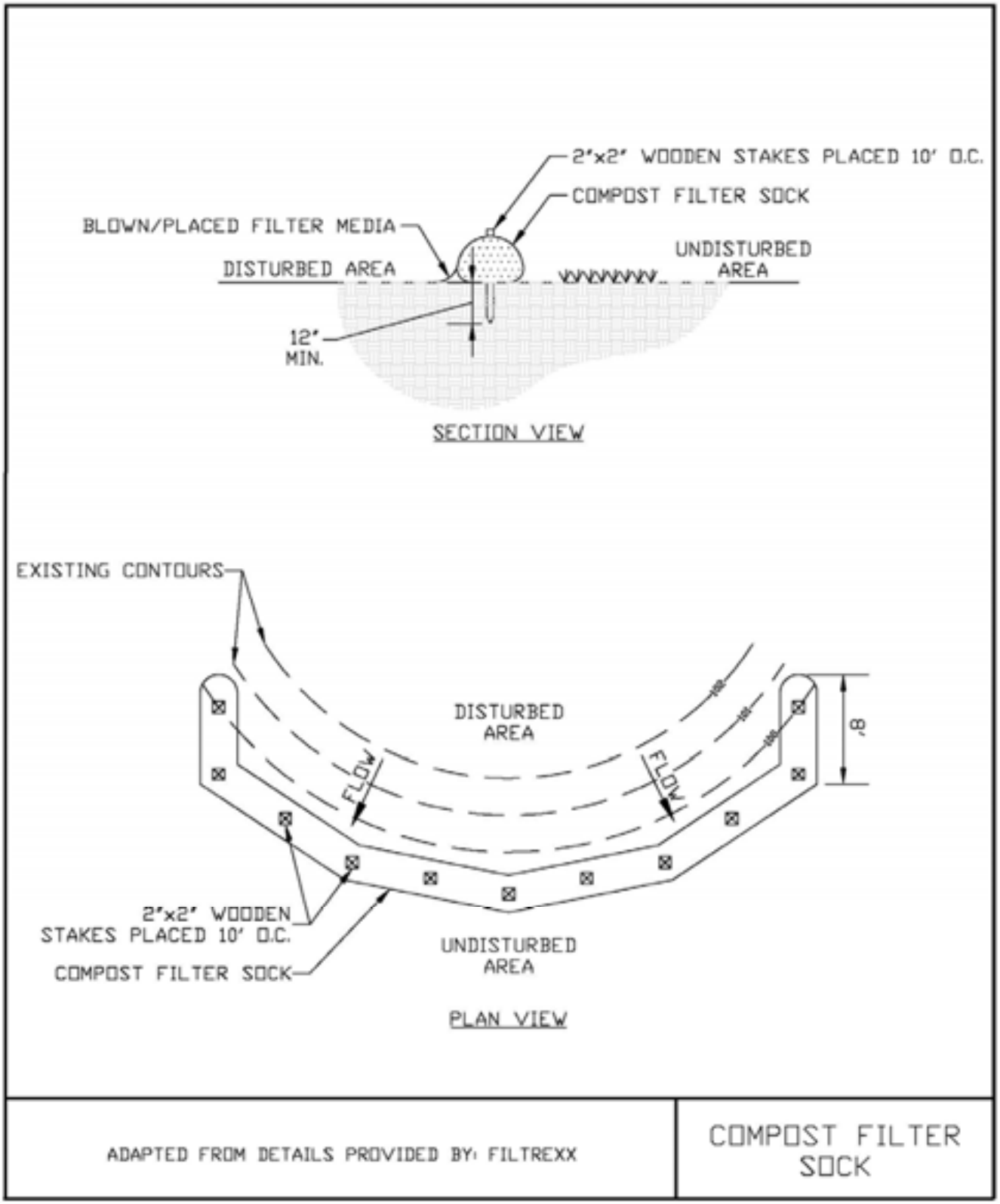
Table 5.1 - Compost Sock Fabric Minimum Specifications Table

Material Type	3 mil HDPE	5 mil HDPE	5 mil HDPE	Multi-Filament Polypropylene (MFPP)	Heavy Duty Multi-Filament Polypropylene (HDMFPP)
Material Characteristics	Photodegradable	Photodegradable	Biodegradable	Photodegradable	Photodegradable
Sock Diameters	12" 18"	12" 18" 24" 32"	12" 18" 24" 32"	12" 18" 24" 32"	12" 18" 24" 32"
Mesh Opening	3/8"	3/8"	3/8"	3/8"	1/8"
Tensile Strength		26 psi	26 psi	44 psi	202 psi
Ultraviolet Stability % Original Strength (ASTM G-155)	23% at 1000 hr.	23% at 1000 hr.		100% at 1000 hr.	100% at 1000 hr.
Minimum Functional Longevity	6 months	9 months	6 months	1 year	2 years

Table 5.2 - Compost Standards Table

Organic matter content	25% - 100% (dry weight)
Organic portion	Fibrous and elongated
pH	6.0 – 8.0
Moisture content	30% - 60%
Particle size	100% passing a 1" screen and 10 - 50% passing a 3/8" screen
Soluble salt concentration	5.0 dS/m (mmhos/cm) maximum

Figure 5.2
Compost Filter Sock



STANDARD AND SPECIFICATIONS FOR SILT FENCE

Definition & Scope

A **temporary** barrier of geotextile fabric installed on the contours across a slope used to intercept sediment laden runoff from small drainage areas of disturbed soil by temporarily ponding the sediment laden runoff allowing settling to occur. The maximum period of use is limited by the ultraviolet stability of the fabric (approximately one year).

Conditions Where Practice Applies

A silt fence may be used subject to the following conditions:

1. Maximum allowable slope length and fence length will not exceed the limits shown in the Design Criteria for the specific type of silt fence used ; and
2. Maximum ponding depth of 1.5 feet behind the fence; and
3. Erosion would occur in the form of sheet erosion; and
4. There is no concentration of water flowing to the barrier; and
5. Soil conditions allow for proper keying of fabric, or other anchorage, to prevent blowouts.

Design Criteria

1. Design computations are not required for installations of 1 month or less. Longer installation periods should be designed for expected runoff.
2. All silt fences shall be placed as close to the disturbed area as possible, but at least 10 feet from the toe of a slope steeper than 3H:1V, to allow for maintenance and roll down. The area beyond the fence must be undisturbed or stabilized.
3. The type of silt fence specified for each location on the plan shall not exceed the maximum slope length and maximum fence length requirements shown in the following table:

		Slope Length/Fence Length (ft.)		
Slope	Steepness	Standard	Reinforced	Super
<2%	< 50:1	300/1500	N/A	N/A
2-10%	50:1 to 10:1	125/1000	250/2000	300/2500
10-20%	10:1 to 5:1	100/750	150/1000	200/1000
20-33%	5:1 to 3:1	60/500	80/750	100/1000
33-50%	3:1 to 2:1	40/250	70/350	100/500
>50%	> 2:1	20/125	30/175	50/250

Standard Silt Fence (SF) is fabric rolls stapled to wooden stakes driven 16 inches in the ground.
Reinforced Silt Fence (RSF) is fabric placed against welded wire fabric with anchored steel posts driven 16 inches in the ground.
Super Silt Fence (SSF) is fabric placed against chain link fence as support backing with posts driven 3 feet in the ground.

4. Silt fence shall be removed as soon as the disturbed area has achieved final stabilization.

The silt fence shall be installed in accordance with the appropriate details. Where ends of filter cloth come together, they shall be overlapped, folded and stapled to prevent sediment bypass. Butt joints are not acceptable. A detail of the silt fence shall be shown on the plan. See Figure 5.30 on page 5.56 for Reinforced Silt Fence as an example of details to be provided.

Criteria for Silt Fence Materials

1. Silt Fence Fabric: The fabric shall meet the following specifications unless otherwise approved by the appropriate erosion and sediment control plan approval authority. Such approval shall not constitute statewide acceptance.

Fabric Properties	Minimum Acceptable Value	Test Method
Grab Tensile Strength (lbs)	110	ASTM D 4632
Elongation at Failure (%)	20	ASTM D 4632
Mullen Burst Strength (PSI)	300	ASTM D 3786
Puncture Strength (lbs)	60	ASTM D 4833
Minimum Trapezoidal Tear Strength (lbs)	50	ASTM D 4533
Flow Through Rate (gal/ min/sf)	25	ASTM D 4491
Equivalent Opening Size	40-80	US Std Sieve ASTM D 4751
Minimum UV Residual (%)	70	ASTM D 4355

2. Fence Posts (for fabricated units): The length shall be a minimum of 36 inches long. Wood posts will be of sound quality hardwood with a minimum cross sectional area of 3.5 square inches. Steel posts will be standard T and U section weighing not less than 1.00 pound per linear foot. Posts for super silt fence shall be standard chain link fence posts.

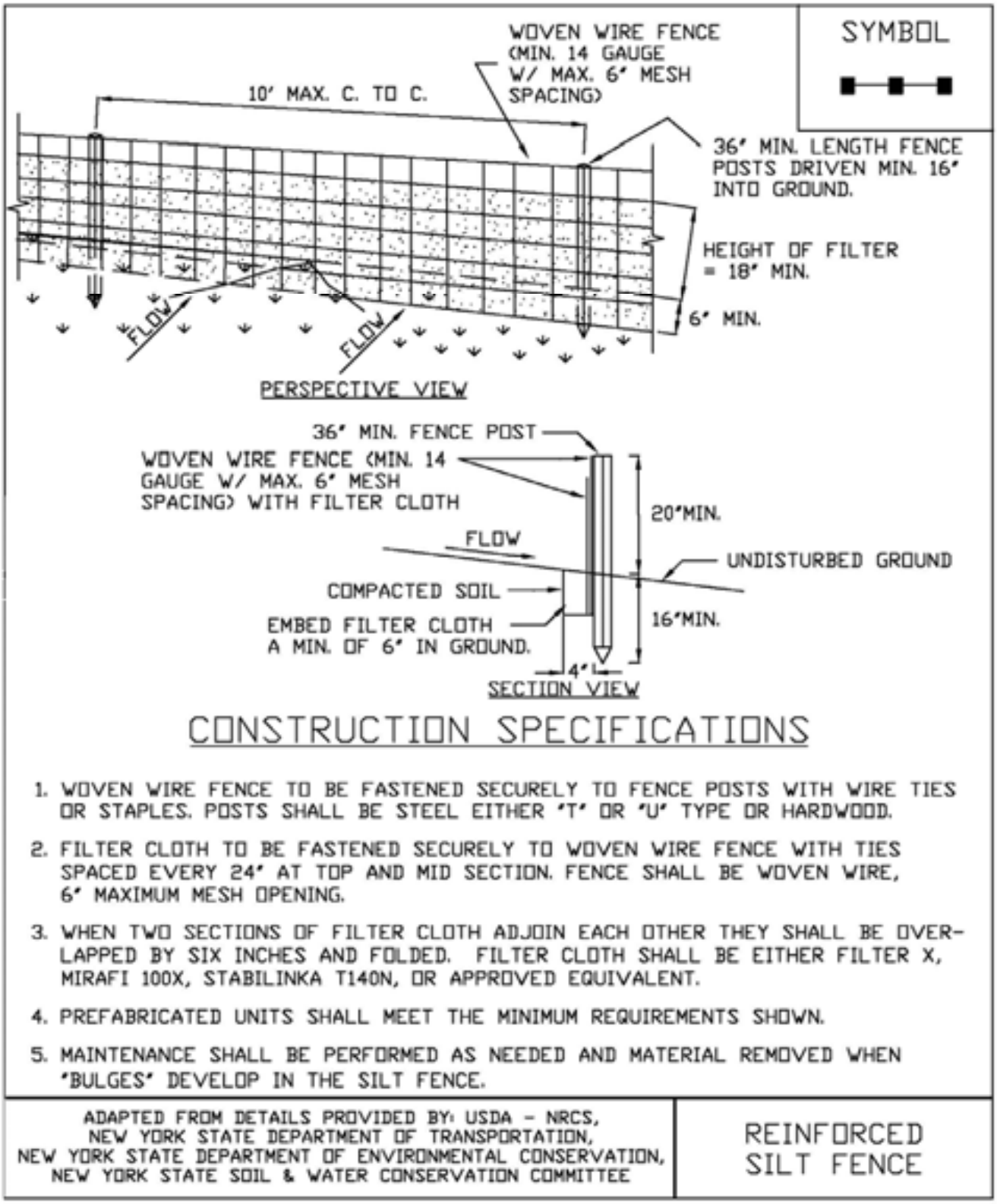
3. Wire Fence for reinforced silt fence: Wire fencing shall be a minimum 14 gage with a maximum 6 in. mesh opening, or as approved.

4. Prefabricated silt fence is acceptable as long as all material specifications are met.

Super Silt Fence

Reinforced Silt Fence

Figure 5.30
Reinforced Silt Fence



STANDARD AND SPECIFICATIONS FOR STORM DRAIN INLET PROTECTION

Definition & Scope

A **temporary** barrier with low permeability, installed around inlets in the form of a fence, berm or excavation around an opening, detaining water and thereby reducing the sediment content of sediment laden water by settling thus preventing heavily sediment laden water from entering a storm drain system.

Conditions Where Practice Applies

This practice shall be used where the drainage area to an inlet is disturbed, it is not possible to temporarily divert the storm drain outfall into a trapping device, and watertight blocking of inlets is not advisable. **It is not to be used in place of sediment trapping devices.** This practice shall be used with an upstream buffer strip if placed at a storm drain inlet on a paved surface. It may be used in conjunction with storm drain diversion to help prevent siltation of pipes installed with low slope angle.

Types of Storm Drain Inlet Practices

There are five (5) specific types of storm drain inlet protection practices that vary according to their function, location, drainage area, and availability of materials:

I. Excavated Drop Inlet Protection
II. Fabric Drop Inlet Protection
III. Stone & Block Drop Inlet Protection
IV. Paved Surface Inlet Protection
V. Manufactured Insert Inlet Protection

Design Criteria

Drainage Area – The drainage area for storm drain inlets shall not exceed one acre. Erosion control/temporary stabilization measures must be implemented on the disturbed drainage area tributary to the inlet. The crest elevations of these practices shall provide storage and minimize bypass flow.

Type I – Excavated Drop Inlet Protection

This practice is generally used during initial overlot grading after the storm drain trunk line is installed.

Limit the drainage area to the inlet device to 1 acre. Excavated side slopes shall be no steeper than 2:1. The minimum depth shall be 1 foot and the maximum depth 2 feet as measured from the crest of the inlet structure. Shape the excavated basin to fit conditions with the longest dimension oriented toward the longest inflow area to provide maximum trap efficiency. The capacity of the excavated basin should be established to contain 900 cubic feet per acre of disturbed area. Weep holes, protected by fabric and stone, should be provided for draining the temporary pool.

Inspect and clean the excavated basin after every storm. Sediment should be removed when 50 percent of the storage volume is achieved This material should be incorporated into the site in a stabilized manner.

Type II – Fabric Drop Inlet Protection

This practice is generally used during final elevation grading phases after the storm drain system is completed.

Limit the drainage area to 1 acre per inlet device. Land area slope immediately surrounding this device should not exceed 1 percent. The maximum height of the fabric above the inlet crest shall not exceed 1.5 feet unless reinforced.

The top of the barrier should be maintained to allow overflow to drop into the drop inlet and not bypass the inlet to

unprotected lower areas. Support stakes for fabric shall be a minimum of 3 feet long, spaced a maximum 3 feet apart. They should be driven close to the inlet so any overflow drops into the inlet and not on the unprotected soil. Improved performance and sediment storage volume can be obtained by excavating the area.

Inspect the fabric barrier after each rain event and make repairs as needed. Remove sediment from the pool area as necessary with care not to undercut or damage the filter fabric. Upon stabilization of the drainage area, remove all materials and unstable sediment and dispose of properly. Bring the adjacent area of the drop inlet to grade, smooth and compact and stabilize in the appropriate manner to the site.

Type III – Stone and Block Drop Inlet Protection

This practice is generally used during the initial and intermediate overlot grading of a construction site.

Limit the drainage area to 1 acre at the drop inlet. The stone barrier should have a minimum height of 1 foot and a maximum height of 2 feet. Do not use mortar. The height should be limited to prevent excess ponding and bypass flow.

Recess the first course of blocks at least 2 inches below the crest opening of the storm drain for lateral support. Subsequent courses can be supported laterally if needed by placing a 2x4 inch wood stud through the block openings perpendicular to the course. The bottom row should have a few blocks oriented so flow can drain through the block to dewater the basin area.

The stone should be placed just below the top of the blocks on slopes of 2:1 or flatter. Place hardware cloth of wire mesh with ½ inch openings over all block openings to hold stone in place.

As an optional design, the concrete blocks may be omitted and the entire structure constructed of stone, ringing the outlet (“doughnut”). The stone should be kept at a 3:1 slope toward the inlet to keep it from being washed into the inlet. A level area 1 foot wide and four inches below the crest will further prevent wash. Stone on the slope toward the inlet should be at least 3 inches in size for stability and 1 inch or smaller away from the inlet to control flow rate. The elevation of the top of the stone crest must be maintained 6 inches lower than the ground elevation down slope from the inlet to ensure that all storm flows pass over the stone into the storm drain and not past the structure. Temporary diking should be used as necessary to prevent bypass flow.

The barrier should be inspected after each rain event and repairs made where needed. Remove sediment as necessary to provide for accurate storage volume for subsequent rains. Upon stabilization of contributing drainage area, remove all materials and any unstable soil and dispose of properly.

Bring the disturbed area to proper grade, smooth, compact and stabilize in a manner appropriate to the site.

Type IV – Paved Surface Inlet Protection

This practice is generally used after pavement construction has been done while final grading and soil stabilization is occurring. These practices should be used with upstream buffer strips in linear construction applications, and with temporary surface stabilization for overlot areas, to reduce the sediment load at the practice. This practice includes sand bags, compost filter socks, geo-tubes filled with ballast, and manufactured surface barriers. Pea gravel can also be used in conjunction with these practices to improve performance. When the inlet is not at a low point, and is offset from the pavement or gutter line, protection should be selected and installed so that flows are not diverted around the inlet.

The drainage area should be limited to 1 acre at the drain inlet. All practices will be placed at the inlet perimeter or beyond to maximize the flow capacity of the inlet. Practices shall be weighted, braced, tied, or otherwise anchored to prevent movement or shifting of location on paved surfaces. Traffic safety shall be integrated with the use of this practice. All practices should be marked with traffic safety cones as appropriate. Structure height shall not cause flooding or by-pass flow that would cause additional erosion.

The structure should be inspected after every storm event. Any sediment should be removed and disposed of on the site. Any broken or damaged components should be replaced. Check all materials for proper anchorage and secure as necessary.

Type V - Manufactured Insert Inlet Protection

The drainage area shall be limited to 1 acre at the drain inlet. All inserts will be installed and anchored in accordance with the manufacturers recommendations and design details. The fabric portion of the structure will equal or exceed the performance standard for the silt fence fabric. The inserts will be installed to preserve a minimum of 50 percent of the open, unobstructed design flow area of the storm drain inlet opening to maintain capacity for storm events.

Figure 5.31
Excavated Drop Inlet Protection

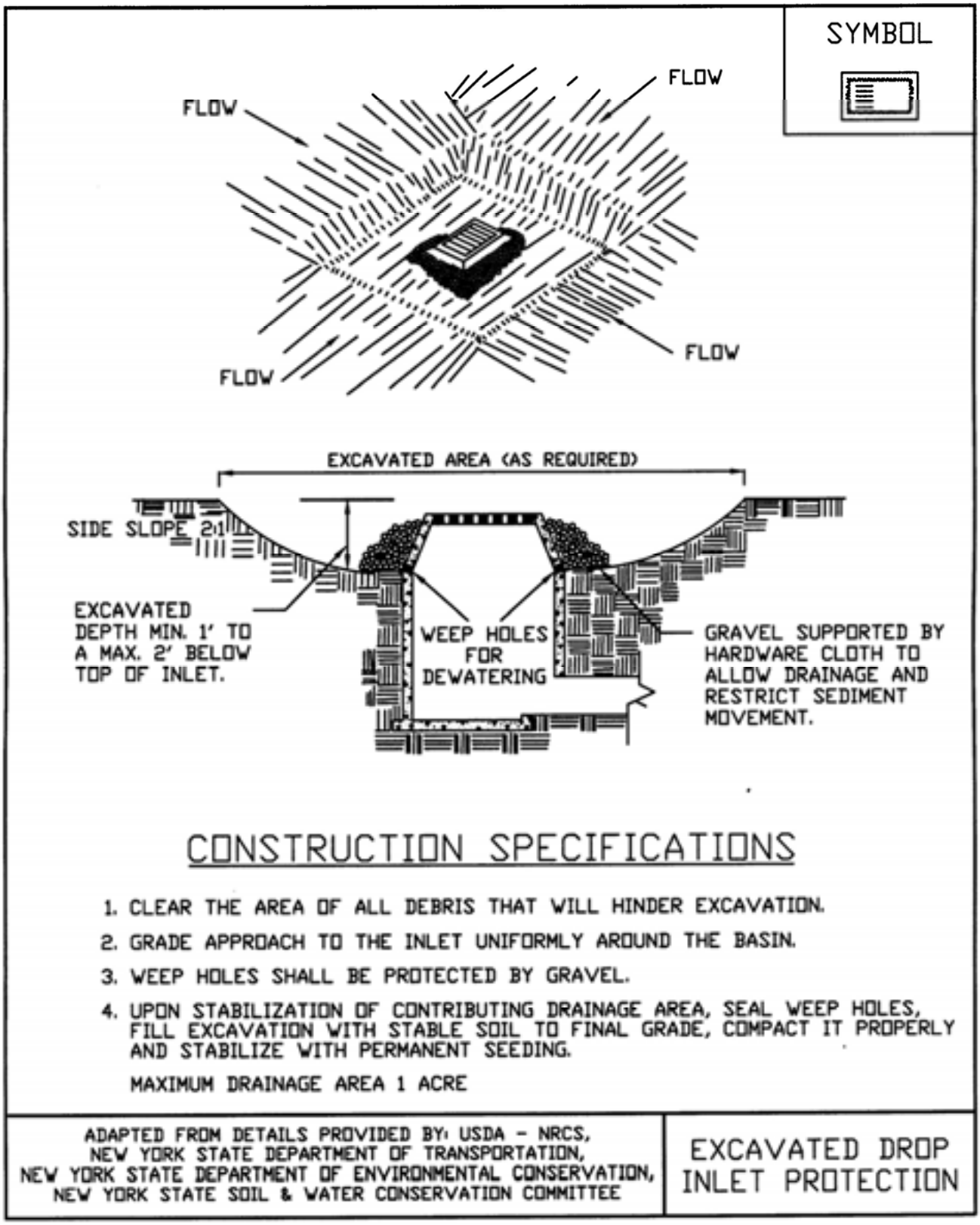


Figure 5.32
Fabric Drop Inlet Protection

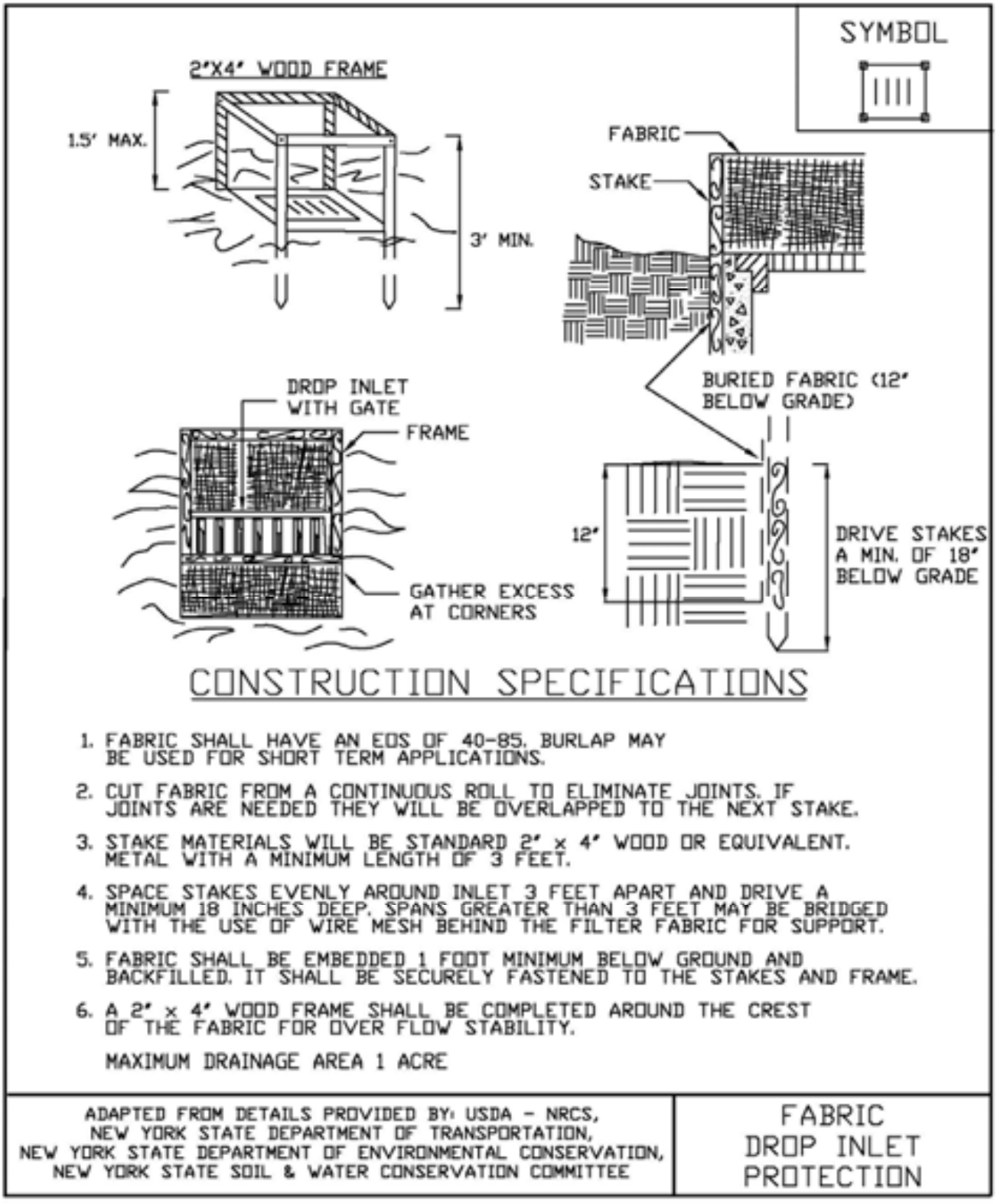
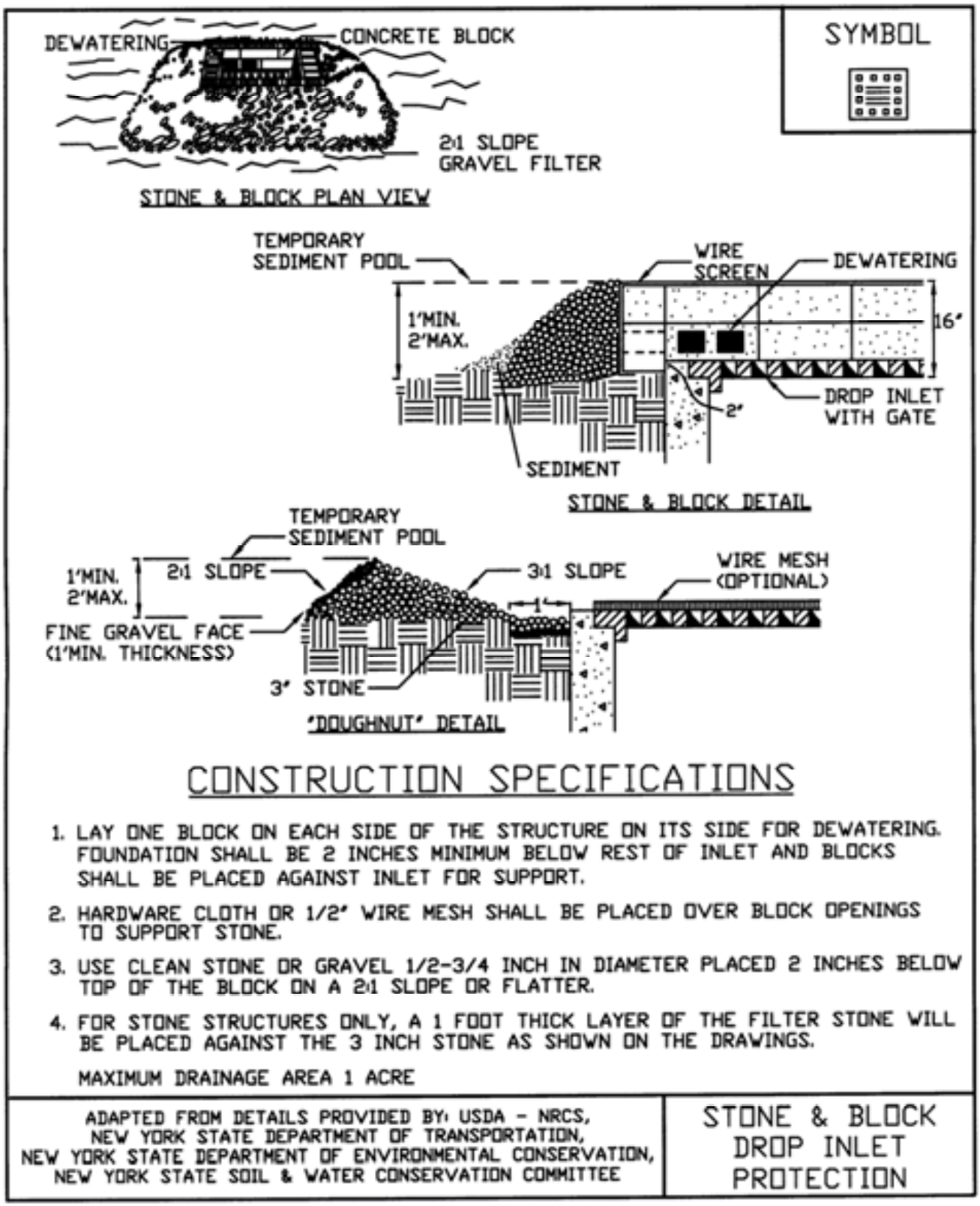


Figure 5.33
Stone & Block Drop Inlet Protection



CONSTRUCTION SPECIFICATIONS

1. LAY ONE BLOCK ON EACH SIDE OF THE STRUCTURE ON ITS SIDE FOR DEWATERING. FOUNDATION SHALL BE 2 INCHES MINIMUM BELOW REST OF INLET AND BLOCKS SHALL BE PLACED AGAINST INLET FOR SUPPORT.
2. HARDWARE CLOTH OR 1/2" WIRE MESH SHALL BE PLACED OVER BLOCK OPENINGS TO SUPPORT STONE.
3. USE CLEAN STONE OR GRAVEL 1/2-3/4 INCH IN DIAMETER PLACED 2 INCHES BELOW TOP OF THE BLOCK ON A 2:1 SLOPE OR FLATTER.
4. FOR STONE STRUCTURES ONLY, A 1 FOOT THICK LAYER OF THE FILTER STONE WILL BE PLACED AGAINST THE 3 INCH STONE AS SHOWN ON THE DRAWINGS.

MAXIMUM DRAINAGE AREA 1 ACRE

ADAPTED FROM DETAILS PROVIDED BY: USDA - NRCS,
NEW YORK STATE DEPARTMENT OF TRANSPORTATION,
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION,
NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE

STONE & BLOCK DROP INLET PROTECTION

STANDARD AND SPECIFICATIONS FOR STRAW BALE DIKE

Definition & Scope

A **temporary** barrier of straw, or similar material, used to intercept sediment laden runoff from small drainage areas of disturbed soil to reduce runoff velocity and effect deposition of the transported sediment load. Straw bale dikes have an estimated design life of three (3) months.

Condition Where Practice Applies

The straw bale dike is used where:

1. No other practice is feasible.
2. There is no concentration of water in a channel or other drainageway above the barrier.
3. Erosion would occur in the form of sheet erosion.
4. Length of slope above the straw bale dike does not exceed the following limits with the bale placed 10 feet from the toe of the slope:

Constructed Slope	Percent Slope	Slope Length (ft.)
2:1	50	25
3:1	33	50
4:1	25	75

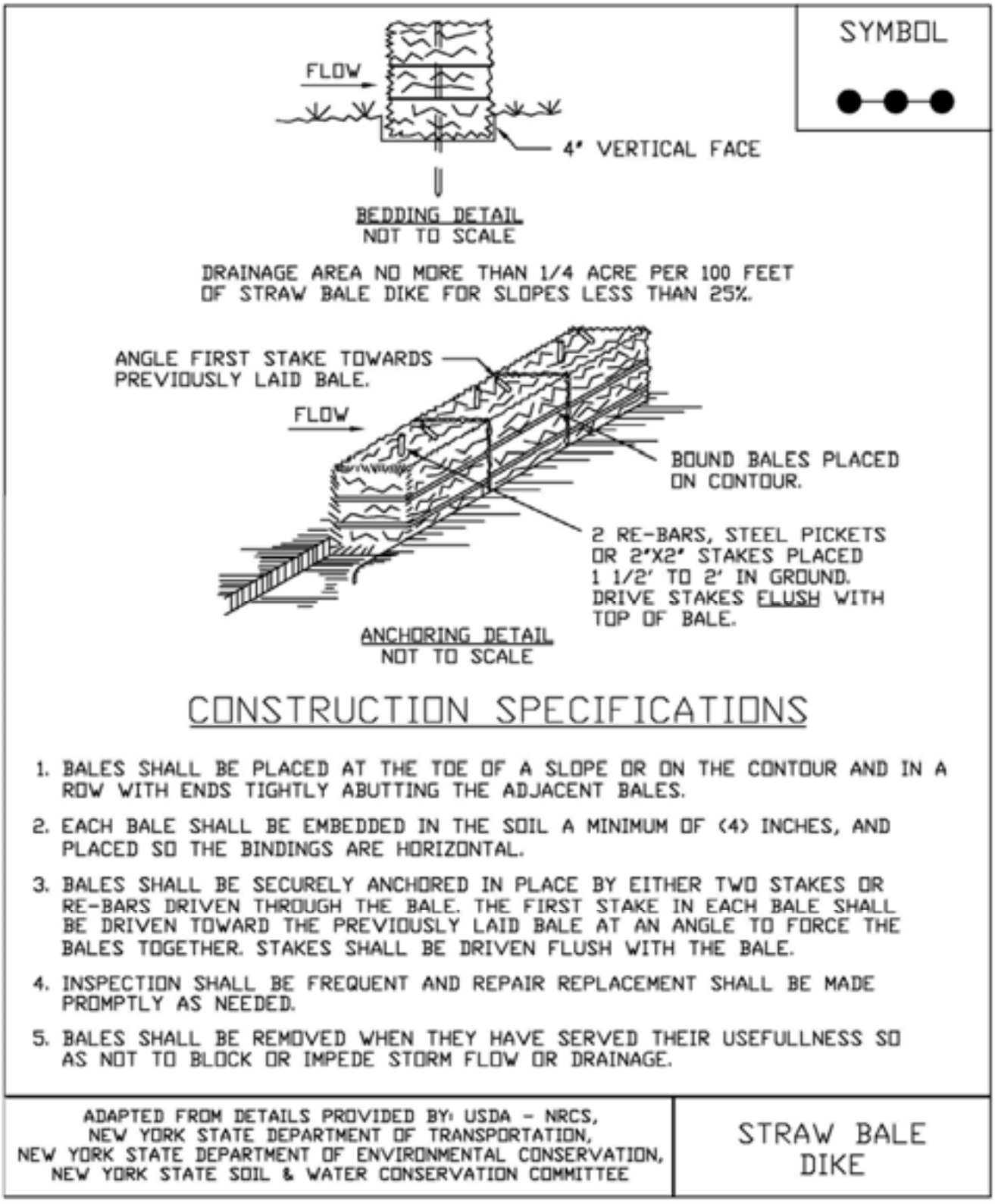
Where slope gradient changes through the drainage area, steepness refers to the steepest slope section contributing to the straw bale dike.

The practice may also be used for a single family lot if the slope is less than 15 percent. The contributing drainage areas in this instance shall be less than one quarter of an acre per 100 feet of dike and the length of slope above the dike shall be less than 100 feet.

Design Criteria

The above table is adequate, in general, for a one-inch rainfall event. Larger storms could cause failure of this practice. Use of this practice in sensitive areas for longer than one month should be specifically designed to store expected runoff. All bales shall be placed on the contour with cut edge of bale adhering to the ground. See Figure 5.34 on page 5.64 for details.

Figure 5.34
Straw Bale Dike



APPENDIX 8

Construction Oversight Program Plan Overview

Village of Islandia

Stormwater Management

Construction Oversight Program

New York State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges

from

Municipal Separate Storm Sewers (MS4s)

General Permit No. GP-0-24-001

January 2025

Prepared By:

Cashin Associates P.C.

1200 Veterans Memorial Highway

Hauppauge, NY 11788

Introduction

The Village of Islandia has prepared this Construction Oversight Program in conformance with the requirements of the New York State Department of Environmental Conservation (NYSDEC) General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems Permit GP-0-24-001 (General Permit).

The required components of the Program in Section VI.D.3 of GP-0-24-001 are discussed below:

a. The construction oversight procedures including:
    i. When the construction site stormwater control program applies (Part VI.D.1.);
    ii. What types of construction activity require a SWPPP;
    iii. The procedures for submission of SWPPPs;
    iv. SWPPP review requirements (Part VI.D.6.)
    v. Pre-construction oversight requirements (Part VI.D.7.)
    vi. Construction site inspection requirements (Part VI.D.8.);
    vii. Construction site close-out requirements (Part VI.D.9.);
    viii. Enforcement process/expectations for compliance; and
    ix. Other procedures associated with the control of stormwater runoff from applicable construction activities.

b. The training provisions for the MS4 Operator's construction oversight procedures (Part VI.D.3.a.).
    i. If new staff are added, training on the MS4 Operator's construction oversight procedures (Part VI.D.3.a.) must be given prior to conducting any construction oversight activities;
    ii. For existing staff, training on the MS4 Operator's construction oversight procedures (Part VI.D.3.a.) must be given prior to conducting any construction oversight activities and once every five (5) years, thereafter; and
    iii. If the construction oversight procedures (Part VI.D.3.a.) are updated (Part VI.D.3.a.), training on the updates must be given to all staff prior to conducting construction oversight.

c. The names, titles, and contact information for the individuals who have received construction oversight training and update annually;

d. Procedures to ensure those involved in the construction activity itself (e.g., contractor, subcontractor, qualified inspector, SWPPP reviewers) have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other Department endorsed entity; and

e. Annually, by April 1, the MS4 Operator must:
    i. Review and update the construction oversight procedures (Part VI.D.3.a.); and
    ii. Document the completion of this requirement in the SWMP Plan.

Construction Oversight

The Village has the legal authority to enforce the provisions of GP-0-24-001 through the enacted local law No. 3-2008, Adopted 3/4/2008; Chapter 143- Part 2- Stormwater Management, Erosion and Sediment Control.

SWPPP Requirements

In accordance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity GP-0-25-001- Part 1.A, all construction activities requiring soil disturbance greater than one (1) acre, or less than one (1) acre which are part of common plan of a larger development are subject to review and approval of the MS4 for Stormwater runoff requirements. All land development activities that meet the criteria of Part 1.A of the SPDES General Permit (CGP) shall be required to submit a Stormwater Pollution Prevention Plan (SWPPP) to the Village. Land development activities noted in §143- 25 of the Village Code are exempt. Construction activities below the one-acre threshold are required to submit an erosion and sediment control plan only. Additionally, land development activities listed in Appendix B, Table 1 of the SPDES General Permit require the preparation of a SWPPP that only includes Erosion and Sediment Controls.

SWPPP Submission

The submission of the SWPPP is required with all land development applications submitted for building permit for sites that meet the SPDES CGP requirements. The Village's Building Department will withhold the issuance of a building permit until a SWPPP is submitted and approved for that land development.

SWPPP Review

The Village has designated the Stormwater Management Officer (SMO)/ Building Inspector/ Superintendent DPW to accept the SWPPP. The Village of Islandia engages the services of a Professional Consultant to review the SWPPP, related plans, specifications and other documents, subject to the standards of the Village Code, as noted in §143- 27.

Additionally, the SWPPP is reviewed to meet the following criteria:

- Conformance to the New York State Standards and Specifications for Erosion and Sediment Control, 2016 – for erosion and sediment control practices
- Conformance to the New York State Stormwater Management Design Manual for water quality, water quality controls (post construction stormwater runoff practices SMPs)
- The SWPPP must include an Operation and Maintenance Plan (O&M Plan) that includes written procedure for operation, maintenance practices and training new maintenance personnel; to ensure continuous and effective operation of each post-construction stormwater management practice. The entity responsible for the long-term operation and maintenance of each practice must be identified in the SWPPP.

Pre-construction Oversight Requirement

A preconstruction meeting should be held to review all of the SWPPP requirements with construction personnel. The date and content of the pre- construction inspection/meeting must be documented in the SWMP Plan.

The following representatives must attend the pre-construction meeting as required by the MS4 Permit:

- The owner/operator listed on the CGP NOI
- A Representative from the Village Building Department (the MS4 Operator)
- The Contractor(s) responsible for implementing the SWPPP for the construction activity

- The qualified inspector (if required for the construction activity by Part IV.C. of the CGP)

Prior to the commencement of construction, the Operator shall certify in the site logbook that the SWPPP has been prepared in accordance with the State's standards and meets all Federal, State and local erosion and sediment control requirements.

The Building Department/ MS4 must verify contractors and subcontractors selected by the owner/operator of the construction activity have identified at least one individual that has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District or other endorsed entity as required by the CGP and Part VI.D.3.d; and review the construction oversight program (Part VI.D.3. of the MS4 Permit) and expectations for compliance.

Construction Site Requirements & Inspections

The Operator must agree to have a qualified inspector conduct an assessment of the site prior to the commencement of construction and certify in this inspection report that the appropriate erosion and sediment controls described in the SWPPP have been adequately installed or implemented to ensure overall preparedness of the site for the commencement of construction.

When construction starts, site inspections shall be conducted by the qualified inspector as required by Part IV.C of the CGP. The Operator shall maintain a record of all inspection reports in the site logbook. The site log- book shall be maintained on site and be made available to the permitting authorities upon request.

The Village/MS4 must ensure individuals(s), responsible for construction site inspections, receive the Four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other Department endorsed entity, prior to conducting construction site inspections. Individuals who meet the definition of a qualified professional or qualified inspector are exempt from this requirement.

The Village/MS4 must annually inspect all sites with construction activity identified in the inventory (Part VI.D.4.) during active construction after the pre-construction meeting (Part VI.D.7.), or sooner if deficiencies are noted that require attention. Follow up to construction site inspections must confirm corrective actions are completed within timeframes established by the CGP and the Village's Enforcement Response Plan (ERP).

The Village/MS4 must document all inspections using the Construction Site Inspection Report Form (Appendix D in the MS4 Permit GP-0-24-001) or an equivalent form containing the same information. The completed Construction Site Inspection Reports must be included in the SWMP Plan.

The Village/MS4 will document and update annually the names, titles, and contact information for the individuals who have received the training listed in Part VI.D.8.a., in the SWMP Plan.

Construction Site Prioritization

The Village/MS4 must prioritize all construction sites as high priority or low priority.

High priority Construction sites include construction sites:

a. With a direct conveyance (e.g., channel, ditch, storm sewer) to a surface water of the State that is:
    - Listed in Appendix C with silt/sediment, phosphorus, or nitrogen as the POC;
    - Classified as AA-S, AA, or A (mapped in accordance with Part IV.D.1.e.ii.a)); or
    - Classified with a trout (T) or trout spawning (TS) designation (mapped in accordance with Part IV.D.1.e.ii.a));

b. With greater than five (5) acres of disturbed earth at any one time;

c. With earth disturbance within one hundred (100) feet of any lake or pond (mapped in accordance with Part IV.D.1.e.ii.b)); and/or

d. Within fifty (50) feet of any rivers or streams (mapped in accordance with Part IV.D.1.e.ii.b));

All other construction sites are considered low priority.

Construction Site Close-out Requirements

Prior to filing the Notice of Termination or the end of permit term, the Operator shall have a qualified inspector perform a final site inspection. The qualified inspector shall certify that the site has undergone final stabilization using either vegetative or structural stabilization methods and that all temporary erosion and sediment controls (such as silt fencing) not needed for long-term erosion control have been removed. In addition, the Operator must identify and certify that all permanent structures described in the SWPPP have been constructed and provide the owner(s) with an operation and maintenance plan that ensures the structure(s) continuously functions as designed.

The Village/MS4 must ensure the final construction site inspection has been conducted and documentation of the final construction site inspection must be maintained in the SWMP Plan.

The Notice of Termination (NOT) must be signed by the MS4 Operator as required by the CGP for projects determined to be complete. The NOT application must include an As-built survey of the property with the underground drainage structures marked out. The Survey must be signed and sealed by a NYS licensed Surveyor

Maintenance Agreements

The Village of Islandia shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The Village of Islandia, in lieu of a maintenance agreement, at its sole discretion may accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of Chapter 143- Part 2 and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

Staff Training

The below table has the list of staff who have received the Erosion & Sediment Control Training.

Village Staff that have Received Erosion & Sediment Control Training		
Name	Title	Contact Information
Gerald Peters	Building Inspector/ Superintendent DPW	gpeters@newvillageofislandia.com
Keith Kellner	Building Inspector/ Plans Examiner	kkellner@newvillageofislandia.com

If new staff are added, training on the MS4 Operator's post construction SMP inspection and maintenance procedures and procedures outlined in the Department endorsed program will be given prior to conducting any post construction SMP inspection and maintenance. The list of staff with training must be updated annually.

If the post-construction SMP inspection and maintenance procedures are updated, training on the updates must be given to all staff prior to conducting post-construction SMP inspection and maintenance.

Appendix A

Inventory of Construction Sites

Village of Islandia

Construction Sites Inventory

No.	Latest Submission date	Program ID	Facility Name	Address	Construction Termination	Final Stabilization Date	NOT Signature Date
1		11C226	VOI- First Responder's Memorial Recreation Field	Old Nichols Road	Yes	5/2019	5/13/2019
2		11N111	VOI- First Responder's Memorial Recreation Field, Parking Lot	1127 Old Nichols Road	Yes	10/2024	1/23/2025
3		11K615	Creation RE, LLC/ Commerce Center	3795 Express Drive North	Yes	01/2024	2/2025
4		11M214	Breslin Plaza/ Islandia Jaz, LLC	1900 Veterans Memorial Hwy	Yes	12/2024	2/25/2025
5			JP Express Trucking Terminal	131 Hoffman Lane	Yes	04/2021	2/25/2025
6			ONYX/ Islandia Property Owner, LLC	1 Computer Associates Plaza	No		
7			Jake's 58 Casino	3635 Express Drive North	No		
8		11J149	Prim-Rose Villas	726 Old Nichols Road	No		
9			Polo Club/ Preserve at Islandia	1239 Old Nichols Road	No		
10			Islandia Shopping Center - Pad Sites	1750 Veterans Memorial Hwy	No		
11			Lakeland Woods Estates	Johnson Avenue	No		

Appendix B

Site Inspection Checklists and NOT

APPENDIX E
EROSION AND SEDIMENT CONTROL
PLAN REVIEW CHECKLIST

Project Name _____ Site Location _____

Applicant's Name & Address _____
_____

General

A narrative statement shall be provided that describes the proposed project nature and purpose; the existing site conditions including topography, vegetation and drainage; adjacent and off-site areas affected by the project; description of the soils on the site and key properties; notations of critical areas such as steep slopes, channels or wetlands; the overall phasing, sequencing and stabilization plan; total disturbed area and, areas not to be disturbed, and soil restoration plan.

I. Construction Drawings

Are the following items shown on the construction drawings:	Yes	No
1. Vicinity Map with scale and north arrow	____	____
2. Legend, scales, N arrow on plan view	____	____
3. Existing and proposed topography shown with contours labeled with spots elevations in critical areas	____	____
4. Scope of the plan noted in the Title Block	____	____
5. Limits of clearing and grading shown , and methods of spoil disposal	____	____
6. Existing vegetation delineated	____	____
7. Soil boundaries shown on the existing and proposed plan views	____	____
8. Existing drainage patterns, 100 year floodplain and sub-areas shown, runoff outfall locations identified	____	____
9. Existing and proposed development facilities/ improvements shown	____	____
10. Location of Erosion and Sediment control practices as phased with construction, with dimensions and material specifications	____	____
11. Phasing plan with 5 acre threshold limits shown	____	____
12. Stockpile locations, staging areas, access points, and concrete trunk washout locations clearly defined	____	____
13. Street profiles, utility locations, property boundaries and, easement delineations shown	____	____
14. Soil Restoration Plan detailed on the site plan	____	____

II. Construction Notes & Details	Yes	No
1. Specific sequence of operation given for each phase	____	____
2. Inspection and maintenance schedule shown for the specific practices	____	____
3. Design details show all dimensions and installation details necessary for construction	____	____
4. Implementation schedule for E&S practices is provided with removal criteria stated	____	____
5. Site pollution and construction waste management plan incorporated in the notes	____	____
6. Site Inspections during construction are noted on the drawings and are in accordance with the General Permit for Stormwater Discharges from Construction Activities	____	____

III. Erosion & Sediment Control Practices

A. General	Yes	No
1. Practice meets purpose and design criteria	____	____
2. Standard details and construction notes are provided	____	____
3. Special timing of practice noted if applicable	____	____
4. Provisions for traffic crossings shown on the drawings where necessary	____	____

B. Practices Controlling Runoff	Yes	No
1. Positive drainage is maintained with contributing drainage area shown	____	____
2. Flow grades properly stabilized	____	____
3. Adequate outlet or discharge condition stabilized	____	____
4. Necessary dimensions, gradations, calculations, and materials shown	____	____

C. Practices Stabilizing Soil	Yes	No
1. Seeding rates and areas properly shown on the drawings	____	____
2. Mulch materials and rates specified on the drawings	____	____
3. Sequencing and timing provisions limit soil exposure to 7 to14 days as appropriate	____	____

C. Practices Stabilizing Soil (cont'd)	Yes	No
4. Rolled Erosion Control Products (RECP's) used are specified to location and appropriate weight/tie down	____	____
5. All soil seed bed preparation and amendments are specified on the drawings or in the specifications	____	____
6. The seeding dates are specified to cover the entire year for both temporary and permanent seedings	____	____
7. Maximum created slopes are no steeper than 2 foot horizontal to 1 foot vertical with Cut and Fill slopes shown	____	____

D. Practices Controlling Sediment	Yes	No
1. Sediment traps/basins are sized in accordance with criteria	____	____
2. The contributing drainage area is shown on the grading plan	____	____
3. All scaled dimensions and volumes are shown on the plan	____	____
4. Maintenance requirements and clean out elevations established for all sediment control practices (50% capacity)	____	____
5. All access points of the project are shown to be stabilized	____	____
6. Storm drain inlets adequately protected	____	____
7. Buffer filter strips are appropriately sited and installed	____	____
7. Silt fences are shown on the contour lines with no more than one quarter acre per 100 foot drainage to it	____	____
8. Temporary sediment traps are not being used at locations of future stormwater infiltration facilities	____	____
9. Dewatering devices for traps and basins are adequately designed with details shown on the plans	____	____
10. Geotextile filter bags are properly sited, sized, and have their maintenance requirements detailed on the drawings	____	____
11. Turbidity curtains are properly located with installation, anchoring, and maintenance details shown on the plans	____	____

Additional Comments and Notes

Plan Reviewed By: _____ Date: _____

APPENDIX F
CONSTRUCTION SITE INSPECTION AND MAINTENANCE LOG BOOK

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM FOR CONSTRUCTION ACTIVITIES

SAMPLE CONSTRUCTION SITE LOG BOOK

Table of Contents

I. Pre-Construction Meeting Documents
   a. Preamble to Site Assessment and Inspections
   b. Pre-Construction Site Assessment Checklist

II. Construction Duration Inspections
   a. Directions
   b. Modification to the SWPPP

I. **PRE-CONSTRUCTION MEETING DOCUMENTS**

Project Name _____

Permit No. _____ **Date of Authorization** _____

Name of Operator _____

Prime Contractor _____

a. **Preamble to Site Assessment and Inspections**

The Following Information To Be Read By All Person's Involved in The Construction of Stormwater Related Activities:

The Operator agrees to have a qualified inspector[1] conduct an assessment of the site prior to the commencement of construction[2] and certify in this inspection report that the appropriate erosion and sediment controls described in the SWPPP have been adequately installed or implemented to ensure overall preparedness of the site for the commencement of construction.

Prior to the commencement of construction, the Operator shall certify in this site logbook that the SWPPP has been prepared in accordance with the State's standards and meets all Federal, State and local erosion and sediment control requirements. A preconstruction meeting should be held to review all of the SWPPP requirements with construction personnel.

When construction starts, site inspections shall be conducted by the qualified inspector at least every 7 calendar days. The Operator shall maintain a record of all inspection reports in this site logbook. The site logbook shall be maintained on site and be made available to the permitting authorities upon request.

Prior to filing the Notice of Termination or the end of permit term, the Operator shall have a qualified inspector perform a final site inspection. The qualified inspector shall certify that the site has undergone final stabilization[3] using either vegetative or structural stabilization methods and that all temporary erosion and sediment controls (such as silt fencing) not needed for long-term erosion control have been removed. In addition, the Operator must identify and certify that all permanent structures described in the SWPPP have been constructed and provide the owner(s) with an operation and maintenance plan that ensures the structure(s) continuously functions as designed.

1 Refer to "Qualified Inspector" inspection requirements in the current SPDES General Permit for Stormwater Discharges from Construction Activity for complete list of inspection requirements.
2 "Commencement of construction" means the initial removal of vegetation and disturbance of soils associated with clearing, grading or excavating activities or other construction activities.
3 "Final stabilization" means that all soil-disturbing activities at the site have been completed and a uniform, perennial vegetative cover with a density of eighty (80) percent has been established or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed on all unpaved areas and areas not covered by permanent structures.

b. Pre-construction Site Assessment Checklist
(NOTE: Provide comments below as necessary)

1. Notice of Intent, SWPPP, and Contractors Certification:

Yes No NA

[ ] [ ] [ ] Has a Notice of Intent been filed with the NYS Department of Conservation?
[ ] [ ] [ ] Is the SWPPP on-site? Where?_____
[ ] [ ] [ ] Is the Plan current? What is the latest revision date?_____
[ ] [ ] [ ] Is a copy of the NOI (with brief description) onsite? Where?_____
[ ] [ ] [ ] Have all contractors involved with stormwater related activities signed a contractor's certification?

2. Resource Protection

Yes No NA

[ ] [ ] [ ] Are construction limits clearly flagged or fenced?
[ ] [ ] [ ] Important trees and associated rooting zones, on-site septic system absorption fields, existing vegetated areas suitable for filter strips, especially in perimeter areas, have been flagged for protection.
[ ] [ ] [ ] Creek crossings installed prior to land-disturbing activity, including clearing and blasting.

3. Surface Water Protection

Yes No NA

[ ] [ ] [ ] Clean stormwater runoff has been diverted from areas to be disturbed.
[ ] [ ] [ ] Bodies of water located either on site or in the vicinity of the site have been identified and protected.
[ ] [ ] [ ] Appropriate practices to protect on-site or downstream surface water are installed.
[ ] [ ] [ ] Are clearing and grading operations divided into areas <5 acres?

4. Stabilized Construction Access

Yes No NA

[ ] [ ] [ ] A temporary construction entrance to capture mud and debris from construction vehicles before they enter the public highway has been installed.
[ ] [ ] [ ] Other access areas (entrances, construction routes, equipment parking areas) are stabilized immediately as work takes place with gravel or other cover.
[ ] [ ] [ ] Sediment tracked onto public streets is removed or cleaned on a regular basis.

5. Sediment Controls

Yes No NA

[ ] [ ] [ ] Silt fence material and installation comply with the standard drawing and specifications.
[ ] [ ] [ ] Silt fences are installed at appropriate spacing intervals
[ ] [ ] [ ] Sediment/detention basin was installed as first land disturbing activity.
[ ] [ ] [ ] Sediment traps and barriers are installed.

6. Pollution Prevention for Waste and Hazardous Materials

Yes No NA

[ ] [ ] [ ] The Operator or designated representative has been assigned to implement the spill prevention avoidance and response plan.
[ ] [ ] [ ] The plan is contained in the SWPPP on page _____
[ ] [ ] [ ] Appropriate materials to control spills are onsite. Where? _____

II. CONSTRUCTION DURATION INSPECTIONS

a. Directions:

Inspection Forms will be filled out during the entire construction phase of the project.

Required Elements:

1) On a site map, indicate the extent of all disturbed site areas and drainage pathways. Indicate site areas that are expected to undergo initial disturbance or significant site work within the next 14-day period;

2) Indicate on a site map all areas of the site that have undergone temporary or permanent stabilization;

3) Indicate all disturbed site areas that have not undergone active site work during the previous 14-day period;

4) Inspect all sediment control practices and record the approximate degree of sediment accumulation as a percentage of sediment storage volume (for example, 10 percent, 20 percent, 50 percent);

5) Inspect all erosion and sediment control practices and record all maintenance requirements such as verifying the integrity of barrier or diversion systems (earthen berms or silt fencing) and containment systems (sediment basins and sediment traps). Identify any evidence of rill or gully erosion occurring on slopes and any loss of stabilizing vegetation or seeding/mulching. Document any excessive deposition of sediment or ponding water along barrier or diversion systems. Record the depth of sediment within containment structures, any erosion near outlet and overflow structures, and verify the ability of rock filters around perforated riser pipes to pass water; and

6) Immediately report to the Operator any deficiencies that are identified with the implementation of the SWPPP.

SITE PLAN/SKETCH

Inspector (print name)	**Date of Inspection**
Qualified Inspector (print name)	**Qualified Inspector Signature**

The above signed acknowledges that, to the best of his/her knowledge, all information provided on the forms is accurate and complete.

Maintaining Water Quality

Yes No NA

[ ] [ ] [ ] Is there an increase in turbidity causing a substantial visible contrast to natural conditions at the outfalls?
[ ] [ ] [ ] Is there residue from oil and floating substances, visible oil film, or globules or grease at the outfalls?
[ ] [ ] [ ] All disturbance is within the limits of the approved plans.
[ ] [ ] [ ] Have receiving lake/bay, stream, and/or wetland been impacted by silt from project?

Housekeeping

1. General Site Conditions

Yes No NA

[ ] [ ] [ ] Is construction site litter, debris and spoils appropriately managed?
[ ] [ ] [ ] Are facilities and equipment necessary for implementation of erosion and sediment control in working order and/or properly maintained?
[ ] [ ] [ ] Is construction impacting the adjacent property?
[ ] [ ] [ ] Is dust adequately controlled?

2. Temporary Stream Crossing

Yes No NA

[ ] [ ] [ ] Maximum diameter pipes necessary to span creek without dredging are installed.
[ ] [ ] [ ] Installed non-woven geotextile fabric beneath approaches.
[ ] [ ] [ ] Is fill composed of aggregate (no earth or soil)?
[ ] [ ] [ ] Rock on approaches is clean enough to remove mud from vehicles & prevent sediment from entering stream during high flow.

3. Stabilized Construction Access

Yes No NA

[ ] [ ] [ ] Stone is clean enough to effectively remove mud from vehicles.
[ ] [ ] [ ] Installed per standards and specifications?
[ ] [ ] [ ] Does all traffic use the stabilized entrance to enter and leave site?
[ ] [ ] [ ] Is adequate drainage provided to prevent ponding at entrance?

Runoff Control Practices

1. Excavation Dewatering

Yes No NA

[ ] [ ] [ ] Upstream and downstream berms (sandbags, inflatable dams, etc.) are installed per plan.
[ ] [ ] [ ] Clean water from upstream pool is being pumped to the downstream pool.
[ ] [ ] [ ] Sediment laden water from work area is being discharged to a silt-trapping device.
[ ] [ ] [ ] Constructed upstream berm with one-foot minimum freeboard.

Runoff Control Practices (continued)

2. Flow Spreader

Yes No NA

[ ] [ ] [ ] Installed per plan.
[ ] [ ] [ ] Constructed on undisturbed soil, not on fill, receiving only clear, non-sediment laden flow.
[ ] [ ] [ ] Flow sheets out of level spreader without erosion on downstream edge.

3. Interceptor Dikes and Swales

Yes No NA

[ ] [ ] [ ] Installed per plan with minimum side slopes 2H:1V or flatter.
[ ] [ ] [ ] Stabilized by geotextile fabric, seed, or mulch with no erosion occurring.
[ ] [ ] [ ] Sediment-laden runoff directed to sediment trapping structure

4. Stone Check Dam

Yes No NA

[ ] [ ] [ ] Is channel stable? (flow is not eroding soil underneath or around the structure).
[ ] [ ] [ ] Check is in good condition (rocks in place and no permanent pools behind the structure).
[ ] [ ] [ ] Has accumulated sediment been removed?.

5. Rock Outlet Protection

Yes No NA

[ ] [ ] [ ] Installed per plan.
[ ] [ ] [ ] Installed concurrently with pipe installation.

Soil Stabilization

1. Topsoil and Spoil Stockpiles

Yes No NA

[ ] [ ] [ ] Stockpiles are stabilized with vegetation and/or mulch.
[ ] [ ] [ ] Sediment control is installed at the toe of the slope.

2. Revegetation

Yes No NA

[ ] [ ] [ ] Temporary seedings and mulch have been applied to idle areas.
[ ] [ ] [ ] 4 inches minimum of topsoil has been applied under permanent seedings

Sediment Control Practices

1. Silt Fence and Linear Barriers

Yes No NA

[ ] [ ] [ ] Installed on Contour, 10 feet from toe of slope (not across conveyance channels).
[ ] [ ] [ ] Joints constructed by wrapping the two ends together for continuous support.
[ ] [ ] [ ] Fabric buried 6 inches minimum.
[ ] [ ] [ ] Posts are stable, fabric is tight and without rips or frayed areas.
Sediment accumulation is ___% of design capacity.

Sediment Control Practices (continued)

2. Storm Drain Inlet Protection (Use for Stone & Block; Filter Fabric; Curb; or, Excavated; Filter Sock or Manufactured practices)

Yes No NA

[ ] [ ] [ ] Installed concrete blocks lengthwise so open ends face outward, not upward.
[ ] [ ] [ ] Placed wire screen between No. 3 crushed stone and concrete blocks.
[ ] [ ] [ ] Drainage area is 1acre or less.
[ ] [ ] [ ] Excavated area is 900 cubic feet.
[ ] [ ] [ ] Excavated side slopes should be 2:1.
[ ] [ ] [ ] 2" x 4" frame is constructed and structurally sound.
[ ] [ ] [ ] Posts 3-foot maximum spacing between posts.
[ ] [ ] [ ] Fabric is embedded 1 to 1.5 feet below ground and secured to frame/posts with staples at max 8-inch spacing.
[ ] [ ] [ ] Posts are stable, fabric is tight and without rips or frayed areas.
[ ] [ ] [ ] Manufactured insert fabric is free of tears and punctures.
[ ] [ ] [ ] Filter Sock is not torn or flattened and fill material is contained within the mesh sock.

Sediment accumulation ___% of design capacity.

3. Temporary Sediment Trap

Yes No NA

[ ] [ ] [ ] Outlet structure is constructed per the approved plan or drawing.
[ ] [ ] [ ] Geotextile fabric has been placed beneath rock fill.
[ ] [ ] [ ] Sediment trap slopes and disturbed areas are stabilized.

Sediment accumulation is ___% of design capacity.

4. Temporary Sediment Basin

Yes No NA

[ ] [ ] [ ] Basin and outlet structure constructed per the approved plan.
[ ] [ ] [ ] Basin side slopes are stabilized with seed/mulch.
[ ] [ ] [ ] Drainage structure flushed and basin surface restored upon removal of sediment basin facility.
[ ] [ ] [ ] Sediment basin dewatering pool is dewatering at appropriate rate.

Sediment accumulation is ___% of design capacity.

Note: Not all erosion and sediment control practices are included in this listing. Add additional pages to this list as required by site specific design. All practices shall be maintained in accordance with their respective standards.

Construction inspection checklists for post-development stormwater management practices can be found in Appendix F of the New York Stormwater Management Design Manual.

CONSTRUCTION DURATION INSPECTIONS

b. Modifications to the SWPPP (To be completed as described below)

The Operator shall amend the SWPPP whenever:

1. There is a significant change in design, construction, operation, or maintenance which may have a significant effect on the potential for the discharge of pollutants to the waters of the United States and which has not otherwise been addressed in the SWPPP; or
2. The SWPPP proves to be ineffective in:
   a. Eliminating or significantly minimizing pollutants from sources identified in the SWPPP and as required by this permit; or
   b. Achieving the general objectives of controlling pollutants in stormwater discharges from permitted construction activity; and
3. Additionally, the SWPPP shall be amended to identify any new contractor or subcontractor that will implement any measure of the SWPPP.

Modification & Reason:

APPENDIX 9

Enforcement Response Plan

Village of Islandia

Stormwater Management

Enforcement Response Plan ERP

New York State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges

from

Municipal Separate Storm Sewers (MS4s)

General Permit No. GP-0-24-001

January 2025

Prepared By:

Cashin Associates P.C.

1200 Veterans Memorial Highway

Hauppauge, NY 11788

Introduction

The Village of Islandia has prepared this Enforcement Response Plan (ERP) in conformance with the requirements of the New York State Department of Environmental Conservation (NYSDEC) General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems Permit GP-0-24-001 (General Permit).

In accordance with the requirements of Part IV.F. of the General Permit, MS4s must develop and implement an Enforcement Response Plan (ERP) to address violations for:

- Illicit Discharge
- Construction
- Post Construction

The regulation as stated in the MS4 Permit Part IV.F is as follows:

1. **Enforcement Response Plan**

   Within six (6) months, the MS4 Operator must develop and implement an enforcement response plan (ERP) which clearly describes the action(s) to be taken for violations that the MS4 Operator has enacted for illicit discharge (Part VI.C. or Part VII.C, depending on the MS4 Operator type), construction (Part VI.D. or Part VII.D, depending on the MS4 Operator type), and post-construction (Part VI.E. or Part VII.E, depending on the MS4 Operator type). The ERP must be documented in the SWMP Plan. The ERP must set forth a protocol to address repeat and continuing violations through progressively stricter responses (i.e., escalation of enforcement) as needed to achieve compliance with the terms and conditions of this SPDES general permit.

   a. The ERP must describe how the MS4 Operator will use the following types of enforcement responses or combination of responses:

      i. Verbal warnings;

      ii. Written notices;

      iii. Citations (and associated fines);

      iv. Stop work orders;

      v. Withholding of plan approvals or other authorizations affecting the ability to discharge to the MS4; and

      vi. Additional measures, supported in local legal authorities, such as collecting against the project's bond or directly billing the responsible party to pay for work and materials to correct violations.

   b. Enforcement responses are based on the type, magnitude, and duration of the violation, effect of the violation on the receiving water, compliance history of the operator, and good faith of the operator in compliance efforts.

   c. Efforts to obtain a voluntary correction of deficiencies through informal enforcement, such as verbal warnings or written notices, must not exceed sixty (60) days in duration (from the time of the MS4 Operator's initial determination until a return to compliance).

2. **Enforcement Tracking**

   The MS4 Operator must track instances of non-compliance in the SWMP Plan. The enforcement case documentation must include, at a minimum, the following:

   a. Name of the owner/operator of the facility or site of the violation (can be redacted from the publicly available SWMP Plan);

b. Location of the stormwater source (e.g., construction project);

c. Description of the violation;

d. Schedule for returning to compliance;

e. Description of enforcement response used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner;

f. Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violations);

g. Any referrals to different departments or agencies; and

h. Date violation was resolved.

Enforcement Response Policy and Procedure

The Village has the legal authority to enforce the provisions of GP-0-24-001 through the enacted local laws (in conformance with model local laws) to prohibit illicit discharges and control erosion.

The Village's Stormwater Management Officer (SMO)/Building Inspector/ Superintendent DPW shall administer, implement and enforce the provisions of the law. The Village Clerk/ Stormwater Coordinator will be the local point of contact.

Illicit discharges, activities, and Connections to Separate Sewer Systems

Village Code Reference

The Village has adopted the New York State Department of Environmental Conservation Model Local Law to Prohibit Illicit Discharges, Activities, and Connections to Separate Storm Sewer Systems, April 2006 (NYSDEC Model IDDE Local Law 2006). Refer to Local Law for Storm Sewers in §143-Part 1 of the Village Code (adopted by the Village of Islandia on 03-04-2008 by L.L. No. 2-2008).

Identification and investigation of potential non-compliance

Whenever the authorized enforcement agency/SMO/Village has cause to believe that a condition which constitutes a violation exists or potentially exists, the facility operator shall allow the SMO ready access to the premises for purposes of inspection, sampling, examination and copying of records as may be required. Depending on the conditions and severity of the problem, the SMO can issue a Verbal warning or written notices, Notice of Violation, Summons or Stop Work Order.

Enforcement - Penalties for Offenses

Notice of violation - When the Village finds that a person has violated a prohibition or failed to meet a requirement of §143- Part 1, the SMO may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

(1) The elimination of illicit connections or discharges;

(2) That violating discharges, practices, or operations shall cease and desist;

(3) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;

(4) The performance of monitoring, analyses, and reporting;

(5) Payment of a fine; and

(6) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice of violation shall set forth a deadline within which such remediation or restoration must be completed.

Penalties - In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of §143 Part 1 shall be guilty of a violation punishable by a fine or imprisonment, or both. Each week's continued violation shall constitute a separate additional violation.

Appeal of notice of violation - Any person receiving a notice of violation may appeal the determination of the SMO to the Village Board of Trustees within 15 days of its issuance, which shall hear the appeal within 30 days after the filing of the appeal, and within five days of making its decision, file its decision in the office of the Municipal Clerk and mail a copy of its decision by certified mail to the discharger.

Corrective measures after appeal - If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal, within five business days of the decision of the municipal authority upholding the decision of the SMO, then the SMO shall request the owner's permission for access to the subject private property to take measures reasonably necessary to abate the violation and/or restore the property. If refused access to the subject private property, the SMO may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has occurred, the SMO may seek a court order to take measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the discharger.

Injunctive Relief – If the Operator fails to comply with any of the requirements of §143-Part 1, or violated or continues to violate the provisions of Part 1, the SMO may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Alternative Remedies -

A. The Operator under violation may be eligible for alternative remedies in lieu of a civil penalty, upon recommendation of the Municipal Attorney and concurrence of the Municipal Code Enforcement Officer, where:

(1) The violation was unintentional.

(2) The violator has no history of previous violations of Part 1.

(3) Environmental damage was minimal.

(4) The violator acted quickly to remedy the violation.

(5) The violator cooperated in investigation and resolution.

B. Alternative remedies may consist of one or more of the following:

(1) Attendance at compliance workshops.

(2) Storm drain stenciling or storm drain marking.

(3) River, stream or creek cleanup activities.

Violations deemed public nuisance - In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Part 1 is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

Stormwater Management and Erosion & Sediment Control

Village Code Reference

The Village has adopted the New York State Department of Environmental Conservation Sample Local Law for Stormwater Management and Erosion & Sediment Control, March 2006 (NYSDEC Sample SM and E&SC Local Law 2006). Refer to the Local Law for Stormwater Management in §143-Part 2 of the Village Code (adopted by the Village of Islandia on 03-04-2008 by L.L. No. 2-2008).

Construction Site- Erosion and Sediment Control Inspection

The Village of Islandia Stormwater Management Officer (SMO) may require site inspections as necessary to determine compliance with §143 Part 2 and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of the stormwater pollution prevention plan (SWPPP) as approved.

If any violations are found, the applicant and developer shall be notified in writing of the nature of the violation and the required corrective actions. No further work shall be conducted except for site stabilization until any violations are corrected and all work previously completed has received approval by the SMO.

Post Construction SMP Maintenance and Inspection

The Village of Islandia SMO is responsible for conducting inspections of stormwater management practices (SMPs). All applicants are required to submit "as-built" plans for any SMPs located on-site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a professional engineer.

Inspection of stormwater facilities after project completion - Inspection programs shall be established on any reasonable basis, including but not limited to, routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher-than-usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the SPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to, reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other SMPs.

Submission of Reports - The Village of Islandia SMO may require monitoring and reporting from entities subject to §143 Part 2 as are necessary to determine compliance.

Right-of-entry for inspection - When any new stormwater management facility is installed on private property or when any new connection is made between private property and the public storm water system, the landowner shall grant to the Village of Islandia the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection.

Performance guarantee

Construction completion guarantee - In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Village of Islandia in its approval of the SWPPP, the Village of Islandia may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable letter of credit from an appropriate financial or surety institution which guarantees satisfactory completion of the project and names the Village of Islandia as the beneficiary. The performance guarantee shall remain in force until the surety is released from liability by the Village of Islandia.

Maintenance guarantee - Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Village of Islandia with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction, and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village of Islandia may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

Recordkeeping -The Village of Islandia will require entities subject to §143 Part 2 to maintain records demonstrating compliance.

Enforcement- Penalties for Offenses

Notice of violation - When the Village of Islandia determines that a land development activity, or Post construction SMP maintenance is not being carried out in accordance with the requirements of §143 Part 2, it may issue a written notice of violation to the landowner. The notice of violation shall contain:

(1) The name and address of the landowner, developer or applicant;

(2) The address when available or a description of the building, structure or land upon which the violation is occurring;

(3) A statement specifying the nature of the violation;

(4) A description of the remedial measures necessary to bring the land development activity into compliance with this Part 2 and a time schedule for the completion of such remedial action;

(5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;

(6) A statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within 15 days of service of notice of violation.

Stop-work orders - The Village of Islandia may issue a stop-work order for violations. Operators receiving a stop-work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Village of Islandia confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop-work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in §143 Part 2.

Penalties - In addition to or as an alternative to any penalty, the Operator can also be determined to be guilty of a violation punishable by a fine or imprisonment, or both; for the first offense and subsequent offenses, thereafter. Each week's continued violation shall constitute a separate additional violation.

Withholding of certificate of occupancy - If any building or land development activity is installed or conducted in violation of §143 Part 2, the SMO may prevent the occupancy of said building or land.

Restoration of lands - Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Village of Islandia may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

Enforcement Tracking

In addition to the undertaken enforcement actions, the MS4 Permit also requires non-compliant items and enforcement actions to be tracked and documented. The enforcement case documentation must include, at a minimum, the following:

a. Name of the owner/operator of the facility or site of the violation

b. Location of the stormwater source (e.g., construction project);

c. Description of the violation;

d. Schedule for returning to compliance;

e. Description of enforcement response used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner;

f. Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violations);

g. Any referrals to different departments or agencies; and

h. Date violation was resolved.

The Village of Islandia has been and will continue the enforcement actions against violators of the Village Code as relates to the MS4 Permit requirements. The Village will maintain documentation and record all enforcement actions against illicit discharges, stormwater management offenses and include them in the Village’s Stormwater Management Plan.

APPENDIX 10

Post Construction Oversight Program Plan Overview

Village of Islandia

Stormwater Management -

Post Construction Inspection and Maintenance Program

New York State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges

from

Municipal Separate Storm Sewers (MS4s)

General Permit No. GP-0-24-001

January 2025

Prepared By:

Cashin Associates P.C.

1200 Veterans Memorial Highway

Hauppauge, NY 11788

Introduction

The Village of Islandia has prepared this Post Construction Inspection and Maintenance Program in conformance with the requirements of the New York State Department of Environmental Conservation (NYSDEC) General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems Permit GP-0-24-001 (General Permit).

The required components of the Program in Section VI.E.4 of GP-0-24-001 are discussed below:

The MS4 Operator must develop and implement a post-construction SMP inspection and maintenance program. The post- construction SMP inspection and maintenance program must be documented in the SWMP Plan specifying:

a. The post-construction SMP inspection and maintenance procedures including:

    i. Provisions to ensure that each post-construction SMP identified in the post-construction SMP inventory (Part VI.E.2.) is inspected at the frequency specified in the NYS DEC Maintenance Guidance 2017 or as specified in the O&M plan contained in the approved SWPPP (Part VI.D.6.), if available;

        a) The MS4 Operator can only accept Level 1 inspections (NYS DEC Maintenance Guidance 2017) by private owners inspecting post- construction SMPs.

    ii. Documentation of post-construction SMP inspections using the Post- Construction SMP Inspection Checklist or an equivalent form containing the same information. The MS4 Operator must include the completed post-construction SMP inspections (i.e., the completed Post-Construction SMP Inspection Checklist) in the SWMP Plan;

    iii. Provisions to initiate follow-up actions (i.e., maintenance, repair, or higher- level inspection) within thirty (30) days of post-construction SMP inspection; and

    iv. Provisions to initiate enforcement within sixty (60) days of the inspection if follow-up actions are not complete.

b. The training provisions for the MS4 Operator's post-construction SMP inspection and maintenance procedures (Part VI.E.4.a.).

    i. If new staff are added, training on the MS4 Operator's post-construction SMP inspection and maintenance procedures (Part VI.E.4.a.) and procedures outlined in the Department endorsed program must be given prior to conducting any post-construction SMP inspection and maintenance;

    ii. For existing staff, training on the MS4 Operator's post-construction SMP inspection and maintenance procedures (Part VI.E.4.a.) and procedures outlined in the Department endorsed program must be given prior to conducting any post-construction SMP inspection and maintenance and once every five (5) years, thereafter; and

    iii. If the post-construction SMP inspection and maintenance procedures (Part VI.E.4.a.) are updated (Part VI.E.4.d.), training on the updates must be given to all staff prior to conducting post-construction SMP inspection and maintenance.

c. The names, titles, and contact information for the individuals who have received post-construction SMP inspection and maintenance procedures training and update annually; and

d. Annually, by April 1, the MS4 Operator must:

   i. Review and update the post-construction SMP inspection and maintenance procedures (Part VI.E.4.a.); and

   ii. Document the completion of this requirement in the SWMP Plan.

Post-construction Oversight

The Village has the legal authority to enforce the provisions of GP-0-24-001 through the enacted local law No. 3-2008, Adopted 3/4/2008; Chapter 143- Part 2- Stormwater Management, Erosion and Sediment Control.

Performance Guarantee (§143-39 of Village Code)

Construction completion guarantee-

To ensure compliance and approval of the SWPPP, the Village of Islandia may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable letter of credit from an appropriate financial or surety institution which guarantees satisfactory completion of the project and names the Village of Islandia as the beneficiary. The security shall be in an amount to be determined by the Village of Islandia based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Village of Islandia, provided that such period shall not be less than one year from the date of final acceptance or such other certification that the facility(ies) have been constructed in accordance with the approved plans and specifications and that a one-year inspection has been conducted and the facilities have been found to be acceptable to the Village of Islandia.

Maintenance guarantee-

Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Village of Islandia with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction, and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village of Islandia may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

SWPPP Requirements

In accordance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity GP-0-25-001- Part 1.A, all construction activities requiring soil disturbance greater than one (1) acre, or less than one (1) acre which are part of common plan of a larger development are subject to review and approval of the MS4 for Stormwater runoff requirements. All land development activities that meet the criteria of Part 1.A of the SPDES General Permit (CGP) shall be required to submit a Stormwater Pollution Prevention Plan (SWPPP) to the Village. Land development activities noted in §143- 25 of the Village Code are exempt. Construction activities below the one-acre threshold are required to submit an erosion and sediment control plan only. Additionally, land development activities

listed in Appendix B, Table 1 of the SPDES General Permit require the preparation of a SWPPP that only includes Erosion and Sediment Controls.

Construction Site Close-out Requirements

Prior to filing the Notice of Termination or the end of permit term, the Operator shall have a qualified inspector perform a final site inspection. The qualified inspector shall certify that the site has undergone final stabilization using either vegetative or structural stabilization methods and that all temporary erosion and sediment controls (such as silt fencing) not needed for long-term erosion control have been removed. In addition, the Operator must identify and certify that all permanent structures described in the SWPPP have been constructed and provide the owner(s) with an operation and maintenance plan that ensures the structure(s) continuously functions as designed.

The Village/MS4 must ensure the final construction site inspection has been conducted and documentation of the final construction site inspection must be maintained in the SWMP Plan.

The Notice of Termination (NOT) must be signed by the MS4 Operator as required by the CGP for projects determined to be complete. The NOT application must include an As-built survey of the property with the underground drainage structures marked out. The Survey must be signed and sealed by a NYS licensed Surveyor

SWPPP Requirement for Post Construction SMPs

The SWPPP must include an Operation and Maintenance Plan (O&M Plan) that includes written procedure for operation, maintenance practices and training new maintenance personnel; to ensure continuous and effective operation of each post-construction stormwater management practice. The entity responsible for the long-term operation and maintenance of each practice must be identified in the SWPPP.

Maintenance Agreements

The Village of Islandia shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The Village of Islandia, in lieu of a maintenance agreement, at its sole discretion may accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of Chapter 143- Part 2 and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

Post Construction SMP Inspection Requirements

According to the MS4 permit, the three different levels of inspection are:

Level 1: Property owners and Managers, Interns etc.

Level 2: Trained Municipal Staff

Level 3: Qualified Professionals

The Village of Islandia will require all construction sites (that were issued a CGP by the NYSDEC) since March 10, 2003, to perform a Level 1 Inspection annually and submit a completed Inspection Form to the Village. Sample Inspection Forms are attached in Appendix B. The Village will develop and maintain an inventory of these sites, including the post construction SMPs.

Post- Inspection Follow up Procedure

The Village will initiate follow-up actions (i.e. maintenance, repair or high level inspection) within thirty (30) days of post-construction SMP inspection should any issues have been identified. The Village Code **§143- Part 2** provides provisions for initiation of enforcement within sixty (60) days of inspection if follow-up actions are not complete.

Staff Training

The below table has the list of staff who have received the Post Construction SMPs Inspection and Maintenance Training.

Village Staff that have Received Post Construction SMPs Inspection & Maintenance Training (pending)		
Name	Title	Contact Information
Gerald Peters	Building Inspector/ Superintendent DPW	gpeters@newvillageofislandia.com
Keith Kellner	Building Inspector/ Plans Examiner	kkellner@newvillageofislandia.com

If new staff are added, training on the MS4 Operator's post construction SMP inspection and maintenance procedures and procedures outlined in the Department endorsed program will be given prior to conducting any post construction SMP inspection and maintenance. The list of staff with training must be updated annually.

If the post-construction SMP inspection and maintenance procedures are updated, training on the updates must be given to all staff prior to conducting post-construction SMP inspection and maintenance.

Appendix A Inventory of Construction Sites with SMPs

Appendix B Post Construction Site Inspection Checklist

Appendix A

Inventory of Construction Sites with SMPs

Village of Islandia

Inventory of Sites with Post Construction SMPs

No.	Program ID	Facility Name	Address	Construction Termination	Final Stabilization Date	NOT Signature Date	Post Construction SMPs
1	11C226	VOI- First Responder's Memorial Recreation Field	Old Nichols Road	Yes	5/2019	5/13/2019	Drywells
2	11N111	VOI- First Responder’s Memorial Recreation Field, Parking Lot	1127 Old Nichols Road	Yes	Oct-24	1/23/2025	Drywells, Bioretention Swale
3	11K615	Creation RE, LLC/ Commerce Center	3795 Express Drive North	Yes	1/2024	2/2025	Drywells
4	11M214	Breslin Plaza/ Islandia Jaz, LLC	1900 Veterans Memorial Hwy	Yes	Dec-24	2/12/2025	Drywells
5		JP Express Trucking Terminal	131 Hoffman Lane	Yes	4/2021	2/25/2025	Drywells

Appendix B

Post Construction Site Inspection Checklist

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Bioretention Stormwater Management Practices Level 1 Inspection Checklist

SMP ID #		**SMP Owner**		☐ Private ☐ Public
SMP Location (Address; Latitude & Longitude)				
	Latitude		**Longitude**	

Party Responsible for Maintenance	**System Type**		**Type of Site**
☐ Same as SMP Owner ☐ Other _____	☐ Seasonal ☐ Continuous Use ☐ Other	☐ Above Ground ☐ Below Ground	☐ Commercial ☐ Industrial ☐ Residential ☐ State

Inspection Date		**Inspection Time**	
Inspector			
Date of Last Inspection			

BR Drainage Area

Look for areas that are uphill from the Bioretention cell.

Problem (Check if Present)	**Follow-Up Actions**
☐ Bare soil, erosion of the ground (rills washing out the dirt)	☐ Seed and mulch areas of bare soil to establish vegetation. ☐ Fill in erosion areas with soil, compact, and seed and straw to establish vegetation. ☐ If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. ☐ Other:

BR Drainage Area

Look for areas that are uphill from the Bioretention cell.

Problem (Check if Present)	Follow-Up Actions
	☐ Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths.
☐ Piles of grass clippings, mulch, dirt, salt, or other materials	☐ Remove or cover piles of grass clippings, mulch, dirt, etc. ☐ Other:
☐ Open containers of oil, grease, paint, or other substances	☐ Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous. ☐ Other:

BR Inlets

Stand in the Bioretention cell itself and look for all the places where water flows in. Often there will be multiple points of inflow to the practice.

Problem (Check if Present)	Follow-Up Actions
 ☐ Inlets collect grit and debris or grass/weeds. Some water may not be getting into the Bioretention cell. The objective is to have a clear pathway for water to flow into the cell.	☐ Use a flat shovel to remove grit and debris (especially at curb inlets or openings). Parking lots generate fine grit that will accumulate at these spots. ☐ Pull out clumps of growing grass or weeds and scoop out the soil or grit that the plants are growing in. ☐ Remove any grass clippings, leaves, sticks, and other debris that is collecting at inlets. ☐ For pipes and ditches, remove sediment and debris that is partially blocking the pipe or ditch opening where it enters the Bioretention cell. ☐ Dispose of all material properly where it will not re-enter the Bioretention cell. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Inlets are blocked to the extent that most of the water does not seem to be entering the Bioretention cell.
 ☐ Some or all of the inlets are eroding so that rills, gullies, and other erosion is present, or there is bare dirt that is washing into the Bioretention cell.	☐ For small areas of erosion, smooth out the eroded part and apply rock or stone (e.g., river cobble) to prevent further erosion. Usually, filter fabric is placed under the rock or stone. ☐ In some cases, reseeding and applying erosion-control matting can be used to prevent further erosion. Some of these materials may be available at a garden center, but it may be best to consult a landscape contractor. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Erosion is occurring at most of the inlets, and it looks like there is too much water that is concentrating at these points. The inlet design may have to be modified.

BR Ponding Area

Examine the entire Bioretention surface and side slopes

Problem (Check if Present)	Follow-Up Actions
 ☐ Mulch (if used) needs to be replaced or replenished. The mulch layer had decomposed or is less than 1-inch thick.	☐ Add new mulch to a total depth (including any existing mulch that is left) of 2 to 3 inches. The mulch should be shredded hardwood mulch that is less likely to float away during rainstorms. ☐ Avoid adding too much mulch so that inlets are obstructed or certain areas become higher than the rest of the Bioretention surface. ☐ Other:
 ☐ Minor areas of sediment, grit, trash, or other debris are accumulating on the bottom.	☐ Use a shovel to scoop out minor areas of sediment or grit, especially in the spring after winter sanding materials may wash in and accumulate. Dispose of the material where it cannot re-enter the Bioretention cell . ☐ If removing the material creates a hole or low area, fill with soil mix that matches original mix and cover with mulch so that the Bioretention surface area is as flat as possible. ☐ Remove trash, vegetative debris, and other undesirable materials. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Sediment has accumulated more than 2-inches deep and covers 25% or more of the Bioretention surface. ☐ Kick-Out to Level 2 Inspection: The Bioretention cell is too densely vegetated to assess sediment accumulation or ponding; see BR-4, Vegetation.

BR Ponding Area

Examine the entire Bioretention surface and side slopes

Problem (Check if Present)	Follow-Up Actions
 ☐ There is erosion in the bottom or on the side slopes. Water seems to be carving out rills as it flows across the Bioretention surface or on the slopes, or sinkholes are forming in certain areas. ☐ Source: Stormwater Maintenance, LLC.	☐ Try filling the eroded areas with clean topsoil or sand, and cover with mulch. ☐ If the problem recurs, you may have to use stone (e.g., river cobble) to fill in problem areas. ☐ If the erosion is on a side slope, fill with clay that can be compacted and seed and mulch the area. ☐ Other: ☐ Kick-Out to Level 2 Inspection: The problem persists or the erosion is more than 3-inches deep and seems to be an issue with how water enters and moves through the Bioretention cell. ☐ Kick-Out to Level 2 Inspection: The problem does not seem to be caused by flowing water, but a collapse or sinking of the surface (e.g., “sinkhole”) due to some underground problem.
 ☐ The bottom of the Bioretention cell is not flat, and the water pools at one end, along an edge, or in certain pockets. The whole bottom is not uniformly covered with water. See design plan to verify that bioretention surface is intended to be flat. Check during or immediately after a rainstorm.	☐ If the problem is minor (just small, isolated areas are not covered with water), try raking the surface OR adding mulch to low spots to create a more level surface. You may need to remove and replace plantings in order to properly even off the surface. ☐ Check the surface with a string and bubble level to get the surface as flat as possible. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Ponding water is isolated to less than half of the Bioretention surface area, and there seem to be elevation differences of more than a couple of inches across the surface.

BR Ponding Area

Examine the entire Bioretention surface and side slopes

Problem (Check if Present)	Follow-Up Actions
 ☐ Water stands on the surface more than 72 hours after a rainstorm and /or wetland-type vegetation is present. The Bioretention cell does not appear to be draining properly.	☐ Kick-Out to Level 2 Inspection: This is generally a serious problem, and it will be necessary to activate a Level 2 Inspection.

BR Vegetation

Examine all Bioretention cell vegetation.

Problem (Check if Present)	Follow-Up Actions
 ☐ Vegetation requires regular maintenance—pulling weeds, removing dead and diseased plants, replacing mulch around plants, adding plants to fill in areas that are not well vegetated, etc.	☐ If you can identify which plants are weeds or not intended to be part of the planting plan, eliminate these, preferably by hand pulling. ☐ If weeds are widespread, check with the local stormwater authority and/or Extension Office about proper use of herbicides for areas connected with the flow of water. ☐ Even vegetation that is intended to be present can become large, overgrown, and/or crowd out surrounding plants. Prune and thin accordingly. ☐ If weeds or invasive plants have overtaken the whole Bioretention cell , bush-hog the entire area before seedheads form in the spring. It will be necessary to remove the root mat manually or with appropriate herbicides, as noted above. ☐ Re-plant with species that are aesthetically pleasing and seem to be doing well in the Bioretention cell. ☐ Other: ☐ Kick-Out to Level 2 Inspection: You are unsure of the original planting design, or the vegetation maintenance task is beyond your capabilities of time, expertise, or resources. If you are unsure of the health of the vegetation (e.g. salt damage, invasives, which plants are undesirable) or the appropriate season to conduct vegetation management, consult a landscape professional before undertaking any cutting, pruning, mowing, or brush hogging.

BR Vegetation

Examine all Bioretention cell vegetation.

Problem (Check if Present)	Follow-Up Actions
 ☐ Vegetation is too thin, is not healthy, and there are many spots that are not well vegetated.	☐ The original plants are likely not suited for the actual conditions within the Bioretention cell . If you are knowledgeable about plants, select and plant more appropriate vegetation (preferably native plants) so that almost the entire surface area will be covered by the end of the second growing season. ☐ Other:
	☐ Kick-Out to Level 2 Inspection: For all but small practices (e.g., rain gardens), this task will likely require a landscape design professional or horticulturalist.

BR Outlets

Examine outlets that release water out of the Bioretention cell.

Problem (Check if Present)	Follow-Up Actions
☐ Erosion at outlet	☐ Add stone to reduce the impact from the water flowing out of the outlet pipe or weir during storms. ☐ Other:
	☐ Kick-Out to Level 2 Inspection: Rills have formed and erosion problem becomes more severe.
 ☐ Outlet obstructed with mulch, sediment, debris, trash, etc.	☐ Remove the debris and dispose of it where it cannot re-enter the Bioretention cell . ☐ Other:
	☐ Kick-Out to Level 2 Inspection: Outlet is completely clogged or obstructed; there is too much material to remove by hand or with simple hand tools.

Additional Notes:

Inspector:_____ Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

"I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected."

Inspector/Operator: _____ Date: _____

Infiltration Stormwater Management Practices Level 1 Inspection Checklist

SMP ID #		**SMP Owner**		☐ Private ☐ Public
SMP Location (Address; Latitude & Longitude)				
	Latitude		**Longitude**	

Party Responsible for Maintenance	**System Type**		**Type of Site**
☐ Same as SMP Owner ☐ Other _____	☐ Seasonal ☐ Continuous Use ☐ Other	☐ Above Ground ☐ Below Ground	☐ Commercial ☐ Industrial ☐ Residential ☐ State

Inspection Date		**Inspection Time**	
Inspector			
Date of Last Inspection			

IN Drainage Area

Look for both pervious and impervious areas that are uphill from the Infiltration cell.

Problem (Check if Present)		**Follow-Up Actions**
	☐ Bare soil, erosion of the ground (rills washing out the dirt)	☐ Seed and straw areas of bare soil to establish vegetation. ☐ Fill in erosion areas with soil, compact, and seed and straw to get vegetation established. ☐ If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. ☐ Other:

IN Drainage Area

Look for both pervious and impervious areas that are uphill from the Infiltration cell.

Problem (Check if Present)		Follow-Up Actions
		☐ Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths.
☐ For Dry Wells: Leaves, sticks, or other debris in gutters and downspouts		☐ Remove all debris by hand. ☐ Other:
	☐ Piles of grass clippings, mulch, dirt, salt, or other materials	☐ Remove or cover piles of grass clippings, mulch, dirt, etc. ☐ Other:
	☐ Open containers of oil, grease, paint, or other substances	☐ Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous. ☐ Other:

IN Inlets

Look for all the places where water flows into the Infiltration practice.

Problem (Check if Present)	Follow-Up Actions
 ☐ Inlets are collecting grit and debris or grass/weeds are growing. Some water may not be getting into the Infiltration practice.	☐ Use a flat shovel to remove grit and debris (especially at curb inlets or openings). Parking lots generate fine grit that will accumulate at these spots. ☐ Pull out clumps of growing grass or weeds and scoop out the soil or grit that the plants are growing in. ☐ Remove any grass clippings, leaves, sticks, and other debris that is collecting at inlets. ☐ For pipes and ditches, remove sediment and debris that is partially blocking the pipe or ditch opening where it enters the Infiltration practice. ☐ Dispose of all material properly in an area where it will not re-enter the practice. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Inlets are blocked to the extent that most of the water does not seem to be entering the Infiltration practice.
☐ Some or all of the inlets are eroding so that rills, gullies, and other erosion is present, or there is bare dirt that is washing into the Infiltration practice.	☐ For small areas of erosion, smooth out the eroded part and apply rock or stone (e.g., river cobble) to prevent further erosion. Usually, filter fabric is placed under the rock or stone. ☐ In some cases, reseeding and applying erosion-control matting can be used to prevent further erosion. Some of these materials may be available at a garden center, but it may be best to consult a landscape contractor. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Erosion is occurring at most of the inlets and it looks like there is too much water that is concentrating at these points. The inlet design may have to be modified.

IN Infiltration Area

Examine the surface of the infiltration area and the observation well. Note: The following Problem and Follow-Up Actions apply to infiltration practice pretreatment areas also.

Problem (Check if Present)	Follow-Up Actions
 ☐ For grass-covered Infiltration practices: grass has grown very tall, *Photo credit: Stormwater Maintenance, LLC*	☐ Mow infiltration area at least twice per year. ☐ Other:
 ☐ For grass-covered Infiltration practices: sparse vegetation cover or bare spots	☐ Add topsoil (as needed), grass seed, straw, and water during the growing season to re-establish consistent grass coverage. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Sparse vegetation cover can be a sign that the infiltration area is not infiltrating at the proper rate and water is standing too long after a storm. The surface may be saturated or squishy, and the conditions do not enable grass to grow. This situation should be evaluated by a Level 2 Inspection and likely corrected by a qualified contractor.
☐ Minor areas of sediment, grit, trash, or other debris are accumulating on the surface.	☐ Use a shovel to scoop out minor areas of sediment or grit, especially in the spring after winter sanding materials may wash in and accumulate. Dispose of the material where it cannot re-enter the Infiltration practice. ☐ If removing the material creates a hole or low area, rake the surface smooth and level. ☐ Remove trash, debris, and other undesirable materials. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Sediment has accumulated more than 2-inches deep and covers 25% or more of the surface of the Infiltration area.

IN Infiltration Area

Examine the surface of the infiltration area and the observation well. Note: The following Problem and Follow-Up Actions apply to infiltration practice pretreatment areas also.

Problem (Check if Present)	Follow-Up Actions
 ☐ There is erosion on the surface; water seems to be carving out rills as it flows across the surface of the Infiltration area or sinkholes are forming in certain areas.	☐ For minor areas of erosion, try filling the eroded areas with clean topsoil, sand, or stone (whatever the existing cover is). ☐ If the problem recurs, you may have to use larger stone (e.g., river cobble) to fill in problem areas. ☐ Other: ☐ Kick-Out to Level 2 Inspection: The problem persists or the erosion is more than 3-inches deep and seems to be an issue with how water enters and moves through the infiltration area. ☐ Kick-Out to Level 2 Inspection: The problem does not seem to be caused by flowing water but a collapse or sinking of the surface (e.g., “sinkhole”) due to some underground problem.
 ☐ Observation well is damaged or cap is missing	☐ Kick-Out to Level 2 Inspection: Requires replacing pipes or caps.

IN Infiltration Area

Examine the surface of the infiltration area and the observation well. Note: The following Problem and Follow-Up Actions apply to infiltration practice pretreatment areas also.

Problem (Check if Present)	Follow-Up Actions
 ☐ Water still visible in the observation well more than 72 hours after a rain storm. The Infiltration practice does not appear to be draining properly.	☐ Kick-Out to Level 2 Inspection: This is generally a serious problem, and it will be necessary to activate a Level 2 Inspection.

IN Outlets

Locate and inspect all outlets.

Problem (Check if Present)	Follow-Up Actions
 ☐ Outlet obstructed with sediment, debris, trash, etc.	☐ Remove the debris and dispose of it where it cannot re-enter the infiltration area. ☐ Other:
	☐ Kick-Out to Level 2 Inspection: Outlet is completely obstructed; there is too much material to remove by hand or with simple hand tools.
☐ Rills or gullies are forming at outlet.	☐ For minor rills, fill in with soil, compact, and seed and straw to establish vegetation. ☐ Other:
	☐ Kick-Out to Level 2 Inspection: Rills are more than 2" to 3" deep and require more than just hand raking and re-seeding.

Additional Notes:

Inspector:_____ Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

"I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected."

Inspector/Operator: _____ Date: _____

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Permeable Pavement Stormwater Management Practices Level 1 Inspection Checklist

SMP ID #		**SMP Owner**		☐ Private ☐ Public
SMP Location (Address; Latitude & Longitude)				
	Latitude		**Longitude**	

Party Responsible for Maintenance	**System Type**		**Type of Site**
☐ Same as SMP Owner ☐ Other _____	☐ Seasonal ☐ Continuous Use ☐ Other	☐ Above Ground ☐ Below Ground	☐ Commercial ☐ Industrial ☐ Residential ☐ State

Inspection Date		**Inspection Time**	
Inspector			
Date of Last Inspection			

PP Drainage Area

Look for areas that are uphill from the Permeable pavement.

Problem (Check if Present)		**Follow-Up Actions**
	☐ Bare soil, erosion of the ground (rills washing out the dirt)	☐ Seed and straw areas of bare soil to establish vegetation. ☐ Fill in erosion areas with soil, compact, and seed and straw to establish vegetation. ☐ If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. ☐ Other:

PP Drainage Area

Look for areas that are uphill from the Permeable pavement.

Problem (Check if Present)		Follow-Up Actions
		☐ Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths.
	☐ Piles of grass clippings, mulch, dirt, salt, or other materials	☐ Remove or cover piles of grass clippings, mulch, dirt, etc. ☐ Other:
	☐ Open containers of oil, grease, paint, or other substances	☐ Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous. ☐ Other:

PP Surface

Examine the entire permeable pavement surface.

Problem (Check if Present)	Follow-Up Actions
☐ Dirt and grit accumulating on pavement surface	☐ For small areas (e.g., driveways, patios), try a leaf blower or sweep the area to remove the dirt/grit from the Permeable pavement and properly dispose of the material. ☐ If dirt/grit remain in the joint areas between paver blocks, agitate with a rough brush and vacuum the surface with a wet/dry vac. ☐ Remove and replace clogged blocks in segmented pavers. ☐ For larger areas (e.g., parking lots, courtyards), hire a vacuum sweeper to restore the surface to a cleaner condition. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Grit is widespread and cannot be removed by manual sweeping.
☐ Grass and weeds are growing on the permeable pavement surface (applies only to pavement types that are not intended to be covered in vegetation).	☐ If paver type is not intended to be covered in vegetation, remove the grass/weeds either mechanically (pulling, by hand or with a flame weeder) or with a herbicide approved for use in or near water (consult your local Extension Office for suggestions). ☐ Follow the actions listed above for removing dirt/grit from the pavement surface. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Grass/weeds cover more than 25% of surface area.
☐ Slumping, sinking, cracking, or breaking of the pavement surface *(Source: CSN, 2013)*	☐ For small areas (e.g., patios, small driveway), it may be possible to remove the damaged pavers, check and fill in the underlying gravel, and replace with new materials. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Problem affects more than a small, isolated area. Will typically require a qualified contractor to fix it. ☐ Problem recurs or occurs in multiple small locations.
☐ Water stands on Permeable pavement for days after a rainstorm; the Permeable pavement is clogged and doesn't let water through. *(Source: CSN, 2013)*	☐ Kick-Out to Level 2 Inspection: This is generally a serious problem, and it will be necessary to activate a Level 2 Inspection.

Additional Notes:

Inspector:_____ Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

"I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected."

Inspector/Operator: _____ Date: _____

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Pond and Wetland Stormwater Management Practices Level 1 Inspection Checklist

SMP ID #		**SMP Owner**		☐ Private ☐ Public
SMP Location (Address; Latitude & Longitude)				
	Latitude		**Longitude**	

Party Responsible for Maintenance	**System Type**		**Type of Site**
☐ Same as SMP Owner ☐ Other _____	☐ Seasonal ☐ Continuous Use ☐ Other	☐ Above Ground ☐ Below Ground	☐ Commercial ☐ Industrial ☐ Residential ☐ State

Inspection Date		**Inspection Time**	
Inspector			
Date of Last Inspection			

PW Drainage Area

Look for areas that are uphill from the pond.

Problem (Check if Present)	**Follow-Up Actions**
☐ Bare soil, erosion of the ground (rills washing out the dirt)	☐ Seed and straw areas of bare soil to establish vegetation. ☐ Fill in eroded areas with soil, compact, seed and mulch with straw to establish vegetation. ☐ Other:

☐ Bare soil, erosion of the ground (rills washing out the dirt)	☐ Kick-Out to Level 2 Inspection: If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. ☐ If large areas of soil have been eroded or larger channels are forming, this may require rerouting of flow paths or use of an erosion-control seed mat or blanket to reestablish acceptable ground cover or anchor sod where it is practical.
☐ Piles of grass clippings, mulch, dirt, salt, or other materials	☐ Remove or cover piles of grass clippings, mulch, dirt, etc. ☐ Remove excessive vegetation or woody debris that can block drainage systems. ☐ Other:
☐ Open containers of oil, grease, paint, or other substances exposed to rain in the drainage area	☐ Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous. ☐ Other:

Pond Inlets

Look for all areas where water flows into the pond during storms. Note that there may be multiple points of inflow and types of structures (e.g., pipes, open ditches, etc.).

Problem (Check if Present)	Follow-Up Actions
☐ Inlets are buried, covered or filled with silt, debris, or trash, or blocked by excessive vegetation.	☐ If the problem can be remedied with hand tools and done in a safe manner, remove vegetation, trash, woody debris, etc. from blocking inlet structures. ☐ Other: ☐ Kick-Out to Level 2 or 3 Inspection: If the amount of material is too large to handle OR there are ANY safety concerns about working in standing water, soft sediment, etc., the work will likely have to be performed by a qualified contractor.

Pond Inlets

Look for all areas where water flows into the pond during storms. Note that there may be multiple points of inflow and types of structures (e.g., pipes, open ditches, etc.).

Problem (Check if Present)		Follow-Up Actions
	☐ Inlets are buried, covered or filled with silt, debris, or trash, or blocked by excessive vegetation.	☐ Kick-Out to Level 2 or 3 Inspection: If the amount of material is too large to handle OR there are ANY safety concerns about working in standing water, soft sediment, etc., the work will likely have to be performed by a qualified contractor.
	☐ Inlets are broken, and, with pieces of pipe or concrete falling into the pond, there is erosion around the inlet, there is open space under the pipe, or there is erosion where the inlet meets the pond	☐ Kick-Out to Level 2 Inspection: These types of structural or erosion problems are more serious and will require a qualified contractor to repair.

PW Pond Area and Embankments

Examine both interior and exterior pond banks as well as the pond body. Observe from the inlet pipes to the outfall structure and emergency overflow.

Problem (Check if Present)		Follow-Up Actions
	☐ The pretreatment area(s) or forebay(s) are filled with sediment, trash, vegetation, or other debris.	☐ If the problem can be remedied with hand tools and done in a safe manner, use a flat shovel or other equipment to remove small amounts of sediment. ☐ Remove trash and excessive vegetation from forebays if this can be done in a safe manner. ☐ Other:

PW Pond Area and Embankments

Examine both interior and exterior pond banks as well as the pond body. Observe from the inlet pipes to the outfall structure and emergency overflow.

Problem (Check if Present)		Follow-Up Actions
	☐ The pretreatment area(s) or forebay(s) are filled with sediment, trash, vegetation, or other debris.	☐ Kick-Out to Level 2 Inspection: Large amounts of sediment or debris will have to be removed by a qualified contractor. ANY condition that poses a safety concern for working in standing water or soft sediments should be referred to a Level 2 Inspection or qualified contractor.
	☐ The pond area itself has accumulated sediment, trash, debris, or excessive vegetation that is choking the flow of the water, OR the pond area is covered with algae or aquatic plants.	☐ Level 1 includes handling only small amounts of material that can be removed by hand, or with rakes or other hand tools. Do not attempt any repair that poses a safety issue. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Most cases will call for a Level 2 Inspection and/or a qualified contractor. ☐ You are not sure what type and amount of vegetation is supposed to be in the pond. ☐ The algae or aquatic plants should be identified so that proper control techniques can be applied.
	☐ The side slopes of the pond are unstable, eroding, and have areas of bare dirt.	☐ If there are only minor areas, try filling in small rills or gullies with topsoil, compacting, and seeding and mulching all bare dirt areas with an appropriate seed. Alternatively, try using herbaceous plugs to get vegetation established in tricky areas, such as steep slopes. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Erosion and many bare dirt areas on steep side slopes will require a Level 2 Inspection and repair by a qualified contractor.

PW Pond Area and Embankments

Examine both interior and exterior pond banks as well as the pond body. Observe from the inlet pipes to the outfall structure and emergency overflow.

Problem (Check if Present)		Follow-Up Actions
	☐ The riser structure is clogged with trash, debris, sediment, vegetation, etc., OR is open, unlocked, or has a steep drop and poses a safety concern. The pond level may have dropped below its "normal" level.	☐ If you can safely access the riser on foot or with a small boat, clear minor amounts of debris and remove it from the pond area for safe disposal. ☐ Other: ☐ Kick-Out to Level 2 Inspection: The riser cannot be accessed safely, the amount of debris is substantial, or the riser seems to be completely clogged and the water level has risen too high. ☐ There are safety issues with the riser and concern about access to pipes, drops, or any other life safety concern. ☐ The riser is leaning, broken, settling or slumping, corroded, eroded or any other structural problem.
	☐ The dam/embankment is slumping, sinking, settling, eroding, or has medium or large trees growing on it.	☐ If there are small isolated areas, try to fix them by adding clean material (clay and topsoil) and seeding and mulching. ☐ Periodically mow embankments to enable inspection of the banks and to minimize establishment of woody vegetation. ☐ Remove any woody vegetation that has already established on embankments. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Most of these situations will require a Level 2 Inspection or evaluation and repair by a qualified contractor. Seepage through the dam or problems with the pipe through the dam can be a serious issue that should be addressed to avoid possible dam failure.

PW Pond Area and Embankments

Examine both interior and exterior pond banks as well as the pond body. Observe from the inlet pipes to the outfall structure and emergency overflow.

Problem (Check if Present)		Follow-Up Actions
	☐ The emergency spillway or outfall (if it exists) has ☐ Erosion, settlement, or loss of material. Rock-lined spillways have excessive debris or vegetation.	☐ Clear light debris and vegetation. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Displacement of rock lining, excessive vegetation and erosion/settlement may warrant review and decision by Level 2 Inspector to check against original plan. ☐ Any uncertainty about the integrity of the emergency spillway should be referred to a Level 2 Inspector. ☐ Erosion or settlement such that design has been compromised should be reviewed by an engineer.

PW Pond Outlet

Examine the outlet of the pipe on the downstream side of the dam/embankment where it empties into a stream, channel, or drainage system.

Problem (Check if Present)	Follow-Up Actions
 ☐ The pond outlet is clogged with sediment, trash, debris, vegetation, or is eroding, caving in, slumping, or falling apart.	☐ If there is a minor blockage, remove the debris or vegetation to allow free flow of water. ☐ Remove any accumulated trash at the outlet. ☐ Outlet: ☐ Kick-Out to Level 2 Inspection: ☐ If the area at the outlet cannot be easily accessed or if the blockage is substantial, a Level 2 Inspection is warranted. ☐ Erosion at and downstream of the outfall should be evaluated by a qualified professional. ☐ Any structural problems, such as broken pipes, structures falling into the stream, or holes or tunnels around the outfall pipe, should be evaluated by a Level 2 Inspector and will require repair by a qualified contractor. ☐ The pool of water at the outlet pipe is discolored, has an odor, or has excessive algae or vegetative growth.

Additional Notes:

Inspector:_____ Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

"I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected."

Inspector/Operator: _____ Date: _____

Swale Stormwater Management Practices Level 1 Inspection Checklist

SMP ID #		**SMP Owner**		☐ Private ☐ Public
SMP Location (Address; Latitude & Longitude)				
	Latitude		**Longitude**	

Party Responsible for Maintenance	**System Type**		**Type of Site**
☐ Same as SMP Owner ☐ Other _____	☐ Seasonal ☐ Continuous Use ☐ Other	☐ Above Ground ☐ Below Ground	☐ Commercial ☐ Industrial ☐ Residential ☐ State

Inspection Date		**Inspection Time**	
Inspector			
Date of Last Inspection			

SW Drainage Area

Look at areas that are uphill from the swale.

Problem (Check if Present)	Follow-Up Actions
 ☐ Bare soil, erosion of the ground (rills washing out the dirt)	☐ Seed and mulch or sod areas of bare soil to establish vegetation. ☐ Fill in erosion areas with soil, compact, and add seed and straw to establish vegetation. ☐ If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths
 ☐ Piles of grass clippings, mulch, dirt, salt, or other materials	☐ Remove or cover piles of grass clippings, mulch, dirt, etc. ☐ Other:
 ☐ Open containers of oil, grease, paint, or other substances	☐ Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous.
☐ Grass dying at edge of road	☐ Seed and mulch; add topsoil or compost if needed. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Grass on edge of pavement continues to die off for unknown reasons. Swale edge may need to be replaced with other materials (e.g., stone diaphragm).

SW Inlets

Stand in the swale and look for all the places where water flows in.

Problem (Check if Present)	Follow-Up Actions
☐ Inlets or the swale edge are collecting grit, grass clippings, or debris or have grass/weeds growing. Some water may not be getting into the swale. The objective is to have a clear pathway for water to flow into the swale.	☐ Use a flat shovel to remove grit and debris (especially at curb inlets or opening). Parking lots will generate fine grit that will accumulate at these spots. ☐ Pull out clumps of growing grass or weeds, and scoop out the soil or grit that the plants are growing in. ☐ Remove any grass clippings, leaves, sticks, and other debris that is collecting at inlets or along the edge of the swale where water is supposed to enter. ☐ For pipes and ditches, remove sediment and debris that is partially blocking the pipe or ditch opening where it enters the swale. ☐ Dispose of all material properly in an area where it will not re-enter the swale. ☐ Other:
	☐ Kick-Out to Level 2 Inspection: Inlets are blocked to the extent that most of the water does not seem to be entering the swale.
 ☐ Some or all of the inlets are eroding so that rills, gullies, and other erosion are present, or there is bare dirt that is washing into the swale.	☐ For small areas of erosion, smooth out the eroded part and apply rock or stone (e.g., river cobble) to prevent further erosion. Usually, filter fabric is placed under the rock or stone. ☐ In some cases, reseeding and applying an erosion control matting can be used to prevent further erosion. Some of these materials may be available at a garden center, but it may be best to consult a landscape contractor. ☐ Other:
	☐ Level 2 Inspection: Erosion is occurring at most of the inlets or along much of the swale edge. The inlet design may have to be modified.

SW Surface Area

Examine the entire swale surface and side slopes.

Problem (Check if Present)	Follow-Up Actions
☐ Minor areas of sediment, grit, trash, or other debris are accumulating in the swale.	☐ Use a shovel to scoop out minor areas of sediment or grit, especially in the spring after winter sanding materials may wash in and accumulate. Dispose of the material where it cannot re-enter the swale. ☐ If removing the material creates a hole or low area, fill with good topsoil and add seed and straw to re-vegetate. ☐ Remove trash, vegetative debris, and other undesirable materials. ☐ If the swale is densely vegetated, it may be difficult to do the maintenance; check for excessive ponding or other issues described in this section to see if the accumulated material is causing a problem. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Sediment has accumulated more than 3 inches deep and covers 25% or more of the swale surface. ☐ The source of sediment is unknown or cannot be controlled with simple measures.
 ☐ There is erosion in the bottom or on the side slopes. Water seems to be carving out rills as it flows through the swale or on the slopes.	☐ Try filling the eroded areas with clean topsoil, and then seed and mulch to establish vegetation. ☐ If the problem recurs, you may have to use some type of matting, stone (e.g., river cobble), or other material to fill in eroded areas. ☐ If the erosion is on a side slope, fill with soil and cover with erosion-control matting or at least straw mulch after re-seeding. ☐ Kick-Out to Level 2 Inspection: The problem persists or the erosion is more than 3 inches deep and seems to be an issue with how water enters and moves through the swale. ☐ Kick-Out to Level 2 Inspection: The problem does not seem to be caused by flowing water, but a collapse or sinking of the surface (e.g., “sinkhole”) due to some underground problem.
☐ Water does not flow evenly down the length of the swale, but ponds in certain areas for long periods of time (e.g., 72 hours after a storm). The swale does not seem to have “positive drainage.” Check during or immediately after a rain storm.	☐ If the problem is minor (just small, isolated areas), try using a metal rake or other tools to create a more even flow path; remove excessive vegetative growth, sediment, or other debris that may be blocking the flow. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Water ponds in more than 25% of the swale for three days or more after a storm. The issue may be with the underlying soil or the grade of the swale. ☐ Water ponds behind check dams for three days or more after a storm. Check dams may be clogged or not functioning properly.

SW Surface Area

Examine the entire swale surface and side slopes.

Problem (Check if Present)	Follow-Up Actions
 ☐ Check dams (if present): water is flowing around the edges of check dams, creating erosion or sinkholes on the uphill or downhill side, or the check dams are breaking apart or breaching .	☐ If the problem is isolated to just a few check dams, try simple repairs. ☐ It is very important for the center of each check dam (where most of the water flows) to be lower (by at least several inches) than the edges of the check dams where they meet the side slopes. Also, the check dams should be keyed into side slopes so water does not flow between the check dam and side slope. ☐ Use a level to check the right check-dam configuration, as noted above. Repair by moving around stone, filling and compacting soil, or adding new material so that water will be directed to the center of the check dam instead of the edges. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Many check dams are impacted and/or the problem seems to be a design issue with height, spacing, shape, or materials used to construct them.

SW Vegetation

Assess the swale vegetation.

Problem (Check if Present)	Follow-Up Actions
 ☐ Vegetation is too overgrown to access swale for maintenance activities	☐ Mow or bush-hog the path. ☐ Other:

SW Vegetation

Assess the swale vegetation.

Problem (Check if Present)	Follow-Up Actions
 ☐ Vegetation requires regular maintenance: pulling weeds, removing dead and diseased plants, adding plants to fill in areas that are not well vegetated, etc.	☐ If you can identify which plants are weeds or not intended to be part of the planting plan, eliminate these, preferably by hand pulling. ☐ If weeds are widespread, check with the local stormwater authority and/or Extension Office about proper use of herbicides for areas connected with the flow of water. ☐ Even vegetation that is intended to be present can become large, overgrown, block flow, and/or crowd out surrounding plants. Prune and thin accordingly. ☐ If weeds or invasive plants have overtaken the whole swale, bush-hog the entire area before seed heads form in the spring. It will be necessary to remove the root mat manually or with appropriate herbicides, as noted above. ☐ Replant with species that are aesthetically pleasing and seem to be doing well in the swale. ☐ Other: ☐ Kick-Out to Level 2 Inspection: You are unsure of the original planting design or the vegetation maintenance task is beyond your capabilities of time, expertise, or resources. If you are unsure of the health of the vegetation (e.g. salt damage, invasives, which plants are undesirable) or the appropriate season to conduct vegetation management, consult a landscape professional before undertaking any cutting, pruning, mowing, or brush hogging.
☐ Vegetation is too thin, is not healthy, and there are many spots that are not well vegetated.	☐ The original plants are likely not suited for the actual conditions within the swale. If you are knowledgeable about plants, select and plant more appropriate vegetation (preferably native plants) so that almost the entire surface area will be covered by the end of the second growing season. ☐ Other: ☐ Kick-Out to Level 2 Inspection: For all but small practices (e.g., in residential yards), this task will likely require a landscape design professional or horticulturalist.

SW Outlets

Examine outlets that release water out of the swale.

Problem (Check if Present)	Follow-Up Actions
☐ Outlet is obstructed with mulch, sediment, debris, trash, etc.	☐ Remove the debris and dispose of it where it cannot re-enter the swale. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Outlet is completely clogged or obstructed; there is too much material to remove by hand or with simple hand tools.

Additional Notes:

Inspector:_____ Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

"I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected."

Inspector/Operator: _____ Date: _____

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Tree Planting Stormwater Management Practices Level 1 Inspection Checklist

SMP ID #		**SMP Owner**		☐ Private ☐ Public
SMP Location (Address; Latitude & Longitude)				
	Latitude		**Longitude**	

Party Responsible for Maintenance	**System Type**		**Type of Site**
☐ Same as SMP Owner ☐ Other _____	☐ Seasonal ☐ Continuous Use ☐ Other	☐ Above Ground ☐ Below Ground	☐ Commercial ☐ Industrial ☐ Residential ☐ State

Inspection Date		**Inspection Time**	
Inspector			
Date of Last Inspection			

TP Watering

Inspect the trees to determine whether they need watering.

Problem (Check if Present)	**Follow-Up Actions**
☐ Soil is not moist to the touch and/or it has not rained in a week, and leaves/needles are starting to appear wilted/dry.	☐ Water trees deeply and slowly near the base. Soaker hoses and drip irrigation work best for deep watering of trees and shrubs. ☐ Other:

TP Mulch

Mulch should be applied in the late spring and during leaf fall. Check the depth of mulch regularly. Rake the old mulch to break up any matted layers and to refresh the appearance.

Problem (Check if Present)	Follow-Up Actions
☐ Mulch is too thin or thick (should be approximately 3" deep) or does not extend to tree canopy (or 5' radius if tree has a larger than 10' canopy reach).	☐ Add or remove mulch around tree canopy to maximum 5' radius but not within 3" of the bark. ☐ If mulch is against the stems or tree trunks, pull it back several inches to expose the base of the trunk and root crown. ☐ Other:

TP Pruning

Examine the branches and tree shape.

Problem (Check if Present)	Follow-Up Actions
☐ Presence of suckers, dead or diseased branches, branches that interfere with pedestrian traffic	☐ Selective cutting ☐ Prune to make the tree more aesthetically pleasing and remove disease. ☐ Other:
	☐ Kick-Out to Level 2 Inspection: Use an arborist or landscaper for more extensive pruning jobs.

Additional Notes:

Inspector:_____ Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

> "I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected."

Inspector/Operator: _____ Date: _____

APPENDIX 11

Monitoring Locations Inspection Program

Monitoring Locations Inspection and Sampling Field Sheet

Section 1: Background Data

Subwatershed:		Monitoring Location ID:	
Today's date:		Time (Military):	
Investigators:		Form completed by:	
Temperature (°F):	Rainfall (in.): Last 24 hours: Last 48 hours:		
Latitude:	Longitude:	GPS Unit:	GPS LMK #:
Camera:		Photo #s:	

Land Use in Drainage Area (Check all that apply):

☐ Industrial	☐ Open Space
☐ Ultra-Urban Residential	☐ Institutional
☐ Suburban Residential	Other: _____
☐ Commercial	Known Industries: _____

Notes (e.g., origin, if known):

Section 2: Monitoring Location Description

LOCATION	MATERIAL	SHAPE	DIMENSIONS (IN.)	SUBMERGED
☐ **Closed Pipe**	☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Steel ☐ Other: _____	☐ Circular ☐ Single ☐ Elliptical ☐ Double ☐ Box ☐ Triple ☐ Other: _____ ☐ Other: _____	Diameter/Dimensions: _____	In Water: ☐ No ☐ Partially ☐ Fully With Sediment: ☐ No ☐ Partially ☐ Fully
☐ **Open drainage**	☐ Concrete ☐ Earthen ☐ Rip-Rap ☐ Other: ____	☐ Trapezoid ☐ Parabolic ☐ Other: ____	Depth: ____ Top Width: ___ Bottom Width: ____	
☐ **In-Stream**	**(applicable when collecting samples)**			
Flow Present?	☐ Yes ☐ No	***If No, Skip to Section 5***		
Flow Description (If present)	☐ Trickle ☐ Moderate ☐ Substantial			

Section 3: Quantitative Characterization

FIELD DATA FOR FLOWING MONITORING LOCATIONS				
PARAMETER		**RESULT**	**UNIT**	**EQUIPMENT**
☐ Flow #1	Volume		Liter	Bottle
	Time to fill		Sec	
☐ Flow #2	Flow depth		In	Tape measure
	Flow width	____' ____"	Ft, In	Tape measure
	Measured length	____' ____"	Ft, In	Tape measure
	Time of travel		S	Stopwatch
Temperature			°F	Thermometer
pH			pH Units	Test strip/Probe
Ammonia			mg/L	Test strip

Monitoring Locations Inspection and Sampling Field Sheet

Section 4: Physical Indicators for Flowing Monitoring Locations Only

Are Any Physical Indicators Present in the flow? ☐ Yes ☐ No (*If No, Skip to Section 5)*

INDICATOR	CHECK if Present	DESCRIPTION	RELATIVE SEVERITY INDEX (1-3)		
Odor	☐	☐ Sewage ☐ Rancid/sour ☐ Petroleum/gas ☐ Sulfide ☐ Other:	☐ 1 - Faint	☐ 2 – Easily detected	☐ 3 – Noticeable from a distance
Color	☐	☐ Clear ☐ Brown ☐ Gray ☐ Yellow ☐ Green ☐ Orange ☐ Red ☐ Other:	☐ 1 – Faint colors in sample bottle	☐ 2 – Clearly visible in sample bottle	☐ 3 – Clearly visible in flow
Turbidity	☐	See severity	☐ 1 – Slight cloudiness	☐ 2 - Cloudy	☐ 3 – Opaque
Floatables -Does Not Include Trash!!	☐	☐ Sewage (Toilet Paper, etc.) ☐ Suds ☐ Petroleum (oil sheen) ☐ Other:	☐ 1 – Few/slight; origin not obvious	☐ 2 - Some; indications of origin (e.g., possible suds or oil sheen)	☐ 3 - Some; origin clear (e.g., obvious oil sheen, suds, or floating sanitary materials)

Section 5: Physical Indicators for Both Flowing and Non-Flowing Monitoring Locations

Are physical indicators that are not related to flow present? ☐ Yes ☐ No (*If No, Skip to Section 6)*

INDICATOR	CHECK if Present	DESCRIPTION	COMMENTS
Monitoring Location Damage	☐	☐ Spalling, Cracking or Chipping ☐ Peeling Paint ☐ Corrosion	
Deposits/Stains	☐	☐ Oily ☐ Flow Line ☐ Paint ☐ Other:	
Abnormal Vegetation	☐	☐ Excessive ☐ Inhibited	
Poor pool quality	☐	☐ Odors ☐ Colors ☐ Floatables ☐ Oil Sheen ☐ Suds ☐ Excessive Algae ☐ Other:	
Pipe benthic growth	☐	☐ Brown ☐ Orange ☐ Green ☐ Other:	

Section 6: Overall Monitoring Location Characterization

☐ Unlikely ☐ Potential (presence of two or more indicators) ☐ Suspect (one or more indicators with a severity of 3) ☐ Obvious

Section 7: Data Collection

1.	Sample for the lab?	☐ Yes	☐ No		
2.	If yes, collected from:	☐ Flow	☐ Pool		
3.	Intermittent flow trap set?	☐ Yes	☐ No	If Yes, type: ☐ OBM	☐ Caulk dam

Section 8: Any Non-Illicit Discharge Concerns (e.g., trash or needed infrastructure repairs)?

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER

New York State Department of Environmental Conservation

Construction Site Inspection Report for SPDES MS4 General Permit GP-0-24-001

Project Name:		Date:	
Project Location:		Weather:	
Permit # (if any): **NYR**	Contacted: ☐Yes ☐No	Entry Time:	Exit Time:
Name of SPDES Permittee:		Inspection Type:	☐NOT ☐ Complaint
Phone Number(s):			☐ Compliance ☐ Referral
On-site Representative(s) and Company(s):		MS4 Operator Name:	
		MS4 Permit ID: NYR20A	

SPDES Authority

	Yes	No	N/A		Citation
1.	☐	☐	☐	Does the project have permit coverage?	GP-0-20-001: I.A & II. B
2.	☐	☐	☐	Is a copy of the NOI and Acknowledgment Letter available on site and accessible for viewing?	GP-0-20-001: II.D.2
3.	☐	☐	☐	Is a copy of the MS4 SWPPP Acceptance Form available on site and accessible for viewing?	GP-0-20-001: II.D.2
4.	☐	☐	☐	Is an up-to-date copy of the signed SWPPP retained at the construction site?	GP-0-20-001: II.D.2. & III.A.4
5.	☐	☐	☐	Is a copy of the SPDES General Permit retained at the construction site?	GP-0-20-001: II.D.2
6.	☐	☐	☐	Does the NOI accurately report the number of acres to be disturbed?	GP-0-20-001: II.B.4

SWPPP Content

	Yes	No	N/A		Citation
7.	☐	☐	☐	Does the SWPPP describe and identify the erosion and sediment control measures to be employed?	GP-0-20-001: III.B.1.e
8.	☐	☐	☐	Does the SWPPP provide an inspection schedule and maintenance requirements for the E&SC measures?	GP-0-20-001: III.B.1.i
9.	☐	☐	☐	Does the SWPPP describe and identify the stormwater management practices to be employed?	GP-0-20-001: III.B.2
10.	☐	☐	☐	Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure?	GP-0-20-001: III.A.6
11.	☐	☐	☐	Does the SWPPP identify at least one trained individual from each contractor(s) and subcontractor(s) companies?	GP-0-20-001: III.A.6
12.	☐	☐	☐	Does the SWPPP include all the necessary Contractor Certification Statements and signatures?	GP-0-20-001: III.A.6
13.	☐	☐	☐	Is the SWPPP signed by the permittee?	GP-0-20-001: VII.H.2
14.	☐	☐	☐	Is the SWPPP prepared by a qualified professional (if post-construction stormwater management required)?	GP-0-20-001: III.A.3
15.	☐	☐	☐	Do the SMPs conform to the Enhanced Phosphorus Removal Standards (projects in TMDL watersheds)?	GP-0-20-001: III.B.3

Recordkeeping

	Yes	No	N/A		Citation
16.	☐	☐	☐	Are self-inspections performed as required by the permit (weekly, or twice weekly for >5 acres disturbed)?	GP-0-20-001:IV.C.2.a. & b
17.	☐	☐	☐	Are the self-inspections performed and signed by a qualified inspector and retained on site?	GP-0-20-001:II.C.2.,IV.C.6 & VII.H.3
18.	☐	☐	☐	Do the qualified inspector's reports include the minimum reporting requirements?	GP-0-20-001: IV.C.4
19.	☐	☐	☐	Do inspection reports identify corrective measures that have not been implemented or are recurring?	GP-0-20-001: IV.C.5

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DIVISION OF WATER

Visual Observations

	Yes	No	N/A		Citation
20.	☐	☐	☐	Are all erosion and sediment control measures installed properly?	GP-0-20-001: VII.L
21.	☐	☐	☐	Are all erosion and sediment control measures being maintained properly?	GP-0-20-001: IV.A.1
22.	☐	☐	☐	Was written authorization issued for any disturbance greater than 5 acres?	GP-0-20-001: II.D.3
23.	☐	☐	☐	Have stabilization measures been implemented in inactive areas per Permit (>5acres) or ESC Standard?	GP-0-20-001: II.D.3.b & III.B.1.f
24.	☐	☐	☐	Are post-construction stormwater management practices constructed/installed correctly?	GP-0-20-001: III.B.2
25.	☐	☐	☐	Has final site stabilization been achieved and temporary E&SC measures removed prior to NOT submittal?	GP-0-20-001: V.A.2
26.	☐	☐	☐	Was there a discharge from the site on the day of inspection?	
27.	☐	☐	☐	Is there evidence that a discharge caused or contributed to a violation of water quality standards?	ECL 17-0501, 6 NYCRR 703.2 & GP-0-20-001: I.D

Water Quality Observations

Describe the discharge(s): location, source(s), impact on receiving water(s), etc.

Describe the quality of the receiving water(s) both upstream and downstream of the discharge:

Describe any other water quality standards or permit violations:

NEW YORK STATE
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DIVISION OF WATER

Additional Comments:

☐ Photographs attached

Overall Inspection Rating: ☐ Satisfactory ☐ Marginal ☐ Unsatisfactory	
Name/Agency of Lead Inspector:	Signature of Lead Inspector:
Names/Agencies of Other Inspectors:	

APPENDIX 12

Village of Islandia

Municipal Facilities

Municipal Facilities at Village of Islandia

No.	Facility Name	Address	SBL	Size in acres	Facility Type	Activity on site	Prioritization Level	Receiving Waterbody	Responsible Department	Contact Information	SWPPP	Date of last Assessmnet	BMPs identified
1	Village of Islandia- First Responder's Memorial Recreation Field	Old Nichols Road	0504-014-2-03	6.9	Recreation Field	Recreation	Low	Recharge Basin, Village Hall	Vill. of Islandia	631-348-1133	Yes	1/21/2025	Drywell
2	Village of Islandia- First Responder's Memorial Recreation Field, Parking Lot	1127 Old Nichols Road	0504-014-2-04	2	Parking Lot for Rec Field	Parking Lot	Low	Recharge Basin, Village Hall	Vill. of Islandia	631-348-1133	Yes	5/13/2019	Drywell, Bio retention swale
3	Village Hall	1100 Old Nichols Road	0504-014-1-24	12.2	Office	Administration	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	Recharge Basin
4	Village Land	1100 Old Nichols Road	0504-014-1-25	1	Land	NA	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	NA
5	Village Hall Annex	1218 Old Nichols Road	0504-013-4-26	0.41	Office	Administration	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	Drywell
6	Village Senior Center	1250 Old Nichols Road	0504-017-2-51	0.32	Senior Center	Recreation	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	NA
7	Village Assessors Office	155 Dewey Street	0504-009-1-38	0.43	Office	Administration	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	NA
8	Village Annex Building	165 Dewey Street	0504-009-1-37	0.43	Office	Administration	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	NA
9	Village Land	Old Suffolk Avenue	0504-017-1-30	0.25	DPW Yard	Storage	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	NA
10	Village Land	L.I.E. North Service Road	0504-008-2-30.3	7.4	Land	NA	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	NA
11	Woodland Preserve	Johnson Avenue	0504-018-1-51	4.8	Preserve	NA	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	NA
12	Woodland Preserve	Oak Forest Drive	0504-018-1-77	0.25	Preserve	NA	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	NA
13	Woodland Preserve	Sampson Avenue	0504-018-1-63	1.7	Preserve	NA	Low	NA	Vill. of Islandia	631-348-1133	NA	NA	NA

NO EXPOSURE CERTIFICATION

For High Priority Municipal Facilities

in SPDES MS4 General Permit, GP-0-24-001

NEW YORK STATE | Department of Environmental Conservation

The completed No Exposure Certification must be documented in the SWMP Plan.
Please do not submit this form to the Department unless requested.

I. Owner/Facility Information

Owner/Operator Name:		
Mailing Address:	City/State/Zip:	
Contact Name:	Phone No.:	
Facility Name:		
Street Address:	City/State/Zip:	
County:	Latitude:	Longitude:

II. Exposure Checklist

	Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future? (Please check either "Yes" or "No" in the appropriate box.) If you answer "Yes" to any of these questions (1) through (11), you are not eligible for no exposure.	YES	NO
1	Using, storing or cleaning machinery or equipment, and areas where residuals from using, storing or cleaning machinery or equipment remain and are exposed to stormwater		
2	Materials or residuals on the ground or in stormwater inlets from spills/leaks		
4	Material handling equipment (except adequately maintained vehicles)		
5	Materials or products during loading/unloading or transporting activities		
6	Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to stormwater does not result in the discharge of pollutants)		
7	Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers		
8	Materials or products handled/stored on roads or railways owned or maintained by the discharger		
9	Waste material (except waste in covered, non-leaking containers [e.g., dumpster])		

III. Certification

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from SPDES stormwater permitting. I certify under penalty of law that there are no discharges of storm water contaminated by exposure to industrial activities or materialsfrom the industrial facility or site identified in this document (except as allowed under 40 CFR 122.26(g)(2)). I understand that I am obligated to submit a no exposure certification form upon request to the NPDES permitting authority or to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow the SPDES permitting authority, or MS4 Operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request.

Printed Name:	Title/Position:
Signature:	Date:

NEW YORK STATE Department of Environmental Conservation	**Municipal Facility Assessment Form For SPDES MS4 General Permit, GP-0-24-001**

Assessments must be conducted by a person with the knowledge and skills to assess conditions and activities that could impact stormwater quality at the facility and evaluate the effectiveness of best management practices required by the SPDES MS4 General Permit (GP-0-24-001).

MS4 Permit ID:	MS4 Operator Name:	
Facility Name:	Facility Type:	Date:
Weather Conditions:		
Is stormwater runoff present during this assessment? ☐ Yes ☐ No		
Comments:		

General		**Yes**	**No**
1	Is this a high priority municipal facility?	☐	☐
2	If this is a high priority municipal facility, does the facility qualify for a No Exposure Certification?	☐	☐
3	If this is a high priority municipal facility, is there a completed SWPPP available?	☐	☐
4	Does the facility have any MS4 outfalls?	☐	☐
5	Does the facility have any interconnections?	☐	☐
6	Does the facility have any municipal facility intraconnections?	☐	☐
Comments:			
Good Housekeeping		**Yes**	**No**
7	Are paved surfaces free of trash, sediment, and/or debris?	☐	☐
8	Date the paved area was last swept or vacuumed.	☐	☐
9	Do outdoor waste receptacles have covers?	☐	☐
10	Are the waste receptacles emptied on a regular basis?	☐	☐
11	Are there signs of leaks, contaminants or overfilling at the waste receptacle area?	☐	☐
12	Are the following facility areas free of accumulated trash, sediment, debris, contaminants, and spills:	☐	☐
	- Salt storage areas	☐	☐
	- Container storage areas	☐	☐
	- Maintenance areas	☐	☐

	- Staging areas	☐	☐
	- Material stockpile areas	☐	☐
Comments:			

Vehicle and Equipment Areas		☐ N/A	Yes	No
13	Are vehicle/equipment parked indoors or under a roof?		☐	☐
14	Are vehicles/equipment washed in only designated areas?		☐	☐
15	Are vehicles washed regularly to remove contamination and prevent them from polluting stormwater?		☐	☐
16	Is all wash water treated in an oil water separator prior to discharge?		☐	☐
17	Is all wash water managed so it does not enter the MS4?		☐	☐
Comments				

Vehicle/Equipment Maintenance		☐ N/A	Yes	No
18	Is equipment stored under shelter or elevated and covered?		☐	☐
19	Are fluids drained over a drip pan or pad?		☐	☐
20	Are funnels or pumps used when transferring fluids?		☐	☐
21	Are waste rags and used absorbent pads disposed of properly?		☐	☐
22	Are any vehicles and/or equipment leaking fluids?		☐	☐
23	Are drip pans immediately placed under leaks?		☐	☐
24	Are materials, equipment, and activities located so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas)?		☐	☐
25	Are vehicles inspected daily for leaks?			
Comments:				

Fueling areas		☐ N/A	Yes	No
26	Is fueling performed under a canopy or roof?		☐	☐
27	Are spill cleanup materials available at the fueling area?		☐	☐
28	Are breakaway valves used on fueling hoses?		☐	☐
29	Is the fueling handle lock disconnected so the operator must attend the fueling?		☐	☐
30	Is stormwater runoff from fueling area treated in an oil/water separator?		☐	☐
31	Is the fueling automatic stop inspected regularly to ensure it is working properly?		☐	☐
32	Are all fuel deliveries monitored?		☐	☐
Comments:				

Salt Storage Piles or Pile Containing Salt		☐ N/A	Yes	No
33	Is salt stored in a salt storage building or under a roof?		☐	☐
34	Are controls in place to minimize spills while adding or removing material from the pile?		☐	☐
35	Are salt spills cleaned up promptly?		☐	☐
36	Is overflow and tracked salt removed promptly from loading areas?		☐	☐
37	Is stormwater draining away from the salt pile directed to a vegetated filter area		☐	☐
Comments:				
Fluids Management		☐ N/A	Yes	No
38	Are all drums and containers of fluids stored with proper cover and containment?		☐	☐
39	Are fluids stored in appropriate containers and/or storage cabinets?		☐	☐
40	Are all fluids kept in original containers or labeled in a manner that describes the contents adequately?		☐	☐
41	Are Material Safety Data Sheets (MSDS/SDS) readily available?		☐	☐
42	Are all containers that are stored free of leaks or deposits?		☐	☐
43	Are containers of product inspected regularly?		☐	☐
44	Is used oil and antifreeze stored indoors and/or on spill containment pallets?		☐	☐
45	Is used oil and antifreeze properly disposed of or recycled?		☐	☐
Comments:				
Lead Acid Batteries		☐ N/A	Yes	No
46	Are lead-acid batteries stored indoors on spill containment pallets or in bins?		☐	☐
47	Are intact batteries stored on an acid-resistant rack or tub?		☐	☐
48	Are cracked or leaking batteries stored in labeled, closed, leak-proof containers?		☐	☐
49	Is the date each battery was placed in storage recorded?		☐	☐
50	Are batteries stacked more than 5 high?		☐	☐
51	Are batteries inspected regularly for leaks?		☐	☐
Comments:				
Spill Prevention and Response Procedures		☐ N/A	Yes	No
52	Are vehicles inspected daily for leaks?		☐	☐

53	Is spill control equipment and absorbents readily available?	☐	☐
54	Are emergency phone numbers posted in conspicuous areas?	☐	☐
55	Are spills contained and cleaned up immediately?	☐	☐
Comments:			

General Material Storage Areas	☐ N/A	Yes	No
56	Are leaking or damaged materials stored inside a building or another type of storm resistance shelter?	☐	☐
57	Are all material stockpiles within containment structures (e.g., concrete barriers, earthen berms) or stored in a manner that does not allow discharge of impacted stormwater?	☐	☐
58	Are used fuel tanks and other scrap metal and parts drained of fluids and stored under cover?	☐	☐
59	Are outdoor containers covered?	☐	☐
60	Are piles of spoils, asphalt, debris, etc. stored under a roof or cover?	☐	☐
61	Are spills of material or debris cleaned up promptly?	☐	☐
62	Are used tire storage piles placed away from storm drains or conveyances?	☐	☐
63	Are tires recycled frequently to keep the number of stored tires manageable?	☐	☐
Comments:			

Stormwater Management		Yes	No
64	Are employees trained on the municipal facility procedures?	☐	☐
66	Are BMPs and treatment structures working as designed?	☐	☐
67	Are BMPs and treatment structures free from debris buildup or overgrown vegetation that may impair function?	☐	☐
68	Catch basins should be cleaned in accordance with the timeframes listed in Part VI.F.3.c.iii. / Part VII.F.3.c.iii, depending on the MS4 Operator type. Based on this, do any catch basins need to be cleaned?	☐	☐
69	Are berms, curbing or other methods used to divert and direct discharges adequate and in good condition?	☐	☐
70	Are rooftop drains directed to areas away from pavement?	☐	☐
Comments:			

Erosion and Sediment Controls		Yes	No
71	Are soil stabilization measures (e.g., seed and mulch, rolled erosion control products) considered in areas that have the potential for significant soil erosion?	☐	☐
72	Are natural buffers maintained around surface waters?	☐	☐
73	Are flow velocity dissipation devices in place at monitoring locations and channel outlets (rock riprap, stone check dams, concrete baffles)?	☐	☐
74	Do controls conform to the NYS Standards and Specifications for Erosion and Sediment Control (2016), or equivalent?	☐	☐

Comments:

Corrective Actions and Comment

Describe Inspection findings and if necessary, the corrective actions taken

Inspector Signature		Date:	

NEW YORK STATE | Department of Environmental Conservation

Storm Event Data Form for SPDES MS4 General Permit, GP-0-24-001

Do not submit this form to the Department; keep this form with the municipal facility's SWPPP and in the MS4 Operator's SWMP Plan.

Permit Number:

N	Y	R	2	0	A			

Facility Name:

Contact First Name:

Contact Last Name:

Contact Phone:

Contact Email:

Storm Event Date:

Storm Duration (in hours):

Rainfall Measurement from Storm Event (in inches):

Date of Last Measurable Storm Event:

Duration Between Storm Event Sampled and End of Previous Measurable Storm (in hours):

Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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.

Facility Operator First Name (please print or type)

Facility Operator Last Name (please print or type)

/ /

Date

Signature

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Visual Monitoring Form MS4 GP-0-24-001

All high priority municipal facilities covered under the MS4 GP-0-24-001 must perform Visual Monitoring twice a permit term, separated by a minimum of one (1) year. Please see the permit Part VI.F/VII.F for additional requirements. This form is part of the facilities records and should be retained onsite with the facility's Stormwater Pollution Prevention Plan. ***Please do not submit this form to the Department.***

MS4 Operator Permit ID

Facility Name

Outfall Number

Examiner's Name

Examiner's Title

Reporting Year

Rainfall Amount

Qualifying Storm? ◯Yes ◯No

Runoff Source? ◯Rainfall ◯Snowmelt

Date/Time Collected ___/___/___ ___:___ AM / PM

Date/Time Examined ___/___/___ ___:___ AM / PM

1. Does the stormwater appear to be colored? ..... ◯Yes ◯No

If yes, describe

2. Is the stormwater clear or transparent? ..... ◯Yes ◯No

If yes, which of the following best describes the clarity of the stormwater: ..... ◯Clear ◯Milky ◯Opaque

3. Can you see a rainbow sheen effect on the water surface?..... ◯Yes ◯No

If yes, which best describes the sheen?..... ◯Rainbow Sheen ◯Floating Oil Globules

4. Does the sample have an odor? ..... ◯Yes ◯No

If yes, describe

5. Is there something floating on the surface of the sample? ..... ◯Yes ◯No

If yes, describe

6. Is there something suspended in the water column of the sample? ..... ◯Yes ◯No

If yes, describe

7. Is there something settled on the bottom of the sample?..... ..... ◯Yes ◯No

If yes, describe

8. Is there foam or material forming on the top of the sample surface?..... ◯Yes ◯No

If yes, describe

Detail any concerns, corrective actions taken and any other indicators of pollution present in the sample:

APPENDIX 13

Public Education and Outreach Program

Distributed Educational Brochures and Flyers

Why should I care about Stormwater Pollution?

What is Stormwater?

Stormwater is rain that falls on roofs or paved areas like driveways, roads and footpaths. This water is carried away by a system of stormwater pipes that is separate from the sewage system. It eventually ends up in our rivers and the ocean.

Why is stormwater pollution an important issue that I need to care about?

As stormwater travels over the land, it picks up all kinds of chemicals and materials that are not naturally found in our waterways. Some are toxic even in small amounts. Others, such as nutrients, are not poisonous but may be produced in such great quantities that nature can't cope. This results in pollution of our waterways that can kill plants and animals that live in the water. Pollution of our waterways can also mean we can't boat, swim or fish because it is unpleasant or even unsafe.

What is in stormwater pollution?

Rubbish and pollution gets washed into our waterways:

- 'Natural' pollution such as dog droppings, leaves and garden clippings
- Chemical pollution such as car washing detergents and fertilisers
- Litter

What is being done to stop stormwater pollution?

In 1997, the State Government committed $60 million over three years to tackle stormwater pollution. Some of it goes to fund local projects, including building 'pollution traps' which catch pollution before it has a chance to enter the waterways.

Councils and the EPA are also undertaking education campaigns to prevent the pollution going down the drain in the first place.

For further details contact:

The Village of Islandia
1100 Old Nichols Road Phone: 631-348-1133

Everything that goes into our drains ends up in our waterways: Remember *the Drain is Just for Rain*

Here's a few simple things you can do to improve the quality of water where you swim, fish or boat.

DO

In the garden…

- Sweep gutters, driveways and back yards regularly and put the leaves and clippings on the garden, compost or in the bin.

In the street…

- Clean up pet droppings and dispose of them in the garden, rubbish bins, or toilet.

With the car…

- Wash your car over gravel or grass and use a minimum amount of detergent.

Renovating…

- Wash water-based paint from brushes over the lawn.
- Allow unused paint in tins to dry out and then put in the bin.

DON'T

In the garden…

- Hose leaves, dirt and grass clippings down the drain or into the gutter.

In the street…

- Drop packaging or cigarette butts on the ground.

With the car…

- Wash the car in the street.
- Empty the bucket down the drain.

Renovating…

- Wash brushes over the drain.

For further information contact: The Village of Islandia

VILLAGE OF ISLANDIA

STORMWATER MANAGEMENT PROGRAM

STORMWATER

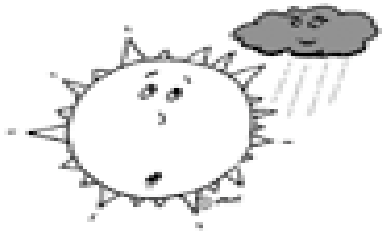
AND THE

CONSTRUCTION INDUSTRY

Runoff from construction sites can contain significant pollution including sediment, concrete fines, lubricants and fuels, solvents, fertilizers, pesticides and many other contaminants which, if allowed to enter storm drains, will pollute area waterways, and potentially our groundwater. Mitigation steps must be taken to ensure that no runoff leaves the site during the dry season and that stormwater contamination during rain events is minimized.

Sediment runoff rates from construction sites are typically 10 to 20 times greater than those of agricultural lands, and 1,000 to 2,000 times greater than that of forest lands. The New York State Stormwater Program requires operators of construction sites one acre or larger (including smaller sites that are part of a larger common plan of development) to obtain authorization to discharge stormwater under an NYS Department of Environmental Conservation construction storm water permit. All construction projects in the Village of Islandia must follow specific construction Best Management Practices, or BMPs. BMPs ensure that hazardous materials and pollutants stay onsite and don't get washed or dumped into the storm drain system. These BMPs are discussed in detail following this summary.

Typical techniques used to contain runoff are swales, diversion ditches, and stormwater treatment devices such as dry wells, sediment control ponds (on large sites) and several proprietary fixtures. Where stormwater is collected on site it can be recycled for dust control and irrigation. Stabilizing excavated material, stockpiled soil and fill to prevent wind loss and erosion by storms is essential to stormwater protection. It is far easier and more economical to prevent stormwater contamination at the source than to attempt to capture and clean it later.



Best Management Practices (BMPs) for All Construction Sites

The following information provides a summary of guidance on a variety of BMPs typically used on construction sites.

Construction Phasing

- Sequence construction activities so that soil is not exposed for long periods of time.
- Schedule or limit grading to small areas.
- Immediately seed areas that will be exposed for 7 days or longer.
- Install sediment control practices before any soil disturbance begins.
- Schedule site stabilization activities immediately after the land has been graded to its final contours.

Dirt Stockpiles

- Cover or seed all dirt stockpiles.

Storm Drain Inlet Protection

- Use appropriate methods to protect the storm drain to filter out trash and debris.
- If inlet filters are used, maintain them regularly.

Silt Fence

- Inspect silt fences after each rainstorm and weekly.
- Make sure the bottom of the silt fence is buried in the ground 6 inches.
- Make sure the stormwater does not flow around the silt fence during storm events.
- Attach fence securely to stakes. Stakes should be on a downslope side of the fence.
- Use hay bales for added support and protection.

Protect Natural Features

- Identify and protect areas where existing vegetation, such as trees, should not be disturbed by construction activities.
- Protect streams, stream buffers, wild woodlands, wetlands and other sensitive areas from any disturbance or construction activity with fencing or by clearly marking the areas.

Vegetative Buffers

- Protect and install vegetative buffers along waterbodies to slow and filter stormwater runoff.
- Maintain buffers by replanting periodically to ensure their effectiveness (mowing discourages growth of woody vegetation, which actually takes up more runoff)

For More Information, contact:

The Village of Islandia

1100 Old Nichols Road
Islandia, NY 11749

(631) 348-1133 (TEL)
(631) 348-7650 (FAX)

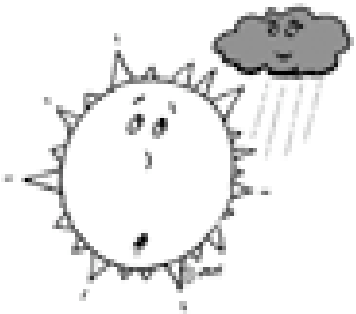
Mayor Allan M. Dorman

Village of Islandia

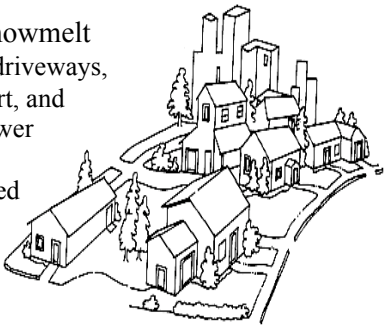
A Resident's Guide

To

STORMWATER



What is *STORMWATER*?



Stormwater runoff is precipitation from rain or snowmelt that flows over ground. As stormwater flows over driveways, lawns, and sidewalks, it picks up debris, chemicals, dirt, and other pollutants. Stormwater can flow into a storm sewer or directly to a stream, river, lake or other waterbody. Anything that enters a storm sewer system is discharged untreated into the waterbodies we use for swimming, fishing, and providing drinking water. Polluted runoff is the nation's greatest threat to clean water.

What has the Village of Islandia *done* to combat stormwater runoff?

In March 2003, the Village submitted a Notice of Intent (NOI) to the US Environmental Protection Agency (EPA) which outlined the course of action Islandia will follow over the next five years to implement six minimum control measures, ranging from capital improvements to public and employee educational programs.

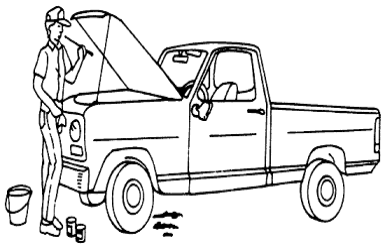
The Village has installed stormwater mitigation structures along a section of Johnson Avenue that drains into the headwaters of the Connetquot River. The River is an ecologically sensitive trout-spawning stream that discharges to the Great South Bay segment of the South Shore Estuary Reserve.

Visit the NYS DEC's
website for more local information:

www.dec.state.ny.us/website/dow/mainpage.htm

What can YOU do?

- ☺ Pick up after your pet.
- ☺ Never dump anything down storm drains.
- ☺ Maintain your lawn with minimal use of chemicals. Learn about Integrated Pest Management (IPM).
- ☺ Do not let yard waste accumulate on paved surfaces - sweep up driveways, sidewalks, and roads. Compost such waste instead.
- ☺ Select native plant and grass species that are drought- and pest-resistant.
- ☺ Vegetate bare spots in your yard. Conserve water – Avoid running water when washing dishes, brushing your teeth, etc.
- ☺ Take your car to the car wash instead of washing it in the driveway.
- ☺ Check your car for leaks and recycle used motor oil.
- ☺ Have your septic tank pumped and system inspected regularly.
- ☺ Minimize your use of de-icing materials.
- ☺ Use a rain barrel to catch and store water for gardens.
- ☺ Direct downspouts from paved areas to vegetated areas.
- ☺ Before beginning any outdoor project, locate the nearest storm drains and protect them from debris and other materials.
- ☺ Do not feed water birds (ducks, geese) – This encourages them to stay for the winter and their droppings pollute area waterways.
- ☺ Drain swimming pools only when necessary: allow pool water to stand for a few days without adding any chemicals before draining, as chlorine dissipates rapidly.
- ☺ Report any illegal dumping or discharges to the Village (631-348-1133) or the Town of Islip (631-581-9703) immediately.



For More Information, contact:

The Village of Islandia

1100 Old Nichols Road
Islandia, NY 11749

(631) 348-1133 (TEL)
(631) 348-7650 (FAX)

Mayor Allan M. Dorman

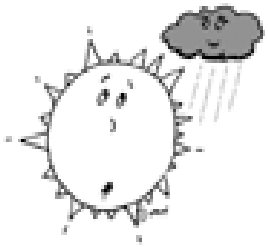
EPA storm water web sites:

- http://www.epa.gov/npdes/stormwater (EPA's stormwater program homepage)
- http://www.epa.gov/owow/nps (EPA's nonpoint source program homepage)
- http://cfpub1.epa.gov/npdes/home.cfm?program_id=6
- http://www.epa.gov/region02/water/npspage.htm

The EPA's Storm Water Phase II Rule requires that all operators of small MS4s (Municipal Separate Storm Sewer Systems) in urban areas develop and implement a storm water management program that addresses six minimum control measures. These six control measures include a public education program, a public involvement program; the detection and elimination of illicit/illegal discharges; controls for construction sites disturbing more than 1 acre; controls for new developments and redevelopment; and pollution prevention/good housekeeping practices as part of the operation and maintenance of the community's storm sewer systems. By developing a storm water management program that is comprised of these basic control measures, it is expected that there will be significant reductions in the amount of pollutants that are discharged into receiving waterbodies.

VILLAGE OF ISLANDIA
MUNICIPAL EMPLOYEE INFORMATION GUIDE

STORMWATER BASICS



What is *STORMWATER*?

Stormwater runoff is precipitation from rain or snowmelt that flows over ground. As stormwater flows over driveways, lawns, and sidewalks, it picks up debris, chemicals, dirt, and other pollutants. Stormwater can flow into a storm sewer or directly to a stream, river, lake or other waterbody. Anything that enters a storm sewer system is discharged untreated into the waterbodies we use for swimming, fishing, and providing drinking water. Polluted runoff is the nation's greatest threat to clean water. All municipal activities should have an operations and maintenance program designed to prevent and reduce pollutants in stormwater runoff from municipal operations.

What can YOU do to assist Islandia in combating storm water pollution?

- ☺ **Catch Basin and Drain Maintenance**: Inspect storm drains and other storm water control structures and clean any accumulated sediment and debris as soon as possible.

- ☺ **Grounds Maintenance**:
  (1) Avoid over-watering to prevent excess runoff.
  (2) Sweep paved surfaces rather than hosing down or using blowers.
  (3) Clean up all spills and leaks using "dry" methods (w/ absorbent materials and/or rags).
  (4) Store materials so they are protected from weather elements, such as rain and wind.
  (5) Install an automatic rain shut-off device on sprinkler systems.
  (6) Direct downspouts from paved areas to vegetated areas.
  (7) Minimize your use of de-icing materials.

- ☺ **General**: Ensure all applicable Best Management Practices (BMPs) are being followed.

Employee Certification

Employee Name (print)	Title	Signature	Date

Illicit Stormwater Discharges

You Can Prevent Stormwater Pollution In Your Neighborhood

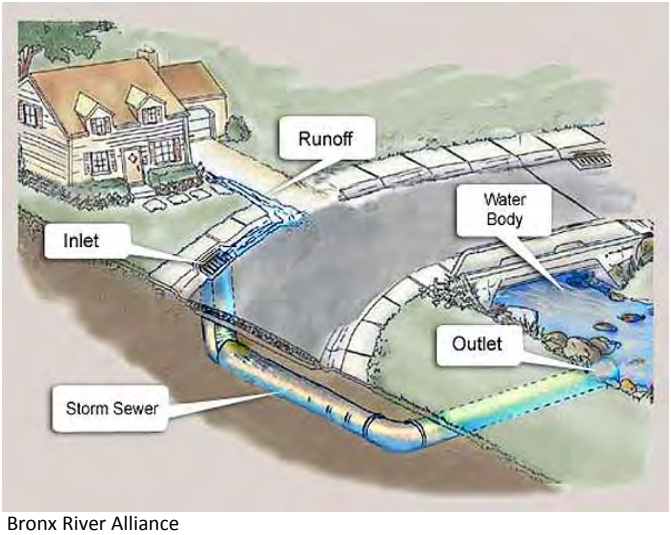
Stormwater runoff flows from rooftops, paved areas, bare soil, and lawns into storm drains or ditches. It picks up pollutants such as animal waste, pesticides, fertilizers, salt, oil and grease, soil and debris and transports them directly to waterways where they are discharged with no treatment. **This is stormwater pollution.**

What is an "Illicit Discharge?"

An illicit (illegal) discharge is any discharge to storm drains, pipes, and ditches that is not composed entirely of stormwater. **Disposal of anything other than stormwater in storm sewers is illegal!**

- Septic Tank Seepage / Illegal Sanitary Connections
- Laundry Wastewater / Detergent
- Improper Waste Oil or Automotive Fluids Disposal
- Home Improvement Waste (e.g. concrete, paint)
- Pesticides and Fertilizers
- Pet Waste
- Pool / Spa Discharge
- Cooking Grease / Household Waste

Millers River Watershed Council



Bronx River Alliance

You Can Protect Water Quality

- **Never dump anything down storm drains**
- Use lawn and garden chemicals sparingly; sweep up any excess from paved areas
- Repair vehicle leaks; cover spilled fluids with kitty litter then sweep into household waste
- Pick up after your pet
- Plant ground cover to control soil erosion
- Keep grass clippings, leaves, litter, and debris out of street gutters and storm drains
- Direct downspouts onto grassy areas
- Wash your vehicle on grass instead of the driveway
- Dispose of used oil, antifreeze, paints and other household chemicals in an approved manner

To report a suspected stormwater discharge violation call: **1-844-DEC-ECOS (1-844-332-3267)**
http://www.dec.ny.gov/regulations/393.html
For general stormwater information visit:
https://www.dot.ny.gov/divisions/engineering/environmental-analysis/water-ecology/stormwater-management
http://www.dec.ny.gov/chemical/8468.html

NEW YORK STATE OF OPPORTUNITY. Department of Transportation

EPA
United States
Environmental Protection
Agency

EPA 841-F-03-003

Protecting Water Quality *from* URBAN RUNOFF

Clean Water Is Everybody's Business

In urban and suburban areas, much of the land surface is covered by buildings and pavement, which do not allow rain and snowmelt to soak into the ground. Instead, most developed areas rely on storm drains to carry large amounts of runoff from roofs and paved areas to nearby waterways. The stormwater runoff carries pollutants such as oil, dirt, chemicals, and lawn fertilizers directly to streams and rivers, where they seriously harm water quality. To protect surface water quality and groundwater resources, development should be designed and built to minimize increases in runoff.

The most recent National Water Quality Inventory reports that runoff from urbanized areas is the leading source of water quality impairments to surveyed estuaries and the third-largest source of impairments to surveyed lakes.

Did you know that because of impervious surfaces like pavement and rooftops, a typical city block generates more than 5 times more runoff than a woodland area of the same size?

How Urbanized Areas Affect Water Quality

Increased Runoff

The porous and varied terrain of natural landscapes like forests, wetlands, and grasslands traps rainwater and snowmelt and allows them to filter slowly into the ground. In contrast, impervious (nonporous) surfaces like roads, parking lots, and rooftops prevent rain and snowmelt from infiltrating, or soaking, into the ground. Most of the rainfall and snowmelt remains above the surface, where it runs off rapidly in unnaturally large amounts.

Storm sewer systems concentrate runoff into smooth, straight conduits. This runoff gathers speed and erosional power as it travels underground. When this runoff leaves the storm drains and empties into a stream, its excessive volume and power blast out streambanks, damaging streamside vegetation and wiping out aquatic habitat. These increased storm flows carry sediment loads from construction sites and other denuded surfaces and eroded streambanks. They often carry higher water temperatures from streets, roof tops, and parking lots, which are harmful to the health and reproduction of aquatic life.

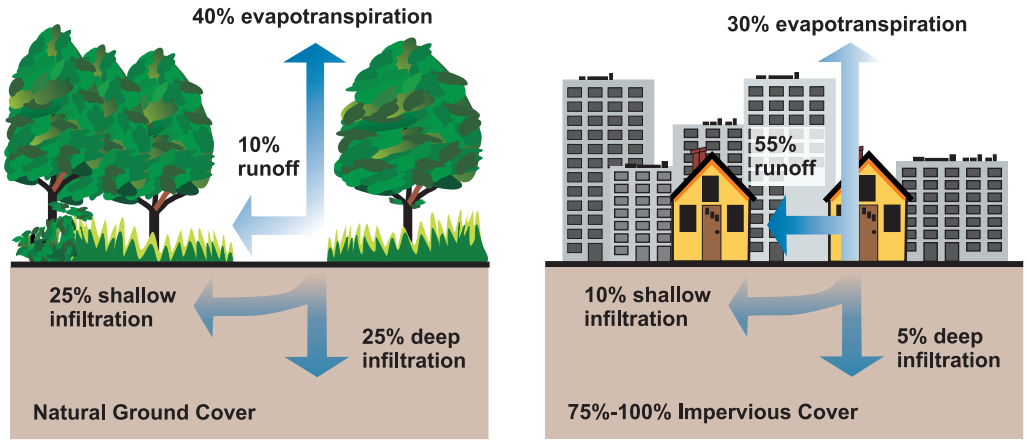
The loss of infiltration from urbanization may also cause profound groundwater changes. Although urbanization leads to great increases in flooding during and immediately after wet weather, in many instances it results in lower stream flows during dry weather. Many native fish and other aquatic life cannot survive when these conditions prevail.

Increased Pollutant Loads

Urbanization increases the variety and amount of pollutants carried into streams, rivers, and lakes. The pollutants include:

- Sediment
- Oil, grease, and toxic chemicals from motor vehicles
- Pesticides and nutrients from lawns and gardens
- Viruses, bacteria, and nutrients from pet waste and failing septic systems
- Road salts
- Heavy metals from roof shingles, motor vehicles, and other sources
- Thermal pollution from dark impervious surfaces such as streets and rooftops

These pollutants can harm fish and wildlife populations, kill native vegetation, foul drinking water supplies, and make recreational areas unsafe and unpleasant.



Relationship between impervious cover and surface runoff. Impervious cover in a watershed results in increased surface ruunoff. As little as 10 percent impervious cover in a watershed can result in stream degradation.

Managing Urban Runoff

What Homeowners Can Do

To decrease polluted runoff from paved surfaces, households can develop alternatives to areas traditionally covered by impervious surfaces. Porous pavement materials are available for driveways and sidewalks, and native vegetation and mulch can replace high maintenance grass lawns. Homeowners can use fertilizers sparingly and sweep driveways, sidewalks, and roads instead of using a hose. Instead of disposing of yard waste, they can use the materials to start a compost pile. And homeowners can learn to use Integrated Pest Management (IPM) to reduce dependence on harmful pesticides.

In addition, households can prevent polluted runoff by picking up after pets and using, storing, and disposing of chemicals properly. Drivers should check their cars for leaks and recycle their motor oil and antifreeze when these fluids are changed. Drivers can also avoid impacts from car wash runoff (e.g., detergents, grime, etc.) by using car wash facilities that do not generate runoff. Households served by septic systems should have them professionally inspected and pumped every 3 to 5 years. They should also practice water conservation measures to extend the life of their septic systems.

Controlling Impacts from New Development

Developers and city planners should attempt to control the volume of runoff from new development by using low impact development, structural controls, and pollution prevention strategies. Low impact development includes measures that conserve natural areas (particularly sensitive hydrologic areas like riparian buffers and infiltrable soils); reduce development impacts; and reduce site runoff rates by maximizing surface roughness, infiltration opportunities, and flow paths.

Controlling Impacts from Existing Development

Controlling runoff from existing urban areas is often more costly than controlling runoff from new developments. Economic efficiencies are often realized through approaches that target "hot spots" of runoff pollution or have multiple benefits, such as high-efficiency street sweeping (which addresses aesthetics, road safety, and water quality). Urban planners and others responsible for managing urban and suburban areas can first identify and implement pollution prevention strategies and examine source control opportunities. They should seek out priority pollutant reduction opportunities, then protect natural areas that help control runoff, and finally begin ecological restoration and retrofit activities to clean up degraded water bodies. Local governments are encouraged to take lead roles in public education efforts through public signage, storm drain marking, pollution prevention outreach campaigns, and partnerships with citizen groups and businesses. Citizens can help prioritize the clean-up strategies, volunteer to become involved in restoration efforts, and mark storm drains with approved "don't dump" messages.

Related Publications

Turn Your Home into a Stormwater Pollution Solution!
www.epa.gov/nps

This web site links to an EPA homeowner's guide to healthy habits for clean water that provides tips for better vehicle and garage care, lawn and garden techniques, home improvement, pet care, and more.

National Management Measures to Control Nonpoint Source Pollution from Urban Areas
www.epa.gov/owow/nps/urbanmm

This technical guidance and reference document is useful to local, state, and tribal managers in implementing management programs for polluted runoff. Contains information on the best available, economically achievable means of reducing pollution of surface waters and groundwater from urban areas.

Onsite Wastewater Treatment System Resources
www.epa.gov/owm/onsite

This web site contains the latest brochures and other resources from EPA for managing onsite wastewater treatment systems (OWTS) such as conventional septic systems and alternative decentralized systems. These resources provide basic information to help individual homeowners, as well as detailed, up-to-date technical guidance of interest to local and state health departments.

Low Impact Development Center
www.lowimpactdevelopment.org

This center provides information on protecting the environment and water resources through integrated site design techniques that are intended to replicate preexisting hydrologic site conditions.

Stormwater Manager's Resource Center (SMRC)
www.stormwatercenter.net

Created and maintained by the Center for Watershed Protection, this resource center is designed specifically for stormwater practitioners, local government officials, and others that need technical assistance on stormwater management issues.

Strategies: Community Responses to Runoff Pollution
www.nrdc.org/water/pollution/storm/stoinx.asp

The Natural Resources Defense Council developed this interactive web document to explore some of the most effective strategies that communities are using around the nation to control urban runoff pollution. The document is also available in print form and as an interactive CD-ROM.

For More Information

U.S. Environmental Protection Agency
Nonpoint Source Control Branch (4503T)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

www.epa.gov/nps

February 2003

Here are a few ways communities invest in stormwater management at the local level:

- **Utility fees:** Similar to the fees you may pay for water, sewer, and garbage removal, you may see a stormwater utility fee on your tax or water bill to collect essential funds that are needed to manage stormwater where you live.
- **Municipal bonds:** Just as they do for schools and other local improvement projects, your local government could levy a bond to pay for stormwater projects that benefit the whole community.
- **Public funds:** Federal and state governments have many funding options for stormwater projects.
- **Private property improvements:** When businesses and institutions in your area invest in green roofs, permeable paving in parking lots, and other stormwater management measures, everyone benefits.

Support these solutions and be stormwater smart for a better community.

BE STORMWATER SMART

Invest in Ways to Improve Your Community

Did you know that your health—and the economic health of your whole community—is directly tied to the quality of the water in your local rivers, lakes, and streams? That's why it's important to reduce the pollution that can get into stormwater—the water that flows on hard surfaces after it rains or snows and drains into local waterways.

There are a number of innovative solutions to manage and filter stormwater so that it doesn't carry dirt, chemicals, and other pollutants to our rivers, lakes, and streams. Supporting community investment in stormwater management will help keep our waterways clean and you and your family healthy.

YOU'RE WORTH THE INVESTMENT

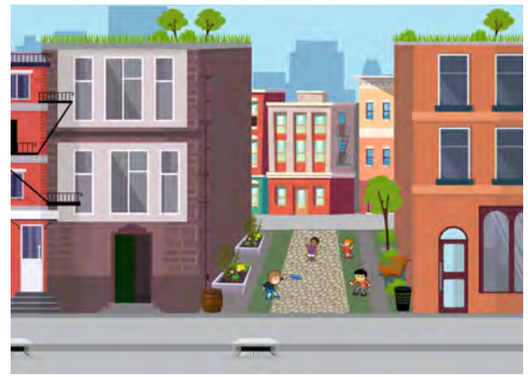
From green roofs that absorb rainwater before it can flow off a building to bioretention areas that filter stormwater before it flows to the sewer system, there are many ways that communities can beautify the landscape, remove pollutants from stormwater, and protect your health at the same time. Replacing hard paving with permeable pavers and installing pocket parks are other ways your community can keep stormwater from getting polluted. Adding this kind of "green infrastructure" and promoting green spaces can help protect our local waterways and improve our community.

BEFORE: PARKING LOT

AFTER: PERMEABLE PAVING

BEFORE: ALLEY WAY

AFTER: POCKET PARK



Here are just a few of the benefits of investing in these innovative activities:

- Increase the amount of rain that soaks into the ground and reduce the amount of polluted rain going down storm drains.
- Minimize flooding by improving drainage on sidewalks, streets, and even your backyard.
- Improve the community by creating attractive, green spaces that encourage physical activity, recreation, and natural habitat creation.
- Reduce heat, noise, and air pollution in urban areas by replacing pavement where possible with plants.
- Promote economic growth and tourism and create local jobs from green infrastructure construction projects and maintenance activities.

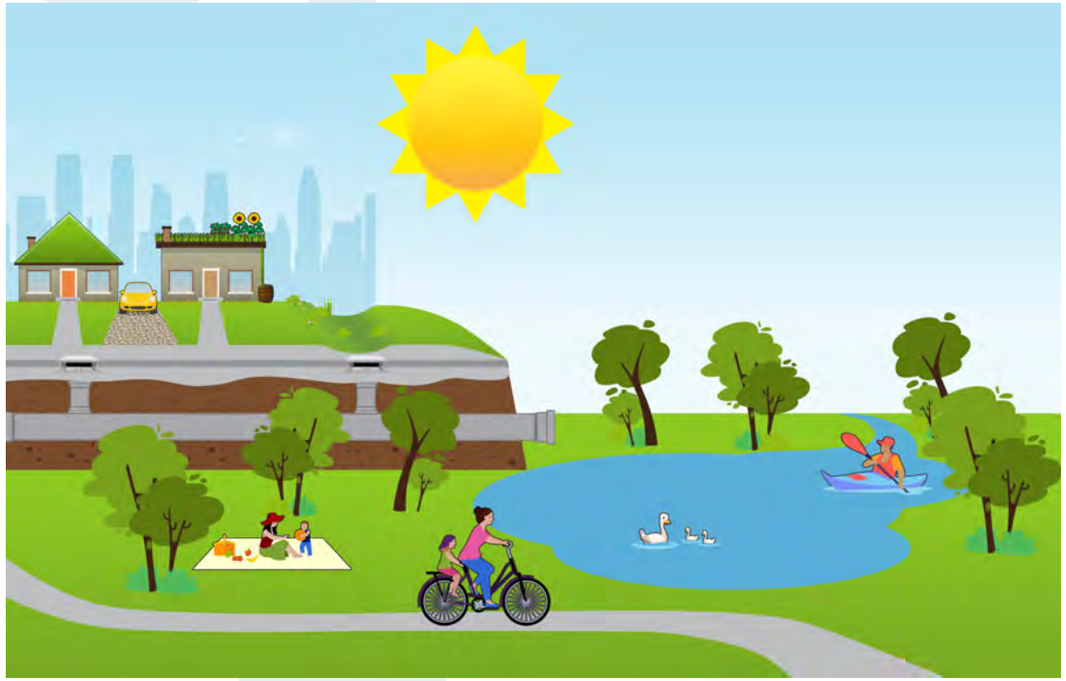
HOW DO WE PAY FOR STORMWATER MANAGEMENT?

Like other public health and safety services we value such as police and fire departments, funding is often necessary to create and maintain green infrastructure such as rain gardens, green roofs, and bioretention areas. These projects help reduce pollution from stormwater and add value to the community.

INNOVATIVE SOLUTIONS BENEFIT THE COMMUNITY

As storm sewer systems across the country age and continue to be tested by extreme weather, many communities are investing in green infrastructure as a resilient and effective approach to managing the impact of stormwater. Green infrastructure practices such as rain gardens, green roofs, and permeable pavements help reduce and treat stormwater where the rain falls, while providing numerous community benefits.

Innovative green infrastructure solutions are wise investments that complement more traditional sewer system components. Together they can work efficiently and effectively to manage the impact of stormwater and bring value to communities.



BE STORMWATER SMART

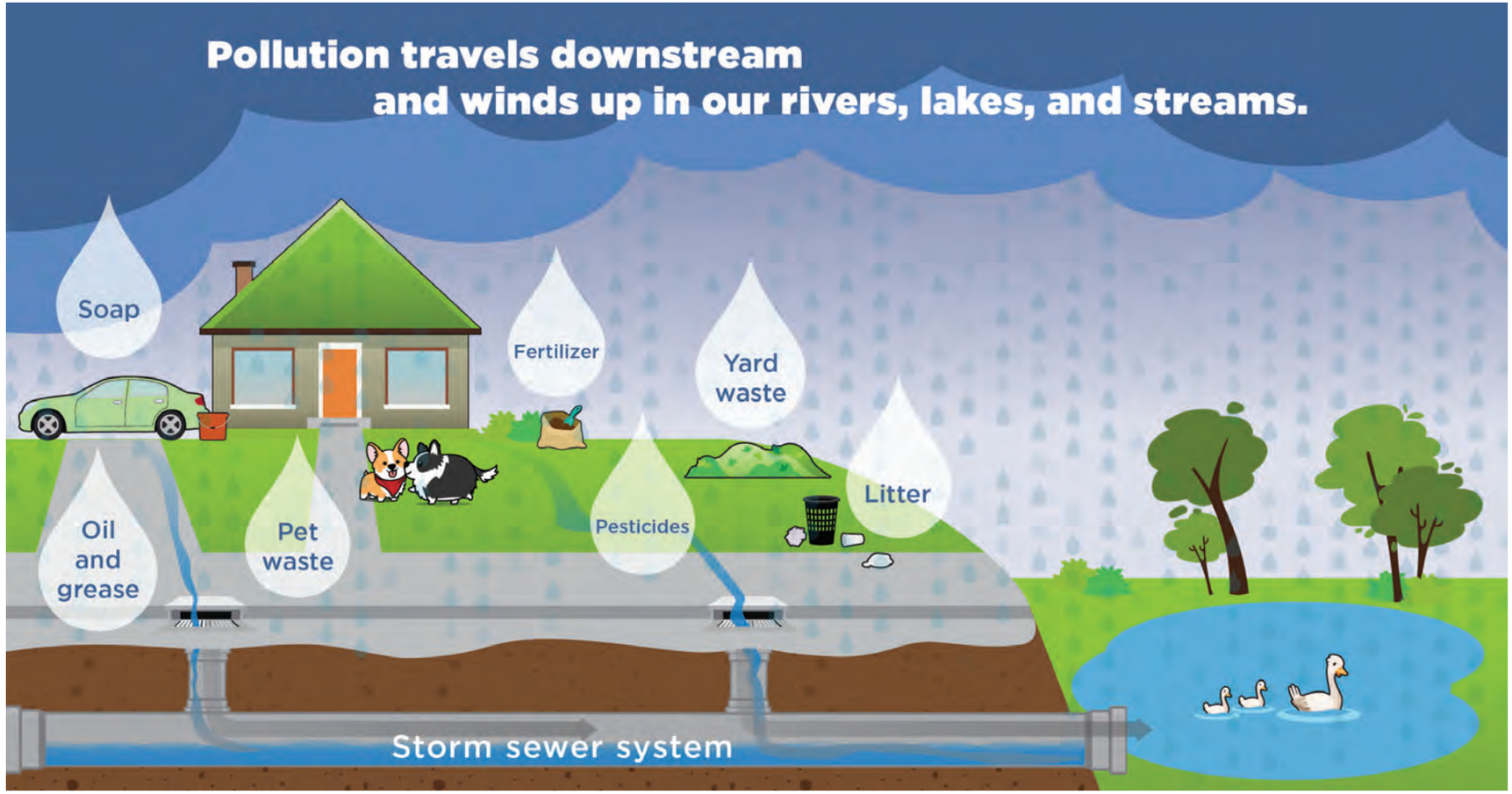
Know What Happens When It Rains

Have you ever watched water run down a gutter or pool on the side of the road during a storm? What happens to all the water? Most stormwater—the water from rain and snow—runs over the land and down a storm drain. The water flows through a network of underground pipes and open channels directly to our streams, rivers, and lakes. That's why keeping stormwater clean is vital to the health of our waterways, community, and even our economy.

KNOW WHAT'S IN THE FLOW

When water flows off our property after a storm, what's on our lawns, roads, buildings, and parking lots flows with it. The water that doesn't soak into the ground picks up oil, litter, fertilizer, and other unhealthy items along its way that wind up in our rivers, lakes, and streams.

Water pollution can start on your property in ways you cannot see, but that affect your health and the whole community downstream. Watching what we put in our storm drains and on our property makes our rivers, lakes, and streams cleaner, healthier, and more enjoyable. And by investing in solutions to manage stormwater, we help make our community a safer, greener, healthier, and more enjoyable place to live.



Stormwater is the water that flows over the ground after it rains, snows, or sleets. It can become polluted as it runs over hard surfaces and flows downstream.

You can support stormwater management projects in your community that both benefit the environment and bring value to the community. Local schools, parks, and private institutions can do a lot to reduce the impact from rainfall on rivers, lakes, and streams:

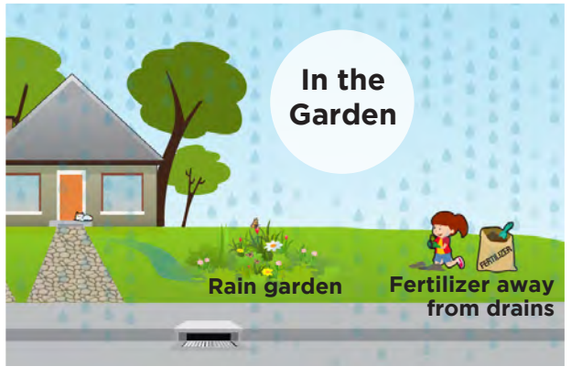
- Rain gardens and bioretention areas absorb rain before it runs into the street.
- Green roofs help keep water from running off buildings.
- Replacing walkways with pavement that is permeable allows water to soak into the ground.

While you're enjoying local parks and waterways, don't forget to do your part! Pick up after pets—and yourself—and never dump liquids down storm drains. We can all do our part to be stormwater smart!

BE STORMWATER SMART

Take Steps to Protect Our Waterways

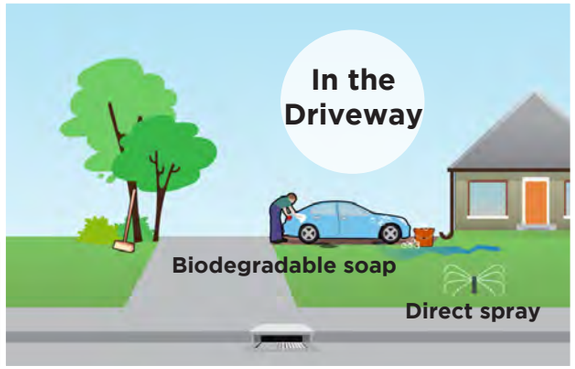
If you've been thinking about reducing your environmental footprint, you can take steps to decrease the amount of pollution that flows from your home into local waterways every time it rains. Known as stormwater, once rain or snow hits the ground, it can carry dirt, chemicals, and other pollutants downstream from your home and yard to the rivers and lakes in your community. Here are a just a few steps you can take to be stormwater smart at home:



In the Garden

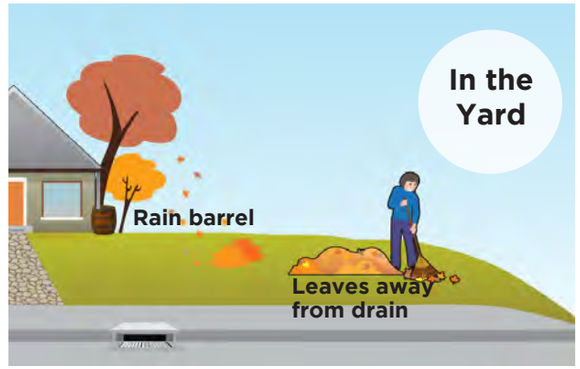
Rain is great for your lawn, but excess rain can run off from your yard and walkways into the street, where it flows from the storm drain into local rivers, lakes, or streams, taking any chemical you've applied with it.

- Apply fertilizers and pesticides carefully on your lawn or garden and not on pavement.
- Avoid using fertilizers and pesticides completely if rain is in the forecast.
- Consider installing a rain garden, which is a depressed area planted with grasses or perennials that collects stormwater.



In the Driveway

- Wash your car with biodegradable soap to avoid chemicals floating downstream, or visit a carwash.
- Direct water from downspouts and car washing to grassy areas, so it can soak into the ground rather than hit the pavement.
- Don't hose down your driveway and flush dirt down the storm drain.
- When watering your lawn, direct the spray toward your lawn and plants, not the pavement.
- Look for spots on the ground that indicate your car leaks oil or fluid. Don't let your leaks pollute!



In the Yard

- Use permeable pavers instead of hard stones or pavement in your yard to help water absorb into the ground.
- Don't rake leaves or yard clippings into the storm drain to avoid clogs and debris that could cause flooding.
- Install a rain barrel to help prevent rain from flowing into storm drains (and also save water for dry spells!).

On the Sidewalk

- Pick up pet waste and keep trash and dirty water away from pavement and storm drains, where it can contaminate stormwater that flows downstream.
- During colder weather, avoid oversalting your sidewalks and use an appropriate amount of deicer—a little goes a long way.
- Sweep sidewalks and put the debris in the trash.

DID YOU KNOW?

If you use a rain barrel to collect water for plants, you can keep your landscape green for free. Every time it rains, you'll collect water that can be used later! Check out www.epa.gov/watersense for more tips to save water!

You can support stormwater management projects in your city that both benefit the environment and bring value to the community. Local schools, parks, and public and private institutions can do a lot to reduce the impact from rainfall on rivers, lakes, and streams:

- Rain gardens and bioretention areas absorb rain before it runs into the street.
- Green roofs help keep water from running off buildings.
- Replacing walkways with pavement that is permeable allows water to soak into the ground.

Whether you're enjoying a park or at the waterfront, do your part! Put litter in trash cans, and never dump liquids down storm drains. We can all be stormwater smart!

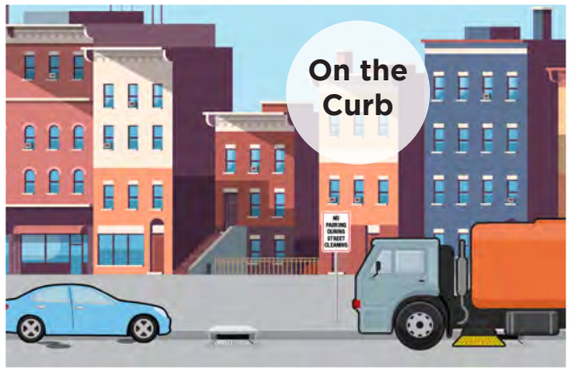
BE STORMWATER SMART

Take Steps to Protect Our Waterways

EPA

If you've been thinking about reducing your environmental footprint, you can take steps to decrease the amount of pollution that flows into local waterways every time it rains. Known as stormwater, once rain or snow hits the ground, it can pick up dirt, chemicals, and other pollutants and carry them downstream from your sidewalks, streets, and alleys to bodies of water in your community.

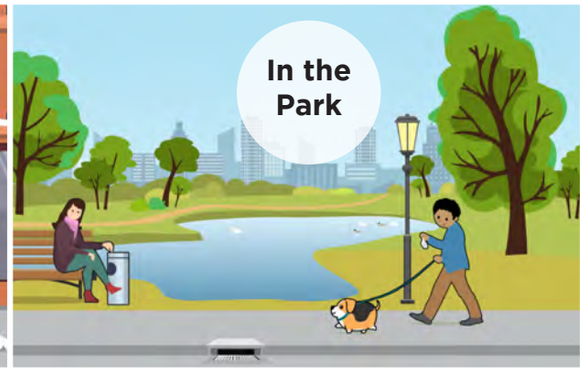
Rain is great for growing things in the city, but excess rain can run off from roofs, pavement, and other hard surfaces into the street, where it flows from the storm drain into local rivers, lakes, or streams, taking pollution from those surfaces with it. Here are just a few steps you can take to be stormwater smart, starting in your own neighborhood:



- If you park your car on the street, check for spots underneath it, which could be a sign of leaky oil or other fluids that can contaminate stormwater as it washes by. Don't let your leak pollute.
- Street sweeping is an important part of stormwater management; during posted sweeping hours, don't park your car on the street.

- Keep garbage cans covered to keep trash from blowing and avoid rainwater getting contaminated by your trash. Never dump garbage in alleys or gutters.
- Read the label to dispose of household chemicals and paints properly, and never dump them in the alley, on the sidewalk, or in the street.

- Keep raked leaves or yard clippings out of the storm drain to avoid clogs and debris that can reach waterways.
- Don't hose down sidewalks; that will flush dirt down through the storm drain system!
- During colder weather, avoid oversalting the sidewalk or use "green" deicer—a little goes a long way!



- Always pick up after your dog by putting waste in a bag and disposing it in an appropriate waste container, rather than dropping it in the storm drain.
- Never drop cigarette butts on the ground; put out cigarettes and drop the butts in a proper receptacle or trash can.
- Always put trash in its place and keep it away from storm drains.

DID YOU KNOW?

Everything you put on the ground can possibly contaminate local water bodies and affect public health.

STORMWATER SMART AUTO SHOPS

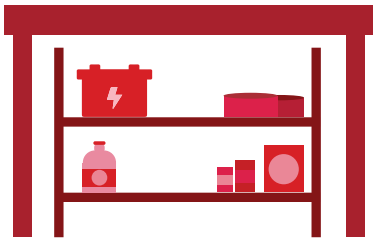
When water from rain, snow, or sleet flows over the ground, it's called "stormwater." Stormwater can pick up paint, chemicals, antifreeze, and oil from vehicles in your parking lot. And when that stormwater flows into street gutters, storm drains, and downstream, it can pollute rivers, lakes, and streams. Follow these simple pollution solutions to help keep local waterways clean and healthy!

DITCH THE HOSE

Use special oil-absorbing towels or other materials to clean up oil or other fluid from cars instead of hosing it off and dispose of them properly.

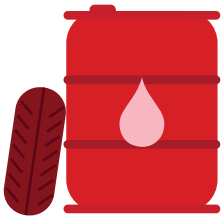
CATCH EVERY DROP

Always use drip pans when changing motor oil to ensure fluids do not leak onto hard surfaces and run into storm drains. Never dump fluids from vehicles down storm drains! Engine oil and sludge can clog drains and pollute our water.



STORE STUFF SAFELY

Keep equipment, car parts, batteries, used oil filters, and liquids indoors in a dry, covered place so rain cannot wash pollutants down the drain.

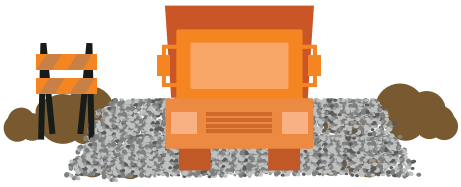


DISPOSE RESPONSIBLY

Dispose of used oil, antifreeze, solvents, filters, tires, and batteries properly to keep pollution out of waterways.

STORMWATER SMART CONSTRUCTION SITES

When water from rain, snow, or sleet flows over the ground it's called "stormwater." Stormwater can pick up sediment, chemicals, and oil as it travels over the ground on your job site. And when that stormwater flows into street gutters, storm drains, and downstream, it can pollute rivers, lakes, and streams. Follow these simple pollution solutions to help keep local waterways clean and healthy!

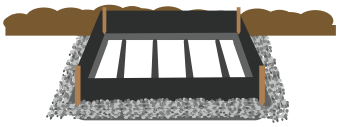


STOP MUD IN ITS TRACKS

Sediment clogs drains and pollutes stormwater. Install and maintain a pad at the construction entrance so vehicles don't track mud and dirt onto roads.

FENCE IN THE FLOW

Install silt fences or other barriers on the downhill portion of construction sites and soil stockpiles to prevent rain from washing soil and sediment downstream.



KEEP INLETS CLEAN

Install inlet protection around storm drains to keep loose sediment and muddy water out of storm sewer pipes.

STORE STUFF SAFELY

Keep paint, fuel, and chemicals in dry, covered storage areas. Properly dispose of these liquids in designated areas and use concrete washout areas for concrete waste.

STORMWATER SMART
CONSTRUCTION IN YOUR NEIGHBORHOOD

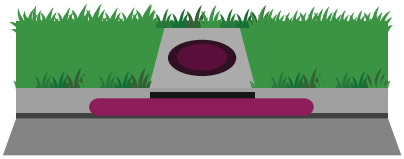
When water from rain, snow, or sleet flows over the ground, it becomes "stormwater." When stormwater flows through a construction site, it can pick up sediment, oil, and chemicals and carry them downstream to local water bodies. That's why it's important for construction sites to protect the community by putting up special fences, barriers, and truck pads to prevent pollution in our rivers, lakes, and streams.

THE MUD STOPS HERE

Construction entrances should have a pad that keeps mud off the street. Muddy tracks coming out of a site could mean chemicals, dust, and debris will be washed into the storm drain the next time it rains.

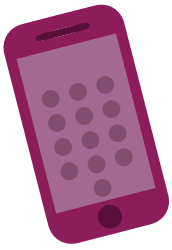
GOOD FENCES MAKE CLEAN NEIGHBORS

A fence or other barrier should be installed that keeps soil and construction debris from washing downstream from the site when it rains, especially sites on a slope or those with dirt piles.



PROTECT THE PIPES

All storm drains near a construction site should have a protective barrier around them to prevent debris and muddy water from entering storm sewer pipes.

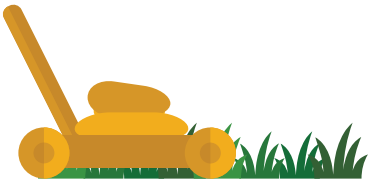


SOMETHING LOOK WRONG? CALL!

If you see muddy water, chemicals, dirt, or any water that seems polluted flowing from a construction site in your neighborhood, call your local government office that handles construction permits.

STORMWATER SMART LAWN CARE

When water from rain, snow, or sleet flows over the ground, it's called "stormwater." Stormwater can pick up debris, litter, fertilizer, and pesticides used for lawn care. And when that stormwater flows into street gutters, storm drains, and downstream, it can pollute rivers, lakes, and streams. Follow these simple pollution solutions to help keep local waterways clean and healthy!



DON'T MOW TOO LOW

Only remove 1/3 of the grass blade height and leave clippings on lawn to allow nutrients to return to the soil—they act as a natural fertilizer!

CAREFUL WITH CHEMICALS

Read the label when applying pesticides and fertilizers, use them sparingly, and avoid applying them to pavement. When there is rain in the forecast, any chemicals you apply can wash downstream.

ONLY RAIN IN THE DRAIN

Don't rake, sweep, or hose debris down the storm drains. Leaves, yard clippings, and trash can clog storm pipes, causing floods and polluted waterways.

CURB YOUR WATER WASTE

Direct sprinklers toward the lawn and away from pavement to save water and keep chemicals and debris out of storm drains. Check out www.epa.gov/watersense for more tips to save water!

STORMWATER SMART PARKING LOTS

When water from rain, snow, or sleet flows over the ground, it's called "stormwater." Stormwater can pick up litter and oil from vehicles in your parking lot. And when that stormwater flows into street gutters, storm drains, and downstream, it can pollute rivers, lakes, and streams. Follow these simple pollution solutions to help keep local waterways clean and healthy!

CONTAIN THE RAIN

Add plants and incorporate green infrastructure, such rain gardens, permeable pavement, and trees, to help soak stormwater into the ground where it falls.

MOP IT UP

Use special oil-absorbing towels or other materials to clean up oil and fluid leaks from cars and dispose of them properly.

CUT BACK ON SALT

A little salt goes a long way. Don't put too much on parking lots and sidewalks. Never salt hard surfaces if rain is in the forecast, or if temperatures aren't going to freeze.

LOSE THE LITTER

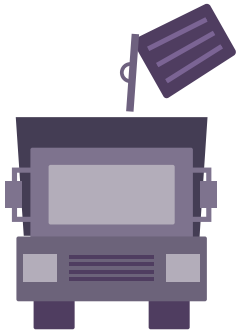
Always keep parking lots free from litter and debris. Trash can clog drains and contaminate water.

STORMWATER SMART RESTAURANTS

When water from rain, snow, or sleet flows over the ground, it's called "stormwater." Stormwater can pick up grease, oil, or litter from restaurant parking lots or alleys. And when that stormwater flows into street gutters, storm drains, and downstream, it can pollute rivers, lakes, and streams. Follow these simple pollution solutions to help keep local waterways clean and healthy!

PUT WASTE IN A BIN

Grease and oils can clog pipes and pollute our water. Make sure grease is thrown away in used oil containers and grease traps or recycled, and all food waste goes into trash cans or containers with tops.



AVOID OVERFLOWS

Keep outdoor waste containers away from drains, and make sure they are emptied or collected regularly to avoid overflows.

KEEP A LID ON IT

Remember to close lids tightly on outdoor containers and grease traps, so the rain does not wash waste into the storm drain.

WIPE IT UP

If you spill oil or grease outside, soak it up with absorbent materials. Sweep up trash and food scraps, then dispose in a garbage can.

Stormwater Best Management Practice

Developing a Used Oil Recycling Program

Minimum Measure: Illicit Discharge Detection and Elimination
Subcategory: Trash and Illegal Dumping

Description

Used motor oil is a hazardous waste that contains heavy metals, contaminants and dirt filtered or discarded from engines. It is toxic to humans, wildlife and plants—which means anyone using it should store it and dispose of it properly.

More specifically, the user should:

- Never dump used motor oil in a landfill or down a drain.
- Store the oil in a plastic or metal container with a secure lid.
- Never use containers that previously stored bleach, gasoline, paint, solvents or other household chemicals for used motor oil.
- Never mix used motor oil with other substances such as antifreeze, pesticides or paint stripper.
- Dispose of it at a local recycling or disposal facility.

Fortunately, it is sometimes possible to recycle or reuse used motor oil. In the United States, recyclers handle an estimated 380 million gallons of used oil every year (U.S. EPA, 2019), marketing it to asphalt plants, steel mills, boilers, pulp and paper mills, cement/lime kilns, and a number of other places. Furnaces can burn reprocessed motor oil for heat, and power plants and industrial burners can use it as fuel. Recyclers can blend motor oil for marine fuels, mix it with asphalts for paving, or re-refine it into lubricating oils that meet the same standards as new oil. It takes only 1 gallon of used oil to produce two-and-a-half quarts of high-quality lubricating oil, thus reducing demand for new crude oil (U.S. EPA, 2019).To encourage proper disposal and recycling of used oil, municipalities can establish an oil recycling program. When establishing oil recycling programs, municipalities should provide the public with informational resources, including drop-off locations and hours of operation. The public can look up nearby recycling centers on Earth 911's website. For more information, visit EPA's managing, reusing, and recycling webpage.

Providing communities with easily accessible methods to properly dispose of used oil is critical to protecting stormwater quality.

Applicability

All states and communities that seek to protect their local environment and public health can benefit from oil recycling programs. Urban areas may find them especially useful, because vehicles are the most common source of used motor oil—and urban areas have more vehicles, so they generate more used oil.

Implementation

A wide variety of businesses generate and handle used oil. But used oil recycling is still uncommon: for example, Florida recycles only 35 percent of the more than 7 million gallons of motor oil sold there each year (FDEP, 2019). Title 40 of the Code of Federal Regulations part 279 details EPA's used oil management standards. These standards highlight good housekeeping requirements and essential information that businesses can use to manage and implement a used oil recycling program while protecting human health and the environment.

State statutes often have built-in oil programs, providing the framework and in some cases the funding to encourage the collection and recycling of used oil. Most legislation also contains a component that requires

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educating the public about oil recycling. The American Legislative Exchange Council has developed a model used oil collection act, which provides incentives to increase the number of certified collection facilities for used oil.

Two types of local-level oil recycling programs currently exist: drop-off locations and curbside collection. A drop-off location is a designated spot or business in the community where residents can bring their used oil: for example, a service station, recycling center, auto parts retail store, quick lube or landfill. These locations are effective because they are familiar, permanent, conveniently located and abundant in most communities. In curbside collection, a municipality or waste collection service allows residents to leave oil at the curbside in an approved container, either on a designated day or upon request. Local or state governments can implement recycling programs through mandate; service stations, quick lubes, auto parts retailers, oil processors or any combination of the above can also implement them independently.

Increasing Public Awareness

Communities should increase public awareness of how to properly dispose of and recycle used oil. They can achieve this by using Web sites or social media or by displaying used oil collection signs in automobile repair shops and auto parts stores. Communities should educate the public on the part they can play in recycling used oil. For example, when getting an oil change (at a service station, quick lube, etc.), a driver should check if their mechanic recycles motor oil. Home mechanics should always take used motor oil to a recycling center. To make recycling motor oil more convenient for the home mechanic, oil recycling programs should put recycling locations in convenient places throughout communities (e.g., auto parts stores, local recycling centers).

In 1991, the American Petroleum Institute (API) established a used oil collection and recycling program. The program educates the public about collecting and recycling used oil, making oil collection more convenient, and handling this valuable resource appropriately. See API's Used Motor Oil Program Web site for more information.

Local Recycling Programs

Many states, cities and communities have developed their own recycling programs. Communities can use existing used oil programs around the country as models when developing their own programs. For example, San Diego, California, and Kansas City, Missouri, have both developed successful oil recycling programs. In addition, CalRecycle, a California state program, provides monetary incentives for development and maintenance of local collection programs, as well as grants for research and demonstration projects. CalRecycle uses a statewide network of collection opportunities and outreach efforts to publicize and encourage used oil recycling. The program provides information including collection locations, certification information, proposed regulations, used oil facts and other resources. For more information, visit the CalRecycle Used Oil Recycling Program Web site.

Benefits

Recycling used motor oil benefits the environment, public health and the economy. Improperly disposing of oil in landfills, ditches and waterways, or dumping it on the ground or down storm sewers, can cause it to migrate into surface water and groundwater. Below are some statistics that may help educate residents about the benefits of oil recycling and the impacts from improper disposal:

- The annual demand for lube oil in the United States is around 2.5 billion gallons, including 1.5 billion gallons of automotive lubricating oils (DOE, 2006).
- The United States recycles around 1 billion gallons of used oil each year (DOE, 2006).
- The United States improperly disposes of an estimated 350 million gallons of used oil each year (DOE, 2006)
- In 2004, vendors sold 150 million gallons of lubricating oil in California. About 60 percent of the oil was recycled; an estimated 20 to 40 percent of the remainder was combusted or leaked (CalEPA, 2006).

Limitations

The potential for contamination sets a constraint on oil recycling. Oil is a hazardous waste when mixed with other substances, such as chemical residues in storage

containers. In such cases, collection facilities should dispose of it in keeping with applicable environmental regulations (including, potentially, the Resource Conservation and Recovery Act).

Another limitation is public education. While oil recycling programs can be effective, it is often difficult to effectively educate and inform the public about oil drop-off locations. Municipalities can address this limitation by including recycling information in utility bill inserts, on community Web sites and newsletters, and in newspaper ads and mailings.

Effectiveness

The effectiveness of a used oil recycling program is difficult to quantify as there is little quantitative information to draw upon. A University of California Berkeley study tracked the annual volume of oil recycled in California from 2007 to 2012 and found that, on average, consumers recycled 70 percent of the oil sold in the state. However, each year saw a general decrease in the amount of oil recycled, indicating the importance of increased outreach and education (Kuczenski et al., 2014). A national report by the U.S. Department of Energy also attempted to quantify used oil disposal and recycle patterns. The authors found that, from 1996 to 2004, fewer people were changing their own oil and more were relying on "do it for me" outlets such as quick lube shops, garages and auto dealerships, suggesting less chance of improper disposal by "do it yourself" (DIY) consumers (DOE, 2006). They also reviewed data from individual states and concluded, qualitatively, that there had been improvements in DIY oil changers behavior but that improper disposal was still common. Communities can reduce improper disposal by providing information on recycling facilities, making recycling more convenient for the public and continuing public education.

Costs

Costs for used motor oil recycling programs vary depending on whether a community has already established similar programs. Major costs include advertising and oil collection. CalRecycle funds its statewide program through a 24-cent-per-gallon fee added to the sale of lubricating oil throughout California (CalRecycle, 2020). While service stations and collection facilities often allow the public to drop off their oil free of charge, these facilities need to pay a recovery service to collect and dispose of the accumulated oil.

Costs for programs also vary depending on whether they use curbside pickup or drop-off facilities. For example, Boulder County, Colorado, charges businesses $0.11 a pound to drop off used oil at the county hazardous waste facility (Boulder County, 2020). Local recovery services can offer more specific information about oil collection fees and services available.

Additional Information

Additional information on related practices and the Phase II MS4 program can be found at EPA's National Menu of Best Management Practices (BMPs) for Stormwater website

Stormwater Best Management Practice

Illicit Discharge Detection and Elimination Program Development

Minimum Measure: Illicit Discharge Detection and Elimination and the Subcategory
Subcategory: Developing an IDDE Program

Description

Illicit discharges generally include any discharge into a municipal separate storm sewer system (MS4) permitted storm drain that does not consist entirely of stormwater. Illicit discharges are a problem because, unlike wastewater that flows to a treatment plant, stormwater generally flows to waterways without any additional treatment. Illicit discharges can contain pathogens, nutrients and various toxic chemicals. Common examples of illicit discharges include concrete or paint washout, waste from restaurants and mechanics, trash, and sewage.

Exceptions are referred to as "allowable discharges," and each MS4's permit outlines them. They typically include water from firefighting activities and residential car washes, potable water, and discharges from facilities already under a National Pollutant Discharge Elimination System permit.

Program Development

MS4s need to develop an illicit discharge detection and elimination (IDDE) program, which primarily includes creating:

- Storm sewer system maps
- Ordinances prohibiting illicit discharges
- Inspection and enforcement programs
- Education programs on the hazards associated with illicit discharges
- Plans to detect and address illicit discharges

As the name "IDDE" suggests, detecting and addressing illicit discharges are the main goals of an IDDE program. Illicit discharges have two modes of entry into the MS4: direct or indirect entry. Direct entry means the source connects directly to the MS4 through a pipe or drain-type conveyance. Examples of direct discharges are sanitary sewer cross connections or straight pipes intentionally connected to the MS4. Indirect entry occurs when the source of the illicit discharge flows into the MS4 via storm drain inlets or infiltration through cracks or joints in the storm sewer network. Indirect entry is far more common than direct entry. Examples of sources of indirect entry include failing septic systems, sanitary sewer overflows, groundwater seepage, spills and dumping, irrigation, and washing activities. The *Illicit Discharge Detection and Elimination* guidance manual (see link below) contains additional information.

Potential illicit discharge flowing out of a concrete outfall. Confirming an illicit discharge may require sampling or other investigative methods to determine the pollutant and responsible party.

Credit: Photo by Pikrepo

Sewage has the greatest potential to produce direct illicit discharges within any urban sub-watershed, regardless of the diverse land uses that the sub-watershed comprises. The most common sewage-related direct discharges are broken sanitary sewer lines, cross connections and straight pipe discharges. There are a variety of techniques to locate and eliminate illegal sewage connections, including tracing sewage flows from the stream or outfall back up the sewer system or conveyances to reach the problem connection. Sewage can also be linked to significant indirect illicit discharges in the form of sanitary sewer overflows, sewage infiltration/inflow and sewage dumping from recreational vehicles.

An effective IDDE program should be proactive to prevent and eliminate illicit discharges through

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education, training and enforcement. However, the program should also be reactive to address any spills and other illicit discharges to the storm drain system that it detects.

It is also important for MS4s to develop the program to match the needs and concerns of the local community. MS4s typically have flexibility to implement their IDDE programs to address community-specific problems while meeting the specific permit requirements.

EPA developed several documents for MS4s working to develop an IDDE program and to address non-stormwater discharges in their community:

- *Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments* is a comprehensive manual outlining practical, low-cost and effective techniques for stormwater program managers and practitioners. The guidelines include details on creating and managing other aspects of an IDDE program, timelines that estimate how long program implementation will take, information on estimating program costs in terms of capital and personnel expenses, and types of testing to detect stormwater illicit discharges. This manual provides valuable guidance for communities and others seeking to establish IDDE programs.

- EPA's stormwater *Phase II fact sheet on the IDDE minimum control measure* provides examples of illicit discharges and general guidance for developing an IDDE program's framework. This fact sheet provides helpful guidance for new programs and/or staff looking to start an IDDE program.
- EPA's Trash-Free Waters Web site and *Aquatic Trash Prevention National Great Practices Compendium* are useful resources for educating the public about impacts and ways to prevent trash from entering waterbodies. The compendium highlights outstanding activities, technologies and programs that prevent trash from entering the aquatic environment and/or that reduce the overall volume of trash generation.
- EPA produced the Illegal Dumping Control fact sheet to give communities a toolkit of effective practices for combating illegal dumping. The fact sheet discusses the importance of not only abatement and enforcement, but also public education and providing bulk trash pickup services.
- EPA developed a fact sheet on controlling non-stormwater discharges to the storm drain system. This fact sheet provides information on the potential environmental and public health concerns associated with non-stormwater discharges and means to detect and eliminate any non-stormwater discharges, such as sewage or process water discharges.
- *Community Solutions for Voluntary Long-Term Stormwater Planning* describes how to develop a comprehensive long-term community stormwater plan that integrates stormwater management with a community's broader plans for economic development, infrastructure investment and environmental compliance. Through this approach, communities can prioritize actions related to stormwater management as part of capital improvement plans, integrated plans, master plans or other planning efforts.
- EPA developed an integrated planning framework that offers a voluntary opportunity for a municipality to develop an integrated plan to meet multiple Clean Water Act requirements. An integrated plan is a process that identifies efficiencies from separate wastewater and stormwater programs to best prioritize capital investments and achieve our human health and water quality objectives. This approach can also lead to more sustainable and comprehensive solutions, such as green infrastructure, that improve water quality and provide multiple benefits that enhance community vitality.
- EPA provides illicit discharge ordinances as examples for local governments. They include language to address general illicit discharges, as well as illicit connections from industrial sites. EPA borrowed the language from a number of ordinances, and communities will need to assess what enforcement methods are appropriate for their areas.

- EPA has developed fact sheets to help communities address cross-contamination of stormwater with wastewater. Wastewater can impact stormwater quality through sanitary sewer overflows, cross connections, and failing or improperly maintained septic systems.

Other Online Stormwater Resources

There are many successful IDDE programs around the country. Newly developed or established programs looking to expand their capabilities should look to other programs' successes to continue to build on existing techniques and methods. Examples of municipal IDDE programs include the following:

- Berkeley County, South Carolina, has developed extensive guidance and multiple methods for the public to report illicit discharges, including a phone number, email address and social media accounts.
- King County, Washington, has developed a source-tracing guidance manual that outlines how municipal staff respond to observed and reported illicit discharges.

Many local governments and watershed groups have developed fact sheets for businesses that have high potential to create illicit discharges. One such example is the Keep It Clean Partnership—a coalition of Phase II MS4s in Boulder County, Colorado—which developed industry-specific fact sheets explaining how local businesses can best manage restaurants, pressure washers, landscapers, carpet cleaners and car washes to protect local waterways.

IDDE Best Management Practice Fact Sheets

EPA has developed the following fact sheets, which describe best management practices and generally provide applicability, implementation and effectiveness information to help municipal stormwater and construction site operators comply with the stormwater Phase II requirements.

Developing an IDDE Program

- Preventing Stormwater Contamination from Sanitary Sewage

Trash and Illegal Dumping

- Developing a Used Oil Recycling Program
- Illegal Dumping Control

Decentralized Wastewater

- Preventing Stormwater Contamination from Septic System Failure

Public Reporting

- Community Hotlines

Additional Information

Additional information on related practices and the Phase II MS4 program can be found at EPA's National Menu of Best Management Practices (BMPs) for Stormwater website

Disclaimer

This fact sheet is intended to be used for informational purposes only. These examples and references are not intended to be comprehensive and do not preclude the use of other technically sound practices. State or local requirements may apply.

United States Environmental Protection Agency

How to Dispose of Medicines Properly

DON'T: Flush expired or unwanted prescription and over-the-counter drugs down the toilet or drain unless the label or accompanying patient information specifically instructs you to do so.

DO: Return unwanted or expired prescription and over-the-counter drugs to a drug take-back program or follow the steps for household disposal below.

1ST CHOICE: DRUG TAKE-BACK EVENTS

To dispose of prescription and over-the-counter drugs, call your city or county government's household trash and recycling service and ask if a drug take-back program is available in your community. Some counties hold household hazardous waste collection days, where prescription and over-the-counter drugs are accepted at a central location for proper disposal.

Courtesy: Upper Watauga Riverkeeper and Appalachian Voices

Drug Take-Back Event

2ND CHOICE: HOUSEHOLD DISPOSAL STEPS*

1. Take your prescription drugs out of their original containers.

2. Mix drugs with an undesirable substance, such as cat litter or used coffee grounds.

3. Put the mixture into a disposable container with a lid, such as an empty margarine tub, or into a sealable bag.

4. Conceal or remove any personal information, including Rx number, on the empty containers by covering it with permanent marker or duct tape, or by scratching it off.

5. The sealed container with the drug mixture, and the empty drug containers, can now be placed in the trash.

* Drug Disposal Guidelines, Office of National Drug Control Policy, October 2009

APPENDIX 14

Third Party Certifications/ Agreements with Entities assisting in Permit Implementation

2024 VILLAGE ENGINEERING CONTRACT

AGREEMENT made this 2 day of April, 2024, between the INC. VILLAGE OF ISLANDIA, with its principal offices at 1100 Old Nichols Road, Islandia, New York 11749, (hereinafter referred to as "Village"), and CASHIN ASSOCIATES, P.C., with its principal offices at 1200 Veterans Memorial Highway, Suite 200, Hauppauge, New York 11788, (hereinafter referred to as "Engineer"),

W I T N E S S E T H

That in consideration of the covenants and agreements herein contained, to be performed by the parties hereto, and of the payments hereinafter agreed to be made, it is mutually agreed as follows:

ARTICLE I

SCOPE OF WORK

1. The Village agrees to and hereby does retain and employ the Engineer. The Engineer agrees to perform the following services at the direction of the Village, pursuant to Village Board of Trustees resolution of April 2 2024.

2. The Engineer shall maintain a full range of consulting municipal engineering personnel and municipal engineering services. All services shall be performed by, or directly under, the supervision of appropriately licensed personnel.

3. The engineering services to be supplied by the Engineer shall include, but not be limited to the following:

a. Attendance at meetings as directed.

b. Analyses, investigation, site visites, reports, correspondance, support documentation, recommandations.

c. Environmental review and analyses.

d. Preliminary design, final design, bid review, construction supervision.

e. Provide technical assistance and/or engineering personnel for supplementation of Village departmental staffs when required.

f. When deemed necessary by the Village Board, work products shall also be submitted in electronic media form in an approved CADD or word processing format.

4. When requested by the Village, the Engineer shall submit a project proposal detailing the scope of engineering services to be provided, matrix of technical labor to be expended, schedule of services including milestone dates, and maximum cost not to be exceeded. No work is to be undertaken by the Engineer until the Engineer receives a fully executed Engineering Requisition Form approved by the Village Board. In the case where no project proposal is requested by the Village, work is to be undertaken by the Engineer only upon a written Notice to Proceed by the Village.

5. The Village shall be deemed to have all of the right, title and ownership to all of the Engineer's plans, specifications and work product for each particular project. Said work product shall be deemed to include, but not be limited to, preliminary, intermediate and final designs, plans, specifications, bidding documents, all drawings including as-built drawings and reports. Drawings and reports in electronic media form such as CADD and word processing shall be included.

6. The Village shall be deemed the owner of any and all proprietary rights, copyrights and/or patents for any and all work performed for the Village by the Engineer, which shall be deemed to include, but not be limited to, any plans, specifications, publications, systems, processes, and/or buildings.

7. The Engineer warrants and represents that any and all work done pursuant to this Agreement is that of the Engineer, and not that of any other Engineer, except, as to any and all

consultants which it has retained for a particular project. The Engineer further warrants and represents that it has secured legally sufficient and appropriate permission, including but not limited to licensing rights, as to any and all work to be performed pursuant to this Agreement.

8. The Engineer warrants and represents that any and all work performed by said Engineer for each and every particular project will be fit for the particular purpose of said project. Furthermore, the Engineer realizes that the Village is relying upon the Engineer's general skill, expertise and professional judgment in the performance of said Engineer's work.

9. The Engineer must receive written approval from the Village Board before engaging special consultants, subcontractors or professional services.

ARTICLE II

PROVISION FOR PAYMENT

10. The Village shall pay the Engineer the following fee for basic services described under ARTICLE I, SCOPE OF WORK, of this Agreement:

a. Hourly fees in accordance with the Fee Schedule attached hereto and made a part hereof. The Fee Schedule shall remain in effect until April 5, 2025.

i) Principals, partners or officers, as the case may be, shall be a straight hourly rate not to exceed $180.00 per hour.

ii) All other professional personnel shall be paid according to the hourly billing rate as stated in the Fee Schedule.

iii) All other non-professional personnel in the Engineer's firm not expressly defined above, such as and including but not limited to stenographic, typing, clerical and reproduction personnel, receptionists, contract specialists, technical writers and typists, librarians and other similar personnel shall be deemed included together with fringe benefits and other

overhead in the billing rates under i) and ii) above, and the Engineer shall not bill for these functions separately under the aforestated provisions.

b) The Fee Schedule shall include the preparation and submission to the Village of the following:

i) 10 copies of project plans and specifications suitable for bid purposes.

- OR -

ii) 10 copies of project reports. Costs for additional copies or added reproduction must receive written approval from the Village Board and will be reimbursed as per Article II, Section (c).

c) In addition to the above-mentioned charges, the Engineer shall be reimbursed for actual invoice cost plus a service charge of 5% on the following:

i) Subcontractors, as provided for under Paragraph 9 of this Agreement.

ii) Non-local travel expenses which are approved by the appropriate Village official, and which in the Village official's opinion exceeds those to be anticipated in the routine, day-to-day accomplishment of the assigned tasks. Automobile mileage in such category shall be reimbursed at the established Village of Islandia rate.

iii) Any costs other than those expressly stipulated in Paragraph 10(b) (i) or 10(b) (ii). Non-billable items shall include, but not be limited to, drafting supplies, stenographic supplies, photocopy costs, postage (including express delivery services except where authorized by the Village), typing and word processing costs.

d) The records and files of the Engineer pertaining to this contract shall be subject to audit by the Village.

11. Requests for payment for professional services under this contract shall be submitted by the Engineer on a monthly basis no later than thirty (30) days from the calendar month being billed; e.g., bills for work done in January shall be submitted no later than February. Requests for payment shall be in the form required by the Village Board including, but not limited to, supporting backup material containing employees names, titles, dates and number of hours worked and brief description of the work performed. Payment shall be due the Engineer within sixty (60) days of receipt of said statement by the Village.

ARTICLE III

TERM OF CONTRACT

12. This Agreement shall be deemed effective when executed by both parties and terminate on April 5, 2025 except as provided in this Agreement.

13. This Agreement may be terminated at any time by the Village. In the event of termination, the only obligation to the Engineer shall be for services and costs incurred to the date of receipt by the Engineer of a notice of termination. Notice shall be given in accordance with the Notices provision of this Agreement. In accordance with paragraph 6 of this Agreement, should this Agreement be terminated in accordance with this paragraph 13, and upon payment by the Village to the Engineer for the services stipulated in this paragraph 13, the Engineer shall immediately provide the Village with the documents stipulated in paragraph 6 of this Agreement.

ARTICLE IV

INSURANCE

14. The Engineer shall procure and maintain at its own cost and expense Professional Errors and Omissions Insurance coverage of at least One Million Dollars ($1,000,000.00) per occurrence and such public liability and other insurance as will protect the Village, its officers, employees and the people of the Village of Islandia from any claim or claims for damages to

property and for bodily injury and personal injury, including death, which may arise from or relate to the terms and conditions of this Agreement. Said policies or certificates of insurance shall be delivered to the Village with full premiums paid, and shall be subject to the approval of the Village Attorney for adequacy and form of protection. Said certificates shall name the Village, its officers and employees as additional insureds. The insurance provided shall include the following:

1. Comprehensive general liability on an occurrence basis:
    a) General aggregate - $2,000,000.00
    b) Products completed, operations aggregate - $2,000,000.00
    c) Personal and advertising injury - $2,000,000.00
    d) Each occurrence - $1,000,000.00
    e) Fire damage - $50,000.00
    f) Medical expense (any one person) - $5,000.00

    The foregoing aggregate limits shall apply on a per project basis.
2. Automobile Liability:
    a) Any auto coverage - $1,000,000.00
    b) Hired autos - $1,000,000.00
    c) Non-owned auto coverage - $1,000,000.00
3. Workers' Compensation Insurance and Employer Liability
    a) Each accident - $100,000.00
    b) Disease - policy limit $500,000.00
    c) Disease - each employee $100,000.00
4. Disability Benefits - Liability (Statutory requirements)
5. Owners/Contractors Protective Liability - $2,000,000.00 naming the Village of Islandia as the sole insured.

The Village Clerk of the Village of Islandia shall be the stipulated recipient of said Certificate of Insurance. It shall be further stipulated thereon that the Village Clerk shall be given at least thirty (30) days notice of cancellation of said coverage.

15. The Engineer expressly agrees that it shall protect, defend, pay, indemnify and hold harmless, the Village of Islandia, its officers, employees, agents, servants, and/or independent contractors, from and against any and all claims, actions, suits, arbitrations, judgments and/or executions, plus attorney's fees, for any act or failure to act of the Engineer and/or liability arising under this Agreement, which shall be deemed to include, but not be limited to, bodily injury, personal injury, wrongful death, property damages, any and all professional errors and omissions, and any matters pertaining to royalties, licensing, patent infringement, and/or copyright infringement. This paragraph 15 shall be deemed to take effect when the Engineer first performs work for the Village, and shall be deemed to survive the termination, expiration, and/or renewals of this Agreement until the latter of either the running of the applicable statute of limitations, or the final resolution of any outstanding claims, actions, suits, liens, judgments and/or executions.

ARTICLE V

NOTICES

16. Any notice given under this Agreement shall be deemed given upon receipt when sent certified mail, return receipt requested, to the following addresses:

INC. VILLAGE OF ISLANDIA
1100 Old Nichols Road
Islandia, New York 11749

Attention: Islandia Village Clerk

and such other Village departments or individuals that the Village of Islandia subsequently designates in writing to receive notice in addition to the Village Attorney.

ARTICLE VI

APPROVAL

17. The Engineer agrees to report on a regular basis, and as often as necessary, to the appropriate Village official responsible for a particular project. Any work done under the particular project shall be subject to the approval and to the satisfaction of the appropriate Village official and the Village Board of Trustees of the Village of Islandia. It is a specific obligation of the Engineer to obtain all applicable permits, certificates of occupancy and certificates of compliance for any Village of Islandia building or improvement to a Village of Islandia building. No such permit shall be applied for without prior approval of the Village Attorney. Final payment shall be contingent upon the issuance of the appropriate certificates where applicable.

ARTICLE VII

MISCELLANEOUS

18. This Agreement shall be deemed personal and non-assignable by either party. Furthermore, this Agreement is solely for the benefit of the parties hereto, and not for the benefit of any third parties. No persons other than the parties hereto shall have a right to sue, or claim any rights under this Agreement.

19. If any term, provision, or portion of any provision of this Agreement shall be deemed illegal, invalid and/or non-enforceable, the remainder of this Agreement shall be deemed to remain valid and shall be enforced to the fullest extent permitted by law.

20. The Engineer agrees that this Agreement shall not be pledged, hypothecated or used as security for a loan.

21. On behalf of the Village, the Engineer shall comply with all Federal, State, County, Town, and Village statutes, laws, ordinances, codes, rules and/or regulations which pertain to the Engineer's work under this Agreement.

22. Any waiver by the Village of any term, condition, covenant and/or provision of this Agreement shall not be deemed as a waiver at any time thereafter of the same or any other term, condition, covenant and/or provision of this Agreement. Moreover, a failure by the Village to assert any right or privilege, shall not be deemed a waiver or relinquishment thereof. Except as otherwise expressly provided herein, any rights and powers of the Village shall be deemed cumulative, and no one of them shall be deemed exclusive of any other remedy provided by law, and exercise of any one, shall not impair the right to exercise the other.

23. This Agreement shall be construed pursuant to the laws of the State of New York.

24. The foregoing Agreement embodies the entire agreement between the parties with respect to the subject matter stipulated herein. It shall not be changed or modified, except in writing, and executed by both parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed by their respectively authorized representatives and their seals to be affixed hereto as of the day and year first set forth above.

INC. VILLAGE OF ISLANDIA

By:_____

CASHIN ASSOCIATES, P.C.

By:_____

STATE OF NEW YORK)
) SS.:
COUNTY OF SUFFOLK)

On the 2 day of April , 2024, before me personally appeared Allan M Dorman , to me known, who being by me duly sworn, did depose and say that he resides at 208 Sampson Ave Islandia N.Y; that he is the Mayor of the INC. VILLAGE OF ISLANDIA, the municipal corporation described in and which executed the foregoing instrument; that he signed his name thereto by order of the Village Board of the Village of Islandia.

PATRICIA DORMAN
NOTARY PUBLIC, STATE OF NY
Registration No. 01D06177933
Qualified in Suffolk County
Expires November 19, 2027

NOTARY PUBLIC

STATE OF NEW YORK)
) SS.:
COUNTY OF SUFFOLK)

On the 8 day of ~~April~~ (KK) May , 2024, before me personally appeared ALFRED J. ANGIOLA, to me known, who being by me duly sworn, did depose and say that he resides at Southampton, New York; that he is the President of CASHIN ASSOCIATES, P.C., the corporation described in and which executed the foregoing instrument; that he signed his name thereto by order of the Board of Directors of said corporation.

KATHLEEN KELLY
NOTARY PUBLIC, State of New York
No. 01KE5082571
Qualified in Suffolk County
Commission Expires July 28, 2025

NOTARY PUBLIC

INCORPORATED

VILLAGE OF ISLANDIA

SUFFOLK COUNTY, NEW YORK

VILLAGE OF ISLANDIA

STREET SWEEPING

Three (3) Year Contract Term; October 1, 2022 - September 30, 2025
Three (3), One (1) Year Contract Options

SEPTEMBER 2022

MAYOR
ALLAN M. DORMAN

BOARD OF TRUSTEES
THOMAS ANNICARO (Deputy Mayor)
PATRICIA PETERS
BARBARA LACEY
RAYMOND BUSH

VILLAGE CLERK
PATRICIA DORMAN

Prepared by:

CASHIN ASSOCIATES, P.C.
Engineering • Planning • Construction Management
1200 Veterans Memorial Highway
Hauppauge, New York 11788
Telephone: (631) 348-7600
Fax: (631) 348-7601

INCORPORATED VILLAGE OF
ISLANDIA

Village of Islandia . . .
Second to None

April 14, 2023

Mr. Glenn Finlay
Elite Parking Area Maintenance
PO Box 414
Islip, New York 11751

Dear Glenn:

Enclosed please find the signed Village of Islandia Street Sweeping Contract for the term of October 1, 2022 through September 30, 2025.

Also enclosed please find your check#281505 dated 9/22/2023 in the amount of $10,000, along with a copy of your Performance Bond PR2741207.

Sincerely,

Allan M. Dorman
Mayor

Terms used in the Agreement which are defined in Article 1 of the General Conditions shall have the meanings indicated in the General Conditions.

Neither Owner nor Contractor shall, without the prior written consent of the other, assign or sublet in whole or in part his interest under any of the Contract Documents; and, specifically, Contractor shall not assign any monies due or to become due without the prior written consent of the Owner.

Owner and Contractor each binds himself, his partners, successors, assigns and legal representatives of the other party hereto in respect to all covenants, agreements and obligations contained in the Contract Documents.

The Contract Documents constitute the entire agreement between Owner and Contractor and may only be altered, amended or repealed by a duly executed written instrument signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

INC. VILLAGE OF ISLANDIA

By _____
Allan M. Dorman, Mayor

(SEAL)

Attest _____

Elite Parking Ass Manchester
Contractor

By Glen Finley

(CORPORATE SEAL)

Attest _____

ACKNOWLEDGEMENT OF PRINCIPAL, IF A CORPORATION

STATE OF NEW YORK)
)ss:
COUNTY OF)

On this 4 day May 2023, before me personally came Glenn Finlay to me known, who, being by me duly sworn did depose and say that he resides, at 160 St marks La Islip that he is the Owner/President of Elite Parking Maintenance the Corporation described in and which executed the foregoing instrument; that he knows the Seal of said Corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

Notary Public

(SEAL)

PATRICIA DORMAN
NOTARY PUBLIC, State of New York
No. 01DO6177933
Qualified in Suffolk County
Commission Expires November 19, 2023

ACKNOWLEDGEMENT OF PRINCIPAL, IF A PARTNERSHIP

STATE OF NEW YORK)
)ss:
COUNTY OF)

On this _____day of_____, 20___, before me personally appeared _____to me known and known to me to be one of the members of the Firm of_____described in and who executed the foregoing instrument and he acknowledged to me that he executed the same as and for the act and deed of said Firm.

_____
Notary Public

(SEAL)

ACKNOWLEDGEMENT OF PRINCIPAL, IF AN INDIVIDUAL

STATE OF NEW YORK)
)ss:
COUNTY OF)

On this _____day of _____, 20___ , before me personally Appeared _____ to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same.

_____
Notary Public

(SEAL)

ACKNOWLEDGEMENT OF VILLAGE

STATE OF New York)
)ss:
COUNTY OF Suffolk)

On this 14 day of April, 20 23, before me personally came Allan M Dorman to me known to be the Mayor the person described as such in and who as such executed the foregoing instrument and he acknowledged to me that he executed the same as for the purposes therein mentioned.

IN WITNESS WHEREOF,
Acting for the Board of Trustees on behalf of the Incorporated Village of Islandia and _____acting on behalf of the Contractor have executed this agreement.

PATRICIA DORMAN
NOTARY PUBLIC, State of New York
No. 01DO6177933
Qualified in Suffolk County
Commission Expires November 19, 20 23

Notary Public

(SEAL)

INCORPORATED

VILLAGE OF ISLANDIA

SUFFOLK COUNTY, NEW YORK

VILLAGE OF ISLANDIA

SNOW PLOWING AND DEICING

Three (3) Year Contract Term; October 1, 2022 - September 30, 2025
Three (3), One (1) Year Contract Options

AUGUST 2022

MAYOR
ALLAN M. DORMAN

BOARD OF TRUSTEES
THOMAS ANNICARO (Deputy Mayor)
PATRICIA PETERS
BARBARA LACEY
RAYMOND BUSH

VILLAGE CLERK
PATRICIA DORMAN

Prepared by:

CASHIN ASSOCIATES, P.C.
Engineering • Planning • Construction Management
1200 Veterans Memorial Highway
Hauppauge, New York 11788
Telephone: (631) 348-7600
Fax: (631) 348-7601

AGREEMENT

THIS AGREEMENT, made this 25 day of August A.D. Two Thousand and Twenty Two by and between the Village of Islandia party of the first part (hereinafter called the Owner) and Snow Ny party of the second part (hereinafter called Contractor).

WITNESSETH: That for and in consideration of the premises and the agreements herein contained, and the payments herein provided to be made, the parties hereto agree as follows:

FIRST: The Con tractor shall perform all labor , and furnish all the materials, equipment, tools, and implements and will well and faithfully perform and complete the entire work of

SNOW PLOWING AND DEICING
(Project Name)

as described in the Contract Documents and as set forth in the Contractor's proposal dated 8/25/2022 , and in strict and entire conformity and in accordance with the Notice to Bidders, Information for Bidders, Bid, this Agreement, Performance Bond, Labor and Material Bond, General Terms and Conditions, Detailed Specifications, Contract Drawings and Addenda hereto annexed and made a part hereof, and hereinafter collectively referred to as "Contract Document".

SECOND: The Consideration of the Contractor performing this Contract in the manner herein stated and as stated in the Contract Documents, the Owner promises and agrees to pay or cause to be paid to the Contractor the sums of money mentioned in said Contract Documents in the manner and under the conditions therein provided.

THIRD: The Contractor covenants and agrees that, anything in this Contract or in the Contract Documents to be contrary notwithstanding, or regardless of any matter, thing, contingency of condition unforeseen or otherwise, present or future, the Contractor shall not be entitled to receive any additional. or further sums of money than the amounts in said Contract Documents provided; and the failure of the Owner or its agents to insist upon strict performance of any of the terms, covenants, agreements, provisions or conditions in this Agreement or in the Contract Documents, on anyone or more instances, shall not be construed as a waiver or relinquishment for the future of any such terms, covenants, agreements, provisions and conditions and the same shall be and remain in full force and effect with power and authority on the part of the Owner to enforce the same or cause the same to be enforced at any time, without prejudice to any other rights which the Owner may have against the Contractor under this Agreement or the Contract Documents.

Terms used in the Agreement which are defined in Article 1 of the General Conditions shall have the meanings indicated in the General Conditions.

Neither Owner nor Contractor shall, without the prior written consent of the other, assign or sublet in whole or in part his interest under any of the Contract Documents; and, specifically, Contractor shall not assign any monies due or to become due without the prior written consent of the Owner.

Owner and Contractor each binds himself, his partners, successors, assigns and legal representatives of the other party hereto in respect to all covenants, agreements and obligations contained in the Contract Documents.

The Contract Documents constitute the entire agreement between Owner and Contractor and may only be altered, amended or repealed by a duly executed written instrument signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

INC. VILLAGE OF ISLANDIA

By _____
Allan M. Dorman, Mayor

(SEAL)

Attest _____

_____
Contractor

By _____

(CORPORATE SEAL)

Attest _____

ACKNOWLEDGEMENT OF PRINCIPAL, IF A CORPORATION

STATE OF NEW YORK)
)ss:
COUNTY OF Suffolk)

On this 25 day Aug 20 22 before me personally came Joshua Kohler to me known, who, being by me duly sworn did depose and say that he resides, at 1479 Montauk Hwy Oakdale that he is the President of Snow Ny Inc, the Corporation described in and which executed the foregoing instrument; that he knows the Seal of said Corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

Notary Public

(SEAL)

LOUIS J CAPPELLINI
Notary Public - State of New York
NO. 01CA6352848
Qualified in Suffolk County
My Commission Expires Jan 9, 2025

ACKNOWLEDGEMENT OF PRINCIPAL, IF A PARTNERSHIP

STATE OF NEW YORK)
)ss:
COUNTY OF)

On this _____day of_____, 20___, before me personal appeared _____to me known and known to me to be one of tl members of the Firm of_____described in and wl executed the foregoing instrument and he acknowledged to me that he executed the sam as and for the act and deed of said Firm.

_____
Notary Public

(SEAL)

ACKNOWLEDGEMENT OF PRINCIPAL, IF AN INDIVIDUAL

STATE OF NEW YORK)
)ss:
COUNTY OF)

On this _____day of _____, 20___ , before me personally Appear _____ to me known and known to me to be the pers described in and who executed the foregoing instrument and acknowledged that executed the same.

_____
Notary Public

(SEAL)

ACKNOWLEDGEMENT OF VILLAGE

STATE OF New York)
)ss:
COUNTY OF Suffolk)

On this 29th day of February, 2023, before me personally came Brian M. Doom, Mayor to me known to be the _____ the person described as such in and who as such executed the foregoing instrument and he acknowledged to me that he executed the same as for the purposes therein mentioned.

IN WITNESS WHEREOF,
Acting for the Board of Trustees on behalf of the Incorporated Village of Islandia and _____ acting on behalf of the Contractor have executed this agreement.

Notary Public
JOSEPH W. PROKOP
Notary Public, State of New York
No. 02PR6388599
Qualified in Suffolk County
Commission Expires March 11, 2023

(SEAL)

NOTICE OF AWARD

December 19, 2022

To: **Kolher Property Management Inc. (dba Snow XNY)**
1479 Montauk Hwy
Oakdale, NY 11769

Regarding: Inc. Village of Islandia: **"SNOW PLOWING AND DEICING" – CONTRACT**

You are hereby notified to be the Successful Bidder.

Three copies of each of the proposed Contract Documents accompany this Notice of Award.

Within fifteen (15) days of the date of this Notice of Award, that is by **January 2, 2023**, you must deliver to Owner three (3) fully executed copies of the Agreement, including all the Contract Documents with the required Bonds and Insurance Coverage as specified in the Contract Documents. Each of the Contract Documents must bear your signature on the cover.

Within ten (10) days after you comply with those conditions, the Owner will return to you one fully signed copy of the Agreement with the Contract Documents attached.

Sincerely,
Village of Islandia

Patricia Dorman
Village Clerk

CONTRACT

THIS CONTRACT, made this 30th day of April Two Thousand and ~~Nineteen~~ Twenty-Four by and between the
Village of Islandia, (the "Village") and Toth Collection Services, Inc (the "Contractor") as follows:

WITNESSETH:

That for and in consideration of the promises and agreements herein, and the payments herein promised to be made, the parties hereto agree as follows:

FIRST: The Contractor shall perform and provide in a workmanlike manner all of the labor, and furnish and provide all of the materials, equipment, tools, and implements and will otherwise faithfully perform and complete the entire Contract Work as provided hereunder in connection with the

VILLAGE OF ISLANDIA

RESIDENTIAL SOLID WASTE AND RECYCLABLES COLLECTION AND DISPOSAL

as described in the Contract Documents made and prepared by the Village of Islandia, as set forth in the Contractor's Bid dated 3/24/24 and in strict conformity with the Bidding Documents and Contract Documents and more specifically the Notice to Bidders, the Instructions for Bidders, the Bid, and this Contract, General Terms and Conditions, and Techinical Specifications, annexed and made a part hereof, which hereinafter will be collectively referred to as the "Contract Documents".

SECOND: In consideration of the Contractor performing this Contract in the manner herein stated and as provided in the Contract Documents, the Village of Islandia agrees to pay to the Contractor the sums of money mentioned in said Contract Documents in the manner and under the conditions therein provided.

THIRD: The Contractor agrees that the provisions of the Contract or Bid and Contract Documents to the contrary notwithstanding, and regardless of any contingency or condition, unforeseen or otherwise, in the present or in the future, the Contractor shall not be entitled to receive any money or other consideration from the Village or any other party to this Agreement or involved in this project other than the amounts stated in the Contract Documents. The failure of the Village of Islandia to insist upon the strict performance of any of the terms, covenants, agreements, or conditions of the Contract Documents, or of any one or more of those terms or conditions or the temporary or other failure of the Village to object to the Contractor's failure to perform its obligations under this Contract and the Bid and Contract Documents, shall not be deemed to be and will not be a waiver by the Village of Islandia of any of the terms, covenants, agreements, provisions and conditions of this Contract, or the Bid and Contract Documents and the Contract and Contract Documents

shall be and shall remain in full force and effect with full power and authority on the part of the Village of Islandia to enforce the provisions of the Contract and Bid and Contract Documents or cause those provisions to be enforced at any time, without prejudice to any other rights which the Village of Islandia may have against the Contractor under this Contract and the Contract Documents.

FOURTH: The Terms that are stated or used in the Bid and Contract Documents and this Contract which are defined in the Technical Specifications and General Conditions of the Bid and Contract Documents shall have the meanings that are indicated in the Technical Specifications and General Conditions of the Bid and Contract Documents.

FIFTH: Neither the Village of Islandia nor the Contractor shall, without the prior written consent of the other, assign or sublet in whole or in part its interests under the Contract or any of the Bid and Contract Documents; and, specifically, the Contractor shall not assign any monies due or to become due without the prior written approval and consent of the Village of Islandia.

SIXTH: The Village of Islandia and the Contractor each binds itself, its partners, successors, assigns and legal representatives of the other party hereto in respect to all covenants, agreements and obligations contained in the Contract and the Bid and Contract Documents (the term Bid Contract Documents by definition and agreement of the parties includes but is not limited to this Contract).

SEVENTH: The Contract together with the Bid and Contract Documents constitute the entire agreement between the Village of Islandia and the Contractor and the Contact and the Bid and Contract Documents and any part thereof may only be altered, amended or repealed by a duly executed written instrument signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Contract the day and year first above written.

Village of Islandia

By: _____

(VILLAGE SEAL)

Contractor:

By: _____

Name/Title

(SEAL)

State of New York)
) ss.:
County of Suffolk)

On the 30 day of APRIL in the year 2024
before me, the undersigned, personally appeared
ALAN DORMAN, MAYOR
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

MAYOR
(signature and office of individual taking acknowledgement)

PATRICIA DORMAN
NOTARY PUBLIC, STATE OF NY
Registration No. 01D06177933
Qualified in Suffolk County
Expires November 19, 2027

State of New York)
) ss.:
County of Suffolk)

On the 30 day of APRIL in the year 2024
before me, the undersigned, personally appeared
JOSEPH A. CARILLO
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgement)
JOSEPH A. CARILLO

PATRICIA DORMAN
NOTARY PUBLIC, STATE OF NY
Registration No. 01D06177933
Qualified in Suffolk County
Expires November 19, 2027

END OF THIS SECTION
C - 3