

STORM WATER
POLLUTION PREVENTION PLAN
(SWPPP)

THE PORT AUTHORITY OF
NEW YORK & NEW JERSEY

**JOHN F. KENNEDY
INTERNATIONAL AIRPORT**
<PROJECT NAME>

Located in Queens County, New York

<SWPPP Issue Date>

Prepared by
PORT AUTHORITY OF NY & NJ
Environmental Engineering Department
Two Gateway Center
Newark NJ 07102

Project No. **<Contract Number>**

REVISION	COMMENT	DATE
0	Plan Issued	

Port Authority of New York & New Jersey
John F. Kennedy <Project Name>
Storm Water Pollution Prevention Plan

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1 DESCRIPTION OF THE WORK

1.1 Project Scope

The <Project Name> project involves the <Project Description>.

The project location is depicted on a regional map section provided in <Contract Drawing>. The staging plan is shown in Contract Drawing <Contract Drawing(s)>. <Contract Drawing(s)> show the details of the areas to be paved.

The Operator, as defined by the New York State Department of Environmental Conservation’s (NYS DEC) regulations, is the Port Authority of New York & New Jersey (PANYNJ).

1.2 Stormwater Permitting

The NYS DEC issued Permit No. GP-0-08-001, SPDES General Permit for Stormwater Discharges from Construction Activities on May 1, 2008, pursuant to Section 402 of the Clean Water Act. Construction activities disturbing greater than one acre of soil are required to obtain a discharge permit for stormwater. GP-0-08-001 requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) for the project prior to initiation of construction activities. A copy of the general permit is provided in Appendix A.

Coverage under the general permit is achieved by submitting a Notice of Intent (NOI) to the NYS DEC (Appendix B). The submission of the NOI is an affirmation that the owner or operator has completed the SWPPP and will implement it as an integral part of the project. If the SWPPP is in conformance with the applicable technical standards, construction may be initiated in five (5) business days after the NYS DEC receives the NOI. The NYS DEC technical standards consist of the “New York State Standards and Specifications for Erosion and Sediment Control,” and the “New York State Stormwater Management Design Manual.” Full references for these standards and supporting documents are provided in Appendix C. If alternative means and methods are used, then a sixty (60) business day review period is required. In that case, the SWPPP must state the reasons for non-conformance and be certified by a licensed/certified professional that the SWPPP has been developed in a manner that will insure compliance with water quality standards and with the substantive intent of the permit. In addition, if the stormwater discharge is to a water body identified on the 303(d) list of impaired waters or to a watershed with an approved total maximum daily load (TMDL) for the pollutant of concern, the sixty (60) day review period is to be allowed.

Stormwater from the <Project Name> project site ultimately discharges to Jamaica Bay, which is a 303(d) listed water. Therefore, a sixty (60) business day review period will be required prior to the commencement of construction. No construction activity may occur until after the stipulated review period has expired and the NYS DEC does not require any additional information.

1.3 Stormwater Management Objectives

A primary stormwater management objective for this project is to control runoff and pollutants from the site during construction activities. This is done by providing temporary erosion and sediment control measures for the project that are in conformance with the General Permit, GP-0-08-001 and the New York State Standards and Specifications for Erosion and Sediment Control, published by the Empire State Chapter of the Soil and Water Conservation Society, August 2005. Soil erosion and sediment control measures will reduce or eliminate erosion and sediment loading to water bodies during construction and control the impact of runoff on water quality.

A second stormwater management objective is to provide permanent measures to control stormwater runoff quality and quantity after construction is complete. This objective is achieved by using ‘standard’ stormwater management practices listed in section 5.1 of Chapter 5 of the NYS Stormwater Management Design Manual (NYS SWMDM), or for redevelopment projects, using alternative practices in chapter 9 of the NYS SWMDM. NYS SWMDM, Chapter 9 was developed in January 2007 to provide alternatives to the technical standards contained in the NYS SWMDM that would be acceptable for certain redevelopment projects. Redevelopment projects eligible to use the alternative methods outlined in Chapter 9 must meet the following application criteria:

- (1) An already impervious area is reconstructed; and
- (2) There is inadequate space for controlling stormwater runoff from the reconstructed area,
or
- (3) The physical constraints of the site do not allow meeting required elements of the standard practices.

<Description of the Existing Conditions of the Site>. Likewise, the airport property is almost fully developed and the limited space available would not allow for the proper sizing and

installation of the management practices contained in the technical standards of the NYS SWMDM. Therefore, the <Project Name> project qualifies to use the alternative methods specified in NYS SWMDM, Chapter 9 "Redevelopment Projects," and accordingly, permanent stormwater management features designed for this project will meet requirements outlined in this chapter.

Since Jamaica Bay is a tidal water body, no water quantity controls are required; however, the General Permit requires the preparation of a full SWPPP that includes water quality controls. The <Project Name> project will include stormwater quality controls in conformance with the NYS SWMDM, Chapter 9.

1.4 Pollution Prevention Measures

The stated stormwater management objectives will be achieved through the implementation of pollution prevention measures that will be effective both during construction and upon final stabilization of the site. Erosion and sediment control measures will be installed prior to area disturbance, and will be adjusted and maintained during construction to prevent the release of contaminants to receiving water bodies. Permanent water quality features will be installed as part of the project to achieve an improvement in the overall quality of stormwater runoff after the project is completed.

1.5 Pre and Post Development Conditions

As noted, the project involves the <Project Description>. Stormwater runoff from paved areas will drain into <a new/an existing> underground drainage system. Upon the completion of the project, the site characteristics will <Description of Final Conditions of Site>. <Description of Drainage System Used. If New: The drainage system will be sized appropriately, with <Number of Stormwater Quality Basins added> stormwater quality basins added.> The site's discharge to Jamaica Bay precludes the need for runoff quantity controls and associated hydrologic analyses.

2 SUMMARY OF GP-0-08-001 INFORMATION

2.1 General

Information required by GP-0-08-001 is as follows:

Project Location	John F. Kennedy International Airport Queens County, New York
Project	The <Project Name> project involves the <Project Description>
Site Map	See <Contract Drawing(s)>
Estimated Disturbed Area	<Estimated Area of Disturbance in Acres>
Disturbance is Greater than 5 acres at Any one Time	<Yes/No>
Existing Surface	<Description of Existing Site Surface Conditions>
Final Area	<Description of Post-Construction Site Conditions>
Wetlands/Water bodies	The closest wetland to the project is <Distance of Nearest Wetland(s) in Miles> from the project. The closest water body is <Closest Water Body to Site>, which is <Distance of Nearest Water Body to Site in Miles> to the <Cardinal Direction of Nearest Water Body to Site>.
Stockpile Locations	Only by approval.
Soils	Native soils are Ipswich mucky peat with slopes less than 1 percent. Site soils are composed of fill material consisting of medium-fine sand with varying amounts of silt and gravel to depths of 12 to 15 feet below grade. Underlying the fill is a 2 to 7 foot thick layer of fibrous peat and organic clay. Below the peat/clay layer are coarse to fine sands with varying amounts of silt and gravel to depths of 100 feet or more below grade. The soils are classified as Urban Land.
Phasing	The project <is/is not> phased.
Erosion Control Plan	See SWPPP Chapter 3, and Figures / Specifications
On-site storage	Equipment (excavator, backhoe, etc) and materials (pipe, bedding,

backfill, chemicals, building materials). Materials to be stockpiled only by approval. If materials and/or equipment will possibly contaminate the runoff through contact, they will be covered with plastic to prevent contact. Stockpiled soil will be surrounded by silt fencing and covered with plastic.

2.2 Water Quality Contravention

Permit GP-0-08-001 does not authorize any person to cause or contribute to a condition in contravention of any water quality standards that are contained in the Rules and Regulations of the State of New York even if the permittee is in compliance with all other provisions of this permit. Any violations of water quality standards may be considered by the NYS DEC to be violations of Permit GP-0-08-001 and/or the Environmental Conservation Law (ECL), including its accompanying regulations.

2.3 Other Permits

In addition to the stormwater general permit, GP-0-08-001, execution of this work **<will/will not>** require other NYS permits. PANYNJ has the following additional permits.

Permit #	Permit Name
NY-0008109	SPDES Discharge Permit - Phase I Permit for airport discharge to Bergen Basin (currently authorized)
GP-0-08-001	New York State SPDES General Permit for Stormwater Discharges from Construction Activity [NOI to be submitted]

2.4 Construction Schedule

The project is scheduled to go out to bid in the **<Contract Out for Bid Date: Season of Year>** with project initiation in the **<Project Start Date: Season of Year>**. The selected contractor will be required to submit a proposed construction progress schedule including the locations of his proposed temporary and permanent erosion control measures, the location of his debris and rubbish disposal area, and the equipment and material storage area and any stockpile locations

(showing any needed pollution prevention measures). The construction is scheduled to take approximately **<Project Duration in Months>** to complete.

3 EROSION AND SEDIMENT CONTROL MEASURES

3.1 General Construction Activity

The project involves the **<Project Description>**.

No stockpiling of excavated material is permitted without the prior approval of the location(s) by the Owner and the Engineer. Approval of such locations does not relieve the Contractor from its responsibilities under this SWPPP and GP-0-08-001.

The following general construction sequence is provided as a guide to the proper sequencing of soil erosion and sediment control features.

1. Install Soil Erosion and Sediment Control Practices, including Silt Fences, Inlet Filters, Hay Bale and Stone Sediment Barriers around all existing catch basins within the work area.
2. Construct the new by-pass utilities (i.e. storm drains, water lines, sanitary sewers, electric lines, etc) that must be in place before the existing utilities in the work area can be removed or abandoned. Install Soil Erosion and Sediment Control Practices, including Inlet Filters and Hay Bale and Stone Sediment Barriers around all new catch basins within the work area.
3. Stabilize all disturbed areas in accordance with specifications.
4. Remove Soil Erosion and Sediment Control Practices in accordance with specifications.

A copy of the project Drawing “Soil Erosion and Sediment Details and Notes” (**<Contract Drawing>**) and the project Grading and Drainage Plans showing catch basin locations (**<Contract Drawing(s)>**) are attached.

3.2 Contractor's Responsibilities

The Contractor and all subcontractors will be required to certify to fully comply with this SWPPP and GP-0-08-001. **<Include following text if construction occurs post May 1, 2010: This includes, but is not limited to, identifying at least one trained individual¹ to be**

¹ A *trained individual* is defined as an employee from a contracting (construction) firm that has received four (4) hours of training, which has been endorsed by the NYSDEC, from a Soil and Water Conservation District, CPESC (Certified Professional in Erosion and Sediment Control), Inc. or other Department endorsed entity, in proper erosion and sediment control principles. After receiving the initial training, the trained individual shall receive four (4) hours of training every three (3) years.

responsible for implementing the SWPPP and having at least one of the identified, trained individual on site on a daily basis when soil disturbance activities are being performed.>

Certification forms may be found in Appendix E.

3.3 Sensitive Areas/Receiving Waters

Sensitive areas and receiving waters within the surrounding geographical area include:

1. Two U.S. Department of Interior (USDOI) PUSA wetlands are located approximately **<Distance of Wetland to Project Site in Miles>** miles to the **<Cardinal Direction of Wetland to Project Site>** of the site. These are Palustrine, unconsolidated shore, temporarily flooded wetlands.
1. One U.S. Department of Interior (USDOI) PEM5A wetland is located approximately **<Distance of Wetland to Project Site in Miles>** miles to the **<Cardinal Direction of Wetland to Project Site>** of the site. They are Palustrine emergent narrow-leaved persistent wetlands.
2. Two additional USDOI PEM5A wetlands are located approximately **<Distance of Wetland to Project Site in Miles>** mile to the **<Cardinal Direction of Wetland to Project Site>** of the project site.
3. USDOI wetland PUBF is located approximately **<Distance of Wetland to Project Site in Miles>** miles to the **<Cardinal Direction of Wetland to Project Site>** of the project site. It is a Palustrine unconsolidated bottom, semi-permanently flooded wetland in Baisley Pond Park.
4. NYS DEC and USDOI regulated wetland JA-3 and L1UBH, respectively; Baisley Pond is located approximately **<Distance of Wetland to Project Site in Miles>** miles to the **<Cardinal Direction of Wetland to Project Site>** of the project site.
5. **<Remove or Add Additional Wetlands as necessary>**

The closest wetland to the project is at least **<Distance of Nearest Wetland to Project Site in Miles>** from the project site and will not be impacted by the project. However, Jamaica Bay is listed on the 2004 Section 303(d) list of impaired waters requiring a TMDL for oxygen demand, nitrogen, and pathogens. Jamaica Bay will receive stormwater runoff from the project site.

3.4 Typical Controls

Specific means and methods of soil erosion and sediment control during construction are at the discretion of the Contractor providing that they are in conformity with an Erosion and Sediment Control Plan prepared by the Contractor and approved by the PANYNJ. This plan will depict the locations of the control measures and the schedule for their implementation. Erosion control measures may include, but are not limited to, the following:

- Stabilized Construction Entrance
- Staked Hay Bales
- Staked Filter or Silt Fence
- Stone Check Dams
- Slope Drains
- Inlet Filters for Inlet Structures
- Inlet Sediment Traps
- Floating Turbidity Barriers
- Stone Outlet Sediment Traps
- Dewatering Basins
- Temporary Seeding
- Paved streets to be broom clean at the end of the day
- Dust Control using water shall be employed

Products to be used shall be as specified in the New York State Standards and Specification for Erosion and Sediment Control prepared by the NYSDEC and as outlined in the PANYNJ Specification 02272 – Soil Erosion and Sediment Control.

3.5 Stabilization and Maintenance

The Contractor shall initiate stabilization measures as soon as practicable in portions of the site where construction activities have been completed, but in no case more than fourteen (14) days after the construction activity in that portion of the site has temporarily or permanently ceased. For sites greater than 5 acres, soil stabilization implementation measures must be implemented within seven (7) days from the date the soil disturbance activity ceased. This requirement does not apply where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable.

Sediment shall be removed from sediment traps or sediment ponds whenever their capacity has been reduced by fifty (50) percent (%) from the design capacity. Silt fences, stone outlet structures, dams, and hay bales shall have sediment removed when the sediment reaches 50% of

the height of the soil erosion and sediment control measure. Any soil and erosion control measures that have been damaged shall be immediately replaced.

3.6 Permanent Erosion and Sediment Controls

Upon completion of construction, the project site will **<Description of Final Conditions of Site>**. Pervious areas will remain stabilized with vegetation. The final ground cover on the project site will minimize potential for erosion. The control of any potential sediment in stormwater runoff will be addressed through the incorporation of permanent water quality treatment methods described in following sections.

3.7 Additional Pollution Prevention Measures

Rubbish and debris will be disposed of in a covered dumpster located in an area that will be minimally impacted by stormwater. The dumpster will be emptied at least once per week. All construction materials and chemicals will be stored on site in an area that will be minimally impacted by stormwater. If it is probable that rainwater can come in contact with the materials and cause contamination of the associated runoff, the materials will be covered with plastic to prevent contact with rainwater.

Any soils that are either excavated or brought on site to be used as backfill will be stored in an area minimally impacted by stormwater. The stockpiles will be surrounded with silt fencing and covered to prevent erosion.

Any construction equipment will be maintained and serviced in a paved location to allow the containment of any potential lubricant or fuel spills. All spills will be contained and cleaned up immediately. Spill remediation supplies (e.g., absorbent pads) will be kept on site for any type of equipment-related spills that may occur. All petroleum-based lubricants will be stored in sealed containers in a protected area.

4 POST CONSTRUCTION STORMWATER MANAGEMENT MEASURES

4.1 Application of Stormwater Management Practices

Development of the site will include permanent stormwater management measures in conformance with the NYS SWMDM. Since the redeveloped site discharges to Jamaica Bay, a tidal water body, water quantity controls are not required. However, permanent water quality control measures are required. Since most construction projects at LaGuardia Airport are redevelopment projects, the water quality treatment options provided in Section 9.3.2.B of Chapter 9 of the NYS SWMDM can be utilized. For projects that do not meet the application criteria in Section 9.3.1 of the NYS SWMDM, standard stormwater quality control practices listed in Section 5.1 of Chapter 5 of the NYS SWMDM must be used.

As specified in Chapter 9 of the NYS SWMDM, hydrodynamic structures may be alternative practices.

4.2 Stormceptor Units, or Equal

To conform with the requirements of the NYS DEC SWMDM, Chapter 9, the PANYNJ will install <Number of Installed Stormceptors> Stormceptor oil and sediment separators, or approved equal, on the storm drain lines exiting the project site. The unit will capture runoff from the project site, as well as areas outside of the project limits that are tributary to the storm drains where the Stormceptor, or equal, will be installed. The Stormceptor has been designed to intercept the stormwater runoff water quality volume and water quality flow rate from the <Area of Project Site in Acres>. Calculations for the water quality volume and rate are provided in Appendix D.

Stormceptors consist of a round pre-cast concrete tank and fiberglass partition that captures oil spills and suspended solids. The treatment is based on gravity separation, i.e., an internal weir directs 80-95% of annual runoff into the lower chamber where gravity separates oil and sediment from water. An internal weir forces peak flow during larger more infrequent storm events to bypass the treatment chamber, therefore, a separate exterior bypass is not required. The Stormceptor unit has been sized to treat the water quality volume storm peak flow rate, which has been calculated in accordance with the procedures outlined in the NYS SWMDM Appendix B – Hydrologic Analysis Tools. Hydrologic design calculations and Stormceptor details are

provided in Appendix D.

During the water quality volume design storm, inflow is diverted by the weir and orifice/drop pipe assembly through the fiberglass insert into the lower treatment chamber. The drop pipe discharges inflows parallel to the circular chamber wall to inhibit mixing and increase detention time. From the treatment chamber, water is displaced up through the riser pipe into the by-pass chamber on the downstream side of the weir and is discharged to the downstream storm sewer. The water velocity slows when it enters the treatment chamber so that oil and other liquids that are less dense than water rise and become trapped beneath the fiberglass insert. These pollutants are retained in the treatment chamber because the entrance to the outlet riser pipe is submerged approximately 400 mm below the level of the insert. Sediment settles to the bottom of the chamber by gravity. Flow in excess of the orifice/drop pipe capacity flows over the weir and are conveyed directly to the downstream sewer. This action prevents high flows from entering the lower treatment chamber, ensuring that previously captured pollutants are not scoured or re-suspended.

4.3 Maintenance Requirements

Under normal operating conditions, Stormceptor units require maintenance on an annual cycle. Inspections of the units should be performed semi-annually to determine if oil and /or sediment levels exceed volumes requiring maintenance. Cleaning should take place when sediment levels reach 15% of total storage volume. Inspections are performed from the ground surface using a sampler provided by the manufacturer. A vacuum truck can be used to perform maintenance when sediment levels indicate that a cleaning is necessary.

If hydrodynamic separator equivalent to a Stormceptor is used, the inspection and maintenance of the unit must at a minimum follow the recommendations of the manufacturer.

5 SITE ASSESSMENTS & INSPECTIONS

5.1 Requirements

- 5.1.1. The operator shall have a qualified inspector² inspect all erosion and sediment control practices to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved final stabilization, and all points of discharge from the construction site.

The qualified inspector shall assess the site prior to the commencement of construction and certify in an inspection report that the appropriate erosion and sediment controls described in the SWPPP and required by Part III of GP-0-08-001 have been adequately installed or implemented to ensure overall preparedness of the site for the commencement of construction. Following the commencement of construction, site inspections shall be conducted by the qualified inspector at least every seven (7) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. During each inspection, the qualified inspector shall record the following information:

1. Date and time of inspection;
2. Name and title of person(s) performing inspection;
3. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;
4. A description of the condition of the runoff at all points of discharge from the construction site. This shall 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;

² A *qualified inspector* is 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), licensed Landscape Architect, or other Department endorsed individual(s). It also means someone working under the direct supervision of the licensed Professional Engineer or licensed 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 an individual performing a site inspection has received four (4) hours of training, endorsed by the NYSDEC, from a Soil and Water Conservation District, CPESC, Inc. or other NYSDEC endorsed entity in proper erosion and sediment control principles. After receiving the initial training, an individual working under the direct supervision of the licensed Professional Engineer or licensed Landscape Architect shall receive four (4) hours of training every three (3) years.

5. Identification of all erosion and sediment control practices that need repair or maintenance;
 6. Identification of all erosion and sediment control practices that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;
 7. Description and sketch of areas that are disturbed at the time of the inspection and areas that have been stabilized (temporary and/or final) since the last inspection;
 8. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards; and
 9. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s).
- 5.1.2 Within one business day of the completion of an inspection, the qualified inspector shall notify the owner or operator and appropriate contractor (or subcontractor) identified in the certification form (See Appendix E) of any corrective actions that need to be taken. The contractor (or subcontractor) shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.
- 5.1.3 All inspection reports shall be signed by the qualified inspector. Pursuant to Part II.C.2. of GP-0-08-001, the inspection reports shall be maintained on site with the SWPPP, NOI and NOI Acknowledgement Letter.
- 5.1.4 Prior to filing of the Notice of Termination (NOT) or the end of permit term, the operator shall have the qualified inspector perform a final site inspection (Appendix E). The qualified inspector shall certify that all disturbed areas have achieved final stabilization; and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the “Final Stabilization” and “Post-Construction Stormwater Management Practice” certification statements on the NOT.

5.2 Certifications and Inspection Forms

Forms are included in Appendix E.

6 REPORTING AND RETENTION OF RECORDS

The operator shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, and any inspection reports that were prepared in conjunction with GP-0-08-001 for a period of at least five (5) years from the date that the site achieves final stabilization.

APPENDIX A – General Permit GP-0-08-001



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES

from

CONSTRUCTION ACTIVITY

Permit No. GP-0-08-001

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

Effective Date: May 1, 2008

Expiration Date: April 30, 2010

William R. Adriance
Chief Permit Administrator

Address: NYS DEC
Div. Environmental Permits
625 Broadway, 4th Floor
Albany, N.Y. 12233-1750

William R. Adriance
Authorized Signature

April 15, 2008
Date

PREFACE

Pursuant to Section 402 of the Clean Water Act (“CWA”), stormwater discharges from certain *construction activities* are unlawful unless they are authorized by a *NPDES (National Pollutant Discharge Elimination System)* permit or by a state permit program. New York’s *SPDES (State Pollutant Discharge Elimination System)* is a NPDES-approved program with permits issued in accordance with the *Environmental Conservation Law (“ECL”)*.

This general permit is issued pursuant to Article 17, Titles 7, 8 and Article 70 of the ECL. An *owner or operator* may obtain coverage under this general permit by submitting a Notice of Intent (“NOI”) to the Department. Copies of this General Permit and the NOI for New York are available by calling (518) 402-8109 or at any Department of Environmental Conservation (“the Department”) regional office (see Appendix G). They are also available on the Department’s website at:

<http://www.dec.ny.gov/>

An *owner or operator* of a *construction activity* that is eligible for coverage under this general permit must obtain coverage prior to the *commencement of construction activity*. Activities that fit the definition of “*construction activity*”, as defined under 40 CFR 122.26(b)(14)(x) and (15)(i), constitute construction of a point source and therefore, pursuant to Article 17-0505 of the ECL, the *owner or operator* must have coverage under a SPDES permit prior to *commencing construction activity*. They can not 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 GENERAL PERMIT FOR STORMWATER DISCHARGES**

FROM CONSTRUCTION ACTIVITIES

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APPENDIX F - DEC Regional Office Contact Information

Part I. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application - This permit authorizes stormwater discharges to *surface waters of the State* from the following *construction activities* identified within 40 CFR Parts 122.26(b)(14)(x), 122.26(b)(15)(i) and 122.26(b)(15)(ii), provided all of the eligibility provisions of this permit are met:

1. *Construction activities* involving soil disturbances of one (1) or more acres; including disturbances of less than one acre that are part of a *larger common plan of development or sale* that will ultimately disturb one or more acres of land; excluding *routine maintenance activity* that is performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility;
2. *Construction activities* involving soil disturbances of less than one (1) acre where the Department 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*.
3. *Construction activities* located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land.

B. Maintaining Water Quality - It shall be a violation of this general permit and the *Environmental Conservation Law ("ECL")* for any discharge authorized by this general permit to either cause or contribute to a violation of *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 including, but not limited to:

1. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions;
2. There shall be no increase in suspended, colloidal and settleable solids that will cause deposition or impair the waters for their best usages; and
3. There shall be no residue from oil and floating substances, nor visible oil film, nor globules of grease.

C. Eligibility Under This General Permit

1. This permit may authorize all *discharges* of stormwater from *construction activity* to *surface waters* and *groundwaters* except for ineligible *discharges* identified under subparagraph D. of this Part.

(Part I.C.)

2. Except for non-stormwater *discharges* explicitly listed in the next paragraph, this permit only authorizes stormwater discharges from *construction activities*.

3. Notwithstanding paragraphs C.1 and C.2 above, the following non-stormwater *discharges* may be authorized by this permit: discharges from fire fighting activities; fire hydrant flushings; waters to which cleansers or other components have not been added that are used to wash vehicles or control dust in accordance with the SWPPP, routine external building washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; uncontaminated groundwater or spring water; uncontaminated discharges from construction site dewatering operations; and foundation or footing drains where flows are not contaminated with process materials such as solvents. For those entities required to obtain coverage under this general permit, and who discharge as noted in this paragraph, and with the exception of flows from fire fighting activities, these discharges must be identified in the SWPPP. Under all circumstances, the *owner or operator* must still comply with water quality standards in Part I.B.

D. Activities Which Are Ineligible for Coverage Under This General Permit - All of the following are **not** authorized by this permit:

1. *Discharges* after *construction activities* have been completed and the site has undergone *final stabilization*;

2. *Discharges* that are mixed with sources of non-stormwater other than those expressly authorized under subsection C.3. of this Part and identified in the SWPPP required by this permit;

3. *Discharges* that are subject to an existing *individual SPDES permit* or SPDES general permit or which are required to obtain an individual or general permit pursuant to Part VII, subparagraph K of this permit;

4. *Discharges* from *construction activities* that adversely affect a listed, or proposed to be listed, endangered or threatened species, or its critical habitat;

5. *Discharges* which are subject to an existing effluent (limitation) guideline addressing stormwater and/or process wastewater unless said guidelines are contained herein; or

(Part I.D.)

6. *Discharges* which either cause or contribute to a violation of *water quality standards* adopted pursuant to the *ECL* and its accompanying regulations.
7. *Construction activities* for residential, commercial and institutional projects that:
 - a. an *owner or operator* has not made any application, prior to January 8, 2008, for any governmental approvals required for the total project; and
 - b. are tributary to waters of the state classified as AA and AA-s; and
 - c. disturb one or more acres of land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey for the County in which the disturbance will occur.
8. *Construction activities* for residential, commercial and institutional projects that:
 - a. have not been authorized by or covered under a SPDES General Permit for Stormwater Discharges from Construction Activity by June 29, 2009; and
 - b. an *owner or operator* has made any application, prior to January 8, 2008, for any governmental approvals required for the total project; and
 - c. are tributary to waters of the state classified as AA or AA-s; and
 - d. disturb one or more acres of land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey for the County in which the disturbance will occur.
9. *Construction activities* for public roadway and linear utility projects that:
 - a. have not been authorized by or covered under a SPDES General Permit for Stormwater Discharges from Construction Activity by June 29, 2009; and
 - b. are tributary to waters of the state classified as AA or AA-s; and
 - c. disturb two or more acres of land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey for the County in which the disturbance will occur.

(Part I.D.)

10. *Construction activities* that adversely affect a property that is listed or is eligible for listing on the State or National Register of Historic Places.

Part II. OBTAINING PERMIT COVERAGE

A. Notice of Intent (NOI) Submittal

1. An *owner or operator* must first develop a Stormwater Pollution Prevention Plan (SWPPP) in accordance with all applicable requirements of this permit and then submit a completed Notice of Intent (NOI) form to the address below in order to be authorized to discharge under this general permit. The NOI form shall be one which is associated with this general permit, signed in accordance with Part VII.H. of this permit.

**NOTICE OF INTENT
NYS DEC, Bureau of Water Permits
625 Broadway, 4th Floor
Albany, New York 12233-3505**

2. An *owner or operator* of a *construction activity* that is subject to the requirements of a *regulated, traditional land use control MS4* shall have their SWPPP reviewed and accepted by the *MS4* prior to submitting the NOI to the Department. Beginning on September 30, 2008, the *owner or operator* shall have the “MS4 SWPPP Acceptance” form signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4*, or by a duly authorized representative of that person, and then submit that form along with the NOI to the address referenced under “Notice of Intent (NOI) Submittal”. This requirement does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part II.E. (Change of Owner or Operator).

3. The *owner or operator* shall have the SWPPP preparer sign the “SWPPP Preparer Certification” statement on the NOI prior to submitting the form to the Department.

B. Permit Authorization

1. An *owner or operator* shall not *commence construction activity* until their authorization to discharge under this permit goes into effect.

(Part II.B.)

2. Authorization to discharge under this permit will be effective when the *owner or operator* has satisfied all of the following criteria:

a. project review pursuant to the State Environmental Quality Review Act (SEQRA) have been satisfied, when SEQR is applicable,

b. where required, all necessary Department permits subject to the *Uniform Procedures Act (UPA)* (see 6 NYCRR Part 621) have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). *Owners or operators of construction activities* that are required to obtain *Uniform Procedures Act (UPA)* permits must submit a preliminary SWPPP to the appropriate DEC Regional Office in Appendix F at the time all other necessary UPA permit applications are submitted. The preliminary SWPPP must include sufficient information to demonstrate that the *construction activity* qualifies for authorization under this general permit,

c. the final SWPPP has been prepared, and

d. an NOI has been submitted to the Department in accordance with the requirements of this permit.

3. An *owner or operator* that has satisfied the requirements of Part II.B.2 above will be authorized to discharge stormwater from their *construction activity* in accordance with the following schedule:

a. For construction activities that are not subject to the requirements of a *regulated, traditional land use control MS4* :

i. Five (5) business days from the date the Department receives a complete NOI for construction activities with a SWPPP that has been prepared in conformance with the technical standards referenced in Parts III.B.1, 2 and/or 3, or

ii. Sixty (60) business days from the date the Department receives a complete NOI for construction activities with a SWPPP that has not been prepared in conformance with the technical standards referenced in Parts III.B.1, 2 or 3.

(Part II.B.3.)

b. For construction activities that are subject to the requirements of a *regulated, traditional land use control MS4* :

i. Five (5) business days from the date the Department receives a complete NOI and signed “MS4 SWPPP Acceptance” form.

4. The Department may suspend or deny an *owner’s or operator’s* coverage under this permit if the Department determines that the SWPPP does not meet the permit requirements.

5. Coverage under this permit authorizes stormwater discharges from only those areas of disturbance that are identified in the NOI. If an *owner or operator* wishes to have stormwater discharges from future areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department.

C. General Requirements For Owners or Operators With Permit Coverage

1. The *owner or operator* shall ensure that the provisions of the SWPPP are implemented from the *commencement of construction activity* until all areas of disturbance have achieved *final stabilization* and the Notice of Termination (NOT) has been submitted to the address referenced in Part II.A.1.

2. The *owner or operator* shall maintain a copy of the General Permit (GP-0-08-001), NOI, *NOI Acknowledgment Letter*, SWPPP, MS4 SWPPP Acceptance form and inspection reports at the construction site until all disturbed areas have achieved *final stabilization* and the Notice of Termination has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock; that is accessible during normal working hours to an individual performing a compliance inspection.

3. The *owner or operator* of a *construction activity* shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a *regulated, traditional land use control MS4*, the MS4 (provided the MS4 is not the *owner or operator* of the construction activity). At a minimum, the *owner or operator* must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:

a. The *owner or operator* shall have a *qualified inspector* conduct **at least** two (2) site inspections in accordance with Part IV.B. every seven (7) calendar days, for as long as greater than five (5) acres of soil remain

(Part II.C.3.a.)

disturbed. When performing just two (2) inspections every seven (7) calendar days, the inspections shall be separated by a minimum of two (2) full calendar days.

b. In areas where soil disturbance activity has been temporarily or permanently ceased, temporary and/or permanent soil stabilization measures shall be installed and/or implemented within seven (7) days from the date the soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the most current version of the technical standard, New York Standards and Specifications for Erosion and Sediment Control.

c. The *owner or operator* shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.

d. The *owner or operator* shall install any additional site specific practices needed to protect water quality.

e. The *owner or operator* shall include the requirements above in their SWPPP.

4. The Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements.

D. Permit Coverage for Discharges Authorized Under GP-02-01

1. Upon renewal of SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-02-01), *an owner or operator of a construction activity* with coverage under GP-02-01, as of the effective date of GP-0-08-001, shall be permitted to discharge in accordance with GP-0-08-001 unless otherwise notified by the Department.

E. Change of Owner or Operator

1. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original *owner or operator* must notify the new *owner or operator*, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department. Once the new *owner or operator* obtains permit coverage, the original *owner or operator* shall then submit a completed Notice of Termination (NOT) with the name and permit identification number of the new *owner or operator* to the Department at the

(Part II.E.1.)

address in Part II.A.1.. If the original *owner or operator* maintains ownership of a portion of the *construction activity* and will disturb soil, they must maintain their coverage under the general permit. Permit coverage for the new *owner or operator* will be effective as of the date the Department receives a complete NOI, provided the original *owner or operator* was not subject to a sixty (60) business day authorization period that has not expired as of the date the Department receives the NOI from the new *owner or operator*.

Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General SWPPP Requirements

1. The SWPPP shall be prepared prior to the submittal of the NOI. The NOI shall be submitted to the Department prior to the *commencement of construction activity*.
2. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the pollutants in stormwater discharges and to assure compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges.
3. All SWPPPs that require the post-construction stormwater management practice component shall be prepared by a *qualified professional* that is knowledgeable in the principles and practices of stormwater management and treatment.
4. The *owner or operator* must keep the SWPPP current so that it at all times accurately documents the erosion and sediment controls practices that are being used or will be used during construction, and all post-construction stormwater management practices that will be constructed on the site.
5. 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, 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 the construction of all post-construction stormwater management practices included in the SWPPP. The *owner or operator* shall have each of these contractors and subcontractors identify at least one *trained individual* from their company that will be responsible for implementation of the SWPPP. The *owner or operator* shall ensure that at least one *trained individual* is on site on a daily basis when soil disturbance activities are being performed.

(Part III.A.5.)

The *owner or operator* shall have each of these contractors and subcontractors identified above sign a copy of the following certification statement below before they commence any *construction activity*:

"I hereby certify that I understand and agree to comply with the terms and conditions 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 terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") general permit 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 understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings. "

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 individual(s)* 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* shall 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 construction has commenced, they must also sign the certification statement and provide the information listed above.

6. The Department 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 shall 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 the Department) the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator's* coverage under this permit.

7. For projects where the Department requests a copy of the SWPPP, the *owner or operator* shall submit the SWPPP in both electronic (PDF only) and paper format within five (5) business days, unless otherwise notified by the Department.

(Part III.A.)

8. The SWPPP must include documentation supporting the determination of permit eligibility with regard to Part I.D.10. (Historic Places). At a minimum, the supporting documentation shall include the following:

a. Information on whether the stormwater discharge or *construction activities* would have an effect on a property that is listed or eligible for listing on the State or National Register of Historic Places;

b. Results of historic places screening determinations conducted. Information regarding the location of places listed, or eligible for listing, on the State or National Register of Historic Places should be obtained by consulting with the New York State Historic Preservation Office, NYS Office of Parks, Recreation and Historic Preservation (OPRHP), Peebles Island Resources Center, P.O. Box 189, Waterford, NY 12188-0189, phone: (518) 237-8643, or using the GIS online resources available at: <http://nysparks.state.ny.us/shpo/> ;

c. A description of measures necessary to avoid or minimize adverse impacts on places listed, or eligible for listing, on the State or National Register of Historic Places. If the *owner or operator* fails to describe and implement such measures, the stormwater discharge is ineligible for coverage under this permit; and

d. Where effects may occur, any written agreements that the *owner or operator* has made with the OPRHP or other governmental agency to mitigate those effects, or local land use approvals evidencing the same.

B. Required SWPPP Contents

1. Erosion and sediment control component - All SWPPPs prepared pursuant to this general permit shall include erosion and sediment control practices designed in conformance with the most current version of the technical standard, New York Standards and Specifications for Erosion and Sediment Control. Where erosion and sediment control practices are not designed in conformance with this technical standard, the *owner or operator* must demonstrate equivalence to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:

a. Background information about the scope of the project, including the location, type and size of project;

(Part III.B.1.)

- b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall 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 different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater discharge(s);
- c. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);
- d. A construction phasing plan and sequence of operations describing the intended order 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;
- e. 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;
- f. A temporary and permanent soil stabilization plan that meets the requirements of the most current version of the technical standard, New York Standards and Specifications for Erosion and Sediment Control, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of final stabilization;
- g. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;
- h. 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;
- i. An inspection schedule for the *owner or operator*, or the contractor(s) or subcontractor(s) identified in Part III.A.5., to ensure continuous and effective operation of the erosion and sediment control practices. The inspection schedule shall be in accordance with the requirements in the most

(Part III.B.1.i.)

current version of the technical standard, New York Standards and Specifications for Erosion and Sediment Control;

j. 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 storm water discharges;

k. 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

l. Identification of any elements of the design that are not in conformance with the technical standard, New York Standards and Specifications for Erosion and Sediment Control. 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 standards.

2. Post-construction stormwater management practice component - All construction projects identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that also includes practices designed in conformance with the most current version of the technical standard, New York State Stormwater Management Design Manual (“Design Manual”). Where post-construction stormwater management practices are not designed in conformance with this technical standard, the *owner or operator* must demonstrate equivalence to the technical standard. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include the following:

a. Identification of all post-construction stormwater management practices to be constructed as part of the project;

b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;

c. The dimensions, material specifications and installation details for each post-construction stormwater management practice;

d. Identification of any elements of the design that are not in conformance with the Design Manual. 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 standards;

(Part III.B.2.)

e. A hydrologic and hydraulic analysis for all structural components of the stormwater management control system;

f. A detailed summary (including calculations) of the sizing criteria that was used to design all post-construction stormwater management practices. At a minimum, the summary shall address the required design criteria from the applicable chapter of the Design Manual; including the identification of and justification for any deviations from the Design Manual, and identification of any design criteria that are not required based on the redevelopment criteria or waiver criteria included in the Design Manual; and

g. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.

3. Enhanced Phosphorus Removal Standards - Beginning on September 30, 2008, all construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the most current version of the technical standard, New York State Stormwater Management Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a - 2.g. above.

C. Required SWPPP Components by Project Type - Unless otherwise notified by the Department, *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 conformance with Part III.B.1. *Owners or operators* of the *construction activities* identified in Table 2 of Appendix B shall prepare a SWPPP that also includes post-construction stormwater management practices designed in conformance with Part III.B.2 or 3.

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 identified in the SWPPP are maintained in effective operating condition at all times.

(Part IV.A.)

2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the Environmental Conservation Law, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York, or protect the public health and safety and/or the environment.

B. Owner or Operator Inspection Requirements

1. An *owner or operator* shall, in accordance with the requirements in the most current version of the technical standard, New York Standards and Specifications for Erosion and Sediment Control, inspect the erosion and sediment controls identified in the SWPPP to ensure that they are being maintained in effective operating condition at all times.
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 *owner or operator* can stop conducting inspections. The *owner or operator* shall begin conducting 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 *owner or operator* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices 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. An *owner or operator* of the following *construction activities* shall have a *qualified inspector* conduct site inspections in conformance with the requirements of Part IV.C. below:

a. All *construction activities* identified in Table 1 and 2 of Appendix B, with the exception of:

- (i) the construction of a single family residential subdivision with 25% or less impervious cover at total site build-out and the construction of a single family home that involve soil disturbances of one (1) or more acres of land but less than five (5) acres and are 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 E;

(Part IV.C.1.a.)

(ii) construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and

(iii) construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land.

2. Unless otherwise notified by the Department, the *owner or operator* shall have a *qualified inspector* conduct site inspections in accordance with the following timetable:

a. For construction sites where soil disturbance activities are on going, the *qualified inspector* shall conduct a site inspection at least once every seven (7) calendar days.

b. For construction sites where soil disturbance activities are on going and the *owner or operator* has received authorization in accordance with Part II.C.3 to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. When performing just two (2) inspections every seven (7) calendar days, the inspections shall be separated by a minimum of two (2) full calendar days.

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* shall conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* shall notify the Regional Office stormwater contact person (see contact information in Appendix F) in writing prior to reducing the frequency of inspections.

d. For construction sites where soil disturbance activities have been shut down with partial project completion, the *qualified inspector* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The *owner or operator* shall notify the Regional Office stormwater contact person (see contact information in Appendix F) in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* shall have the *qualified inspector(s)* perform a final inspection and certify that all disturbed areas

(Part IV.C.2.d.)

have achieved *final stabilization*, and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the “Final Stabilization” and “Post-Construction Stormwater Management Practice” certification statements on the Notice of Termination (NOT). The *owner or operator* shall then submit the completed NOT form to the address in Part II.A.1..

3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization*, and all points of discharge from the construction site.

4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:

- a. Date and time of inspection;
- b. Name and title of person(s) performing inspection;
- c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;
- d. A description of the condition of the runoff at all points of discharge from the construction site. This shall 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;
- e. Identification of all erosion and sediment control practices that need repair or maintenance;
- f. Identification of all erosion and sediment control practices that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;
- g. Description and sketch of areas that are disturbed at the time of the inspection and areas that have been stabilized (temporary and/or final) since the last inspection;

(Part IV.C.4.)

h. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards; and

i. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s).

5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor (or subcontractor) identified in Part III.A.5. of any corrective actions that need to be taken. The contractor (or subcontractor) shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.

6. All inspection reports shall be signed by the *qualified inspector*. Pursuant to Part II.C.2., the inspection reports shall be maintained on site with the SWPPP.

Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

1. An *owner or operator* that is eligible to terminate coverage under this permit must submit a completed Notice of Termination (NOT) form to the address in Part II.A.1. The NOT form shall be one which is associated with this general permit, signed in accordance with Part VII.H.

2. An *owner or operator* may terminate coverage when one or more the following conditions have been met:

a. Total project completion - All construction activity identified in the SWPPP has been completed; and all areas of disturbance have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational;

b. Planned shutdown with partial project completion - All soil disturbance activities have ceased; and all areas disturbed as of the project shutdown date have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices required for the completed

(Part V.A.2.b.)

portion of the project have been constructed in conformance with the SWPPP and are operational;

c. A new *owner or operator* has obtained coverage under this permit in accordance with Part II.E..

3. For *construction activities* meeting subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *qualified inspector* perform a final site inspection prior to submitting the NOT. The *qualified inspector* shall certify that all disturbed areas have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the “Final Stabilization” and “Post-Construction Stormwater Management Practice” certification statements on the NOT.

4. For *construction activities* meeting subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the Notice of Termination, ensure one of the following:

a. the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,

b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),

c. for post-construction stormwater management practices that are privately owned, the *owner or operator* has a deed restriction in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan,.

d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, college, university), or government agency or authority, the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

Part VI. REPORTING AND RETENTION OF RECORDS

A. The *owner or operator* shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the site achieves *final stabilization*. This period may be extended by the Department, in its sole

(Part VI.A.)

discretion, at any time upon written notification.

B. Addresses - With the exception of the NOI, NOT, and MS4 SWPPP Acceptance form (which must be submitted to the address referenced in Part II.A.1), all written correspondence requested by the Department, including individual permit applications, shall be sent to the address of the appropriate DEC Regional Office listed in Appendix F.

Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply - The *owner or operator* must comply with all conditions of this permit. All contractors and subcontractors associated with the project must comply with the terms of the SWPPP. Any permit non-compliance constitutes a violation of the Clean Water Act (CWA) and the ECL and is grounds for an enforcement action against the *owner or operator* and/or the contractor/subcontractor; permit revocation or modification; or denial of a permit renewal application. Upon a finding of significant non-compliance with this permit or the applicable SWPPP, the Department may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied. The stop work order shall be in writing, shall describe the non-compliance in detail, and shall be sent to the *owner or operator* or the *owner's or operator's* on-site representative.

B. Continuation of the Expired General Permit - This permit expires two (2) years from the effective date. However, coverage may be obtained under the expired general permit, which will continue in force and effect, until a new general permit is issued. After issuance of a new general permit, those with coverage under GP-0-08-001 will have six (6) months from the effective date of the new general permit to complete their project or obtain coverage under the new permit. Unless otherwise notified by the Department in writing, an *owner or operator* authorization under the new general permit must submit a new NOI in accordance with the terms of such new general permit.

C. Enforcement - Failure of the *owner or operator*, its contractors, subcontractors, agents and/or assigns to strictly adhere to any of the permit requirements contained herein shall constitute a permit violation. There are substantial criminal, civil, and administrative penalties associated with violating the provisions of this 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. Need to Halt or Reduce Activity Not a Defense - It shall not be a defense for an *owner or operator* in an enforcement action that it would have been necessary to halt or reduce the *construction activity* in order to maintain compliance with the conditions of this permit.

E. Duty to Mitigate - The *owner or operator* and its contractors and subcontractors shall 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.

(Part VII.)

F. Duty to Provide Information - The *owner or operator* shall make available to the Department for inspection and copying or furnish to the Department within five (5) business days of receipt of a Department request for such information, any information requested for the purpose of determining compliance with this general permit. This can include, but is not limited to, the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form, executed maintenance agreement, and inspection reports. Failure to provide information requested by the Department shall be a violation of this permit.

G. Other Information - When the *owner or operator* becomes aware that they failed to submit any relevant facts, or submitted incorrect information in the NOI or in any other report, or have made substantive revisions to the SWPPP (e.g. the scope of the project changes significantly, the type of post-construction stormwater management practice(s) changes, there is a reduction in the sizing of the post-construction stormwater management practice, or there is an increase in the disturbance area or impervious area) which were not reflected in the original NOI submitted to the Department, they shall promptly submit such facts or information. Failure of the *owner or operator* to correct or supplement any relevant facts within five (5) business days of becoming aware of the deficiency shall constitute a permit violation.

H. Signatory Requirements

1. All NOIs and NOTs shall be signed as follows:

a. For a corporation these forms shall be signed 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 permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or

(Part VII.H.1.)

c. For a municipality, State, Federal, or other public agency these forms shall be signed 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).

2. The SWPPP and other information requested by the Department shall be signed by a person described above 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 above;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, 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 attached to the SWPPP.

3. All inspection reports shall be signed by the *qualified inspector* that performs the inspection.

4. The MS4 SWPPP Acceptance form shall be signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4*, or by a duly authorized representative of that person.

Under Part VII. H. (Signatory Requirements), it shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, SWPPP and/or inspection reports.

I. Property Rights - The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. *Owners or operators* must obtain any applicable conveyances, easements, licenses and/or access to real property prior to *commencing construction activity*.

(Part VII.)

J. 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 shall not be affected thereby.

K. Denial of Coverage Under This Permit

1. At its sole discretion, the Department may require any *owner or operator* authorized by this permit to apply for and/or obtain either an individual SPDES permit or an alternative SPDES general permit. When the Department requires any discharger authorized by a general permit to apply for an individual SPDES permit, 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 frame for the *owner or operator* to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from permittee's receipt of the notification letter, whereby the authorization to discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Regional Office. 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 Part 621 of this Title.

2. Any *owner or operator* authorized by this permit may request to be excluded from the coverage under this permit by applying for an individual permit or an alternative general permit. In such cases, the *owner or operator* shall submit an individual application or an alternative general permit application in accordance with the requirements of this general permit, 40 CFR 122.26(c)(1)(ii) and 6 NYCRR Part 621, with reasons supporting the request, to the Department at the address for the appropriate Department Office (see addresses in Appendix F). The request may be granted by issuance of an individual permit or an alternative general permit at the discretion of the Department.

3. When an individual SPDES permit is issued to a discharger authorized to discharge under a general SPDES permit for the same discharge(s), the general permit authorization for outfalls authorized under the individual SPDES permit is automatically terminated on the effective date of the individual permit unless termination is earlier in accordance with 6 NYCRR Part 750.

L. Proper Operation and Maintenance - The *owner or operator* 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 *owner or operator* to achieve compliance with the conditions of this permit and with the requirements of the SWPPP.

(Part VII.)

M. Inspection and Entry - The *owner or operator* shall allow the Department or an authorized representative of EPA, the State, 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 conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

N. Permit Actions - At the Department's sole discretion, this permit may, at any time, be modified, revoked, or renewed. The filing of a request by the *owner or operator* for a permit modification, revocation and reissuance, termination, a notification of planned changes or anticipated noncompliance does not limit, diminish and/or stay compliance with any terms of this permit.

O. Definitions - Definitions of key terms are included in Appendix A of this permit.

P. Re-Opener Clause

1. If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with *construction activity* covered by this permit, the *owner or operator* of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Part VII.K. of this permit or the permit may be modified to include different limitations and/or requirements.
2. Permit modification or revocation will be conducted in accordance with 6 NYCRR Part 621 and 6 NYCRR 750-1.18.

APPENDIX A

Definitions

Alter Hydrology from Pre to Post-Development Conditions - means 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 - means a sewer that is designed to collect and convey both “sewage” and “stormwater”.

Commence (Commencement of) Construction Activities - means 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.

Construction Activity(ies) - means any clearing, grading, excavation, filling, demolition or stockpiling activities that result 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.

Direct Discharge (to a specific surface waterbody) - means that 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) - means any addition of any pollutant to waters of the State through an outlet or point source.

Environmental Conservation Law (ECL) - means chapter 43-B of the Consolidated Laws of the State of New York, entitled the Environmental Conservation Law.

Final Stabilization - means that 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.

General SPDES permit - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 authorizing a category of discharges.

Groundwater - means 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.

Impervious Area (Cover) - means all impermeable surfaces that can not effectively infiltrate rainfall. This includes paved, concrete and gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks); building rooftops and miscellaneous impermeable structures such as patios, pools, and sheds.

Larger Common Plan of Development or Sale - means 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, marketing plan, advertisement, drawing, permit application, State Environmental Quality Review Act (SEQRA) 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.

Municipal Separate Storm Sewer (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):

- (i) Owned or operated by a State, city, town, 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;
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) Which is not a *combined sewer*; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

National Pollutant Discharge Elimination System (NPDES) - means the national system for the issuance of wastewater and stormwater permits under the Federal Water Pollution Control Act (Clean Water Act).

NOI Acknowledgment Letter - means the letter that the Department sends to an owner or operator to acknowledge the Department’s receipt and acceptance of a complete Notice of Intent. This letter documents the owner’s or operator’s authorization to discharge in accordance with the general permit for stormwater discharges from construction activity.

Owner or Operator - means the person, persons or legal entity which owns or leases the property on which the construction activity is occurring; and/or an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications.

Pollutant - means 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.

Qualified Inspector - means 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), licensed Landscape Architect, or other Department endorsed individual(s). It also means someone working under the direct supervision of the licensed Professional Engineer or licensed 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 an individual performing a site inspection has received four (4) hours of training, endorsed by the Department, from a Soil and Water Conservation District, CPESC, Inc. or other Department endorsed entity in proper erosion and sediment control principles no later than two (2) years from date this general permit is issued. After receiving the initial training, an individual working under the direct supervision of the licensed Professional Engineer or licensed Landscape Architect shall receive four (4) hours of training every three (3) years. Note: Inspections of any post-construction stormwater management practices that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

Qualified Professional - means a person that is knowledgeable in the principles and practices of stormwater management and treatment, such as a licensed Professional Engineer, licensed Landscape Architect or other Department endorsed individual(s). Individuals preparing SWPPPs that require the post-construction stormwater management practice 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), shall be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York..

Regulated, Traditional Land Use Control MS4 - means a city, town or village with land use control authority that is required to gain coverage under New York State DEC's SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s).

Routine Maintenance Activity - means construction activity that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility, including, but not

limited to:

- Re-grading of gravel roads or parking lots,
- Stream bank restoration projects (does not include the placement of spoil material),
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and hydraulic capacity of the ditch,
- 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),
- Placement of aggregate shoulder backing that makes the transition between the road shoulder and the ditch or embankment,
- 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,
- Long-term use of equipment storage areas at or near highway maintenance facilities,
- 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,
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts.

State Pollutant Discharge Elimination System (SPDES) - means 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.

Surface Waters of the State - shall be construed to include 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 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.

Temporary Stabilization - means that 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 Loads (TMDLs) - A TMDL is 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 on a daily basis and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL stipulates wasteload allocations (WLAs) for point source discharges, load allocations (LAs) for nonpoint sources, and a margin of safety (MOS).

Trained Individual - means an employee from a contracting (construction) firm that has received four (4) hours of training, which has been endorsed by the Department, from a Soil and Water Conservation District, CPESC, Inc. or other Department endorsed entity, in proper erosion and sediment control principles no later than two (2) years from the date this general permit is issued. After receiving the initial training, the trained individual shall receive four (4) hours of training every three (3) years. This individual will be responsible for implementation of the SWPPP.

Uniform Procedures Act (UPA) Permit - means a permit required under 6 NYCRR Part 621 of the Environmental Conservation Law (ECL), Article 70.

Water Quality Standard - means 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 E
- 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 E
- Construction of a barn or other agricultural building, silo, stock yard or pen.

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- 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 projects, stormwater retrofits and stream restoration projects
- Bike paths and trails
- Sidewalk construction projects that are not part of a road/ highway construction or reconstruction project
- Slope stabilization projects
- 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
- Land clearing and grading for the purposes of creating vegetated open space (i.e. recreational parks, lawns, meadows, fields), excluding projects that *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 project where vegetation will be established and no redevelopment is planned
- Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*
- Structural practices as identified in Table II in the “Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State”, excluding projects that involve soil disturbances of less than five acres and construction activities that include the construction or reconstruction of impervious area

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 watersheds identified in Appendix D that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land.

Table 2
CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP
THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- 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 E
- 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 E
- 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 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 larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments; includes townhomes, condominiums, senior housing complexes, and apartment complexes
- Airports
- Amusement parks
- Campgrounds
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other agricultural building(e.g. silo) and structural practices as identified in Table II in the “Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State” that include the construction or reconstruction of *impervious area*, excluding projects that involve soil disturbances of less than five acres.
- Golf courses
- Institutional, includes hospitals, prisons, schools and colleges
- Industrial facilities, includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW’s and water treatment plants
- Office complexes
- Sports complexes
- Racetracks, includes racetracks with earthen (dirt) surface
- Road construction or reconstruction
- Parking lot construction or reconstruction
- 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 or parking areas surfaced with *impervious cover*, and substations constructed as part of an over-head electric transmission line project , wind-power project or cell tower project
- All other construction activities that include the construction or reconstruction of *impervious area* and alter the hydrology from pre to post development conditions, and are not listed in Table 1

APPENDIX C

Watersheds Where Enhanced Phosphorus Removal Standards Are Required

Watersheds where *owners or operators* of construction activities identified in Table 2 of Appendix B must prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the technical standard, New York State Stormwater Management Design Manual (“Design Manual”).

- Entire New York City Watershed located east of the Hudson River - Figure 1
- Onondaga Lake Watershed - Figure 2
- Greenwood Lake Watershed -Figure 3

Figure 1 - New York City Watershed East of the Hudson

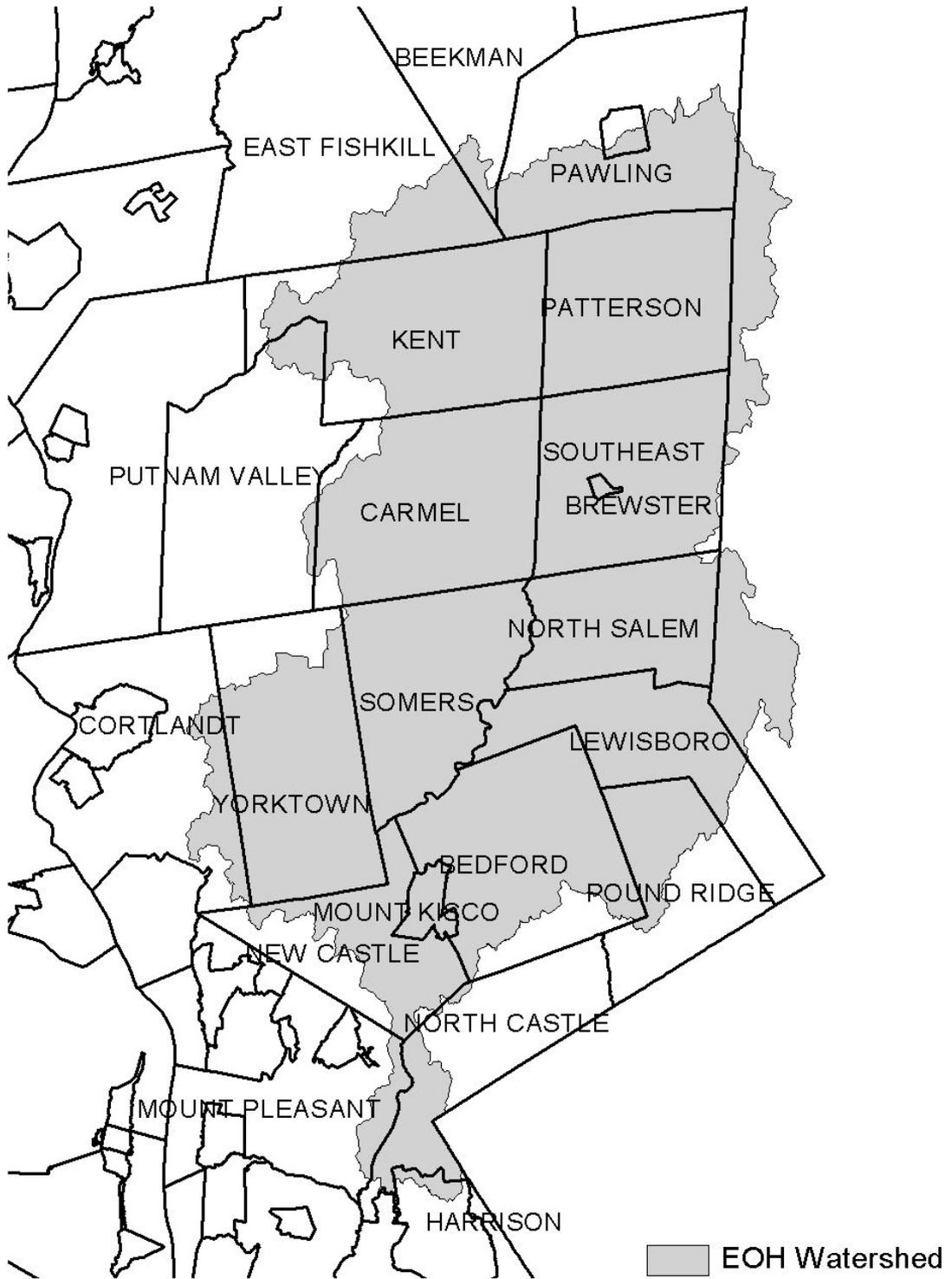
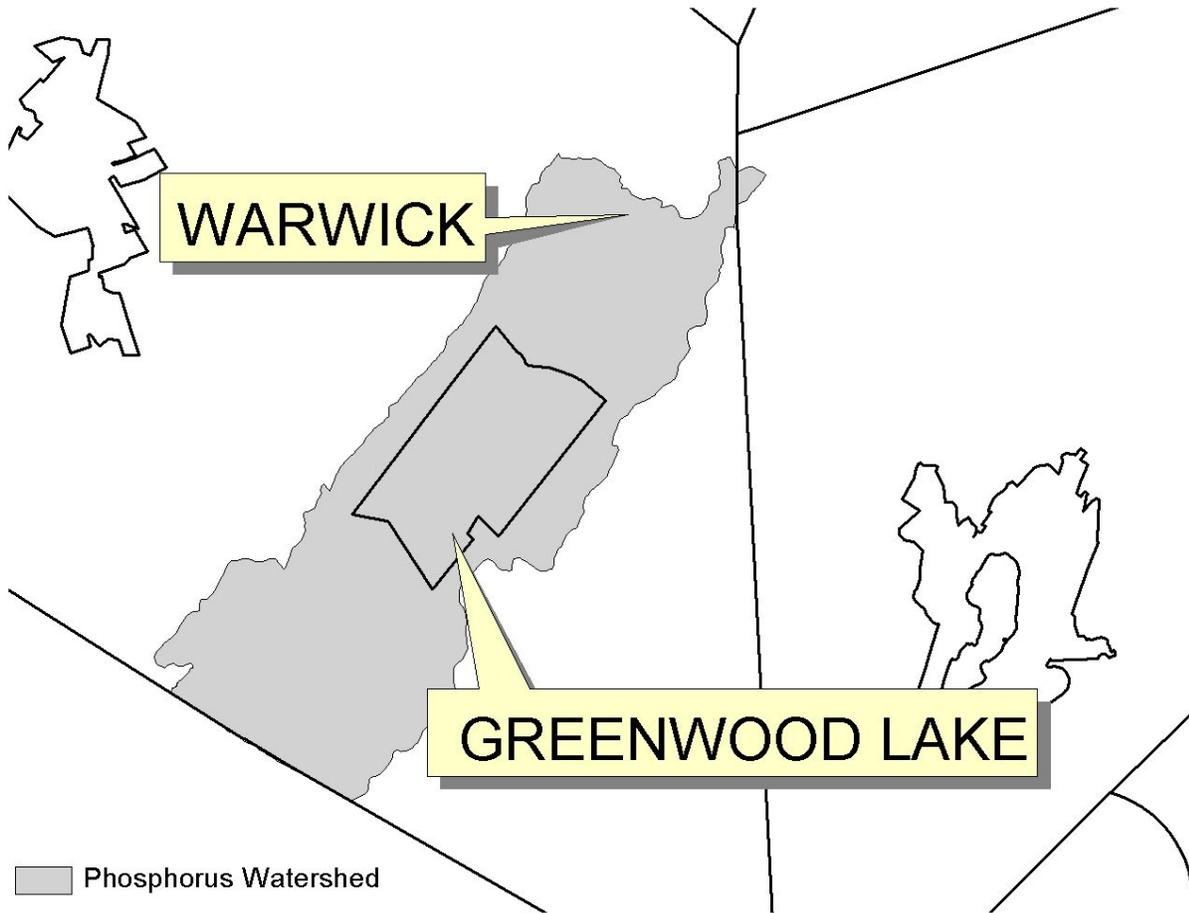


Figure 2 - Onondaga Lake Watershed



Figure 3 - Greenwood Lake Watershed



APPENDIX D

Watersheds where *owners or operators* of construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land must obtain coverage under this permit.

Entire New York City Watershed that is located east of the Hudson River - See Figure 1 in Appendix C

APPENDIX E

List of 303(d) segments impaired by pollutants related to construction activity (e.g. silt, sediment or nutrients). *Owners or operators* of single family home and single family residential subdivision construction activities that involve soil disturbances of one or more acres of land, but less than 5 acres, and *directly discharge* to one of the listed segments below shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the most current version of the technical standard, New York State Stormwater Management Design Manual (“Design Manual”).

COUNTY	WATERBODY	COUNTY	WATERBODY
Albany	Ann Lee (Shakers) Pond, Stump Pond	Madison	Chittenango Creek
Albany	Basic Creek Reservoir	Madison	DeRuyter Reservoir
Bronx	Van Cortlandt Lake	Monroe	Genesee River, Lower, Main Stem
Broome	Whitney Point Lake/Reservoir	Monroe	Genesee River, Middle, Main Stem
Broome	Beaver Lake	Monroe	Black Creek, Lower, and minor tribs
Broome	White Birch Lake	Monroe	Buck Pond
Cayuga	Little Sodus Bay	Monroe	Long Pond
Chautauqua	Chautauqua Lake, North	Monroe	Cranberry Pond
Chautauqua	Chautauqua Lake, South	Nassau	Glen Cove Creek, Lower, and tribs
Chautauqua	Bear Lake	Nassau	LI Tribs (fresh) to East Bay
Chautauqua	Lower Cassadaga Lake	Nassau	East Meadow Brook, Upper, and tribs
Chautauqua	Middle Cassadaga Lake	Nassau	Hempstead Bay
Chautauqua	Findley Lake	Nassau	Hempstead Lake
Clinton	Great Chazy River, Lower, Main Stem	Nassau	Grant Park Pond
Columbia	Kinderhook Lake	Niagara	Bergholtz Creek and tribs
Columbia	Robinson Pond	Oneida	Ballou, Nail Creeks
Dutchess	Hillside Lake	Onondaga	Ley Creek and tribs
Dutchess	Wappinger Lakes	Onondaga	Onondaga Creek, Lower
Dutchess	Fall Kill and tribs	Onondaga	Harbor Brook, Lower, and tribs
Dutchess	Rudd Pond	Onondaga	Ninemile Creek, Lower, and tribs
Erie	Rush Creek and tribs	Ontario	Honeoye Lake
Erie	Ellicott Creek, Lower, and tribs	Ontario	Hemlock Lake Outlet and minor tribs
Erie	Beeman Creek and tribs	Oswego	Lake Neatahwanta
Erie	Murder Creek, Lower, and tribs	Oswego	Oneida Lake
Erie	South Branch Smoke Cr, Lower, and tribs	Putnam	Oscawana Lake
Erie	Little Sister Creek, Lower, and tribs	Putnam	Lake Carmel
Genesee	Black Creek, Upper, and minor tribs	Queens	Jamaica Bay, Eastern, and tribs (Queens)
Genesee	Tonawanda Creek, Middle, Main Stem	Queens	Bergen Basin
Genesee	Tonawanda Creek, Upper, and minor tribs	Queens	Shellbank Basin
Genesee	Little Tonawanda Creek, Lower, and tribs	Rensselaer	Snyders Lake
Genesee	Oak Orchard Creek	Richmond	Grasmere, Arbutus and Wolfes Lakes
Genesee	Bowen Brook and tribs	Saratoga	Dwaas Kill and tribs
Genesee	Bigelow Creek and tribs	Saratoga	Tribs to Lake Lonely
Greene	Schoharie Reservoir	Saratoga	Lake Lonely
Greene	Sleepy Hollow Lake	Schenectady	Collins Lake
Herkimer	Steele Creek tribs	Schoharie	Engleville Pond
Jefferson	Moon Lake	Schoharie	Summit Lake
Kings	Hendrix Creek	St.Lawrence	Black Lake Outlet/Black Lake
Livingston	Conesus Lake	Steuben	Lake Salubria
Livingston	Jaycox Creek and tribs	Suffolk	Millers Pond
Livingston	Mill Creek and minor tribs	Suffolk	Mattituck (Marratooka) Pond

APPENDIX E

List of 303(d) segments impaired by pollutants related to construction activity, cont'd.

COUNTY	WATERBODY	COUNTY	WATERBODY
Suffolk	Tidal tribs to West Moriches Bay		
Suffolk	Canaan Lake		
Suffolk	Lake Ronkonkoma		
Tompkins	Cayuga Lake, Southern End		
Ulster	Ashokan Reservoir		
Ulster	Esopus Creek, Upper, and minor tribs		
Warren	Lake George		
Warren	Tribs to L.George, Village of L George		
Warren	Huddle/Finkle Brooks and tribs		
Warren	Indian Brook and tribs		
Warren	Hague Brook and tribs		
Washington	Tribs to L.George, East Shore		
Washington	Cossayuna Lake		
Wayne	Blind Sodus Bay		
Wayne	Port Bay		
Wayne	Marbletown Creek and tribs		
Westchester	Peach Lake		
Westchester	Mamaroneck River, Lower		
Westchester	Mamaroneck River, Upper, and minor tribs		
Westchester	Sheldrake River		
Westchester	Blind Brook, Lower		
Westchester	Blind Brook, Upper, and tribs		
Westchester	Lake Lincolndale		
Westchester	Lake Meahaugh		
Wyoming	Java Lake		
Wyoming	Silver Lake		

Note: The list above identifies those waters from the final New York State “2006 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy”, dated May 17, 2007, that are impaired by silt, sediment or nutrients.

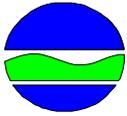
APPENDIX F

LIST OF NYS DEC REGIONAL OFFICES

<u>Region</u>	<u>COVERING THE FOLLOWING COUNTIES:</u>	<u>DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS</u>	<u>DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM</u>
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	100 HILLSIDE AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428 - 2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE	1150 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, PO BOX 220 WARRENSBURG, NY 12885-0220 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	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROAD AVON, 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	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVE. BUFFALO, NY 14203-2999 TEL. (716) 851-7070

APPENDIX B – Notice of Intent

NOTICE OF INTENT



New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

NYR
(for DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-08-001
All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

- IMPORTANT -
RETURN THIS FORM TO THE ADDRESS ABOVE
OWNER/OPERATOR MUST SIGN FORM

Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

Owner/Operator Contact Person First Name

Owner/Operator Mailing Address

City

State Zip -

Phone (Owner/Operator) - - Fax (Owner/Operator) - -

Email (Owner/Operator)

FED TAX ID - (not required for individuals)

30. Provide the total water quality volume required and the total provided for the site.

WQv Required
 . acre-feet

WQv Provided
 . acre-feet

31. Provide the following Unified Stormwater Sizing Criteria for the site.

Total Channel Protection Storage Volume (CPv) - Extended detention of post-developed 1 year, 24 hour storm event

CPv Required
 . acre-feet

CPv Provided
 . acre-feet

31a. The need to provide for channel protection has been waived because:

- Site discharges directly to fourth order stream or larger

Total Overbank Flood Control Criteria (Qp) - Peak discharge rate for the 10 year storm

Pre-Development
 . CFS

Post-development
 . CFS

Total Extreme Flood Control Criteria (Qf) - Peak discharge rate for the 100 year storm

Pre-Development
 . CFS

Post-development
 . CFS

31b. The need to provide for flood control has been waived because:

- Site discharges directly to fourth order stream or larger
- Downstream analysis reveals that flood control is not required

IMPORTANT: For questions 31 and 32, impervious area should be calculated considering the project site and all offsite areas that drain to the post-construction stormwater management practice(s). (Total Drainage Area = Project Site + Offsite areas)

32. Pre-Construction Impervious Area - As a percent of the Total Drainage Area enter the percentage of the existing impervious areas before construction begins.

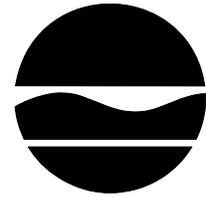
%

33. Post-Construction Impervious Area - As a percent of the Total Drainage Area, enter the percentage of the future impervious areas that will be created/remain on the site after completion of construction.

%

34. Indicate the total number of post-construction stormwater management practices to be installed/constructed.

35. Provide the total number of stormwater discharge points from the site. (include discharges to either surface waters or to separate storm sewer systems)



**NOTICE OF INTENT OR TERMINATION FOR STORM WATER DISCHARGES
ASSOCIATED WITH INDUSTRIAL ACTIVITY
UNDER SPDES GENERAL PERMIT 98-03**

Section I. Reason for Submittal - Check either A or B or C:

- A. This is a new (original) or renewal submittal. Complete the rest of the form.
(Items marked with an asterisk (*) must be completed.)
-or-
- B. There has been a change in information since the earlier submittal. Indicate
changes in appropriate sections. If known, enter your permit identification
number below.
-or-
- C. Want to terminate general stormwater permit coverage. Complete the following
sections, as appropriate, including Section V. If known, enter your permit
identification number below.

Permit Identification Number: NYR

Section II. Owner/Operator Information

*Name:

*Street:

Additional Address (if any):

*City, State and Zip Code:

Section III. Contact Person

First Name:

Last Name:

Telephone #:

E-mail:

Section IV. Facility Information

*Name:

*Street:

(See note on second page)

Additional Address (if any):

*City, State and Zip Code:

*County:

Region:

(For DEC use only)

NOTE: If the activity lacks a street address, provide the latitude and longitude of the approximate center of the site and/or the nearest intersection of roadways:

Longitude: 7 ° ' "W Latitude: 4 ° ' "N

Nearest Intersection:

A. Name of municipal storm sewer system (if any):

B. Name of nearest waterway:

C. If there are other State Pollutant Discharge Elimination System ("SPDES") permit(s) for this facility, indicate number(s):

NY NY NY

*D. Enter the primary Standard Industrial Classification ("SIC") code for the facility or check one of the following activity descriptions:

SIC code:

Hazardous waste treatment, storage or disposal facility, including those that are operating under interim status or a permit under subtitle C of RCRA [40 CFR 122.26(b)(14)(iv)].

Landfill, land application site, and open dump that receive or has received any industrial waste, including those that are subject to regulation under subtitle D of RCRA [40 CFR 122.26(b)(14)(v)].

Steam electric power generating facility, including coal handling sites [40 CFR 122.26(b)(14)(vii)].

Treatment works treatment domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage [40 CFR 122.26(b)(14)(ix)].

Section V. 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.

*Printed Name:

*Date:

*Signature:

Title/Position:

There are attachment(s) with additional comments and/or explanations.

APPENDIX C – References

LIST OF REFERENCES

- 1) New York State Department of Environmental Conservation (NYSDEC), *New York Standards and Specification for Erosion and Sediment Control* published by the Empire State Chapter of the Soil and Water Conservation Society, August 2005.
- 2) *Standards and Specifications for Erosion and Sediment Control*, New York, NYSDEC Public/Peer Review DRAFT January 2004.
- 3) *New York State Stormwater Management Design Manual* prepared by the Center for Watershed Protection for New York State Department of Environmental Conservation, August 2003.
- 4) NYSDEC, Instruction Manual for Stormwater Construction Permit, February 2003.

APPENDIX D – Stormceptor Plan and Specifications

{Generic calculations are not provided, as they are project-specific and vary based on what management measures are selected}

APPENDIX E – Certifications and Inspection Forms

<PROJECT NAME>

CONTRACTOR'S CERTIFICATION

I hereby certify that I understand and agree to comply with the terms and conditions 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 terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") general permit 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 understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Signature: _____ Date: _____

Full Name: _____ Company: _____

Title: _____ Street: _____

Phone: _____ City: _____ State: ___ Zip: _____

Responsible for the following Elements of the SWPPP:

Trained Individual(s)¹:

Full Name: _____ Title: _____

Full Name: _____ Title: _____

Full Name: _____ Title: _____

¹ A **trained individual** is an employee that has received four (4) hours of training, which has been endorsed by the Department, from a Soil and Water Conservation District, CPESC, Inc. or other Department endorsed entity, in proper erosion and sediment control principles no later than two (2) years from the date GP-0-08-001 is issued. After receiving the initial training, the trained individual shall receive four (4) hours of training every three (3) years. This individual will be responsible for implementation of the SWPPP. At least one trained individual must be identified and at least one trained individual must be on site on a daily basis when soil disturbance activities are being performed.

<PROJECT NAME>

SUB-CONTRACTOR'S CERTIFICATION

I hereby certify that I understand and agree to comply with the terms and conditions 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 terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") general permit 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 understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Signature: _____ Date: _____

Full Name: _____ Company: _____

Title: _____ Street: _____

Phone: _____ City: _____ State: ___ Zip: _____

Responsible for the following Elements of the SWPPP:

Trained Individual(s)²:

Full Name: _____ Title: _____

Full Name: _____ Title: _____

Full Name: _____ Title: _____

² A **trained individual** is an employee that has received four (4) hours of training, which has been endorsed by the Department, from a Soil and Water Conservation District, CPESC, Inc. or other Department endorsed entity, in proper erosion and sediment control principles no later than two (2) years from the date GP-0-08-001 is issued. After receiving the initial training, the trained individual shall receive four (4) hours of training every three (3) years. This individual will be responsible for implementation of the SWPPP. At least one trained individual must be identified and at least one trained individual must be on site on a daily basis when soil disturbance activities are being performed.

