

APPENDIX A

NYS DEC GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MS4s



Department of
Environmental
Conservation

FINAL
PERMIT
for
NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
SPDES GENERAL PERMIT
for
STORMWATER DISCHARGES
from
MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)
Permit No. GP-0-24-001

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

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Scott Sheeley
Chief Permit Administrator

A handwritten signature in blue ink that reads "Scott E. Sheeley".

DECEMBER 13, 2023

Authorized Signature

Date

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NOTE

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

Part I. Permit Coverage and Limitations**A. Permit Authorization**

This *SPDES* general permit authorizes the *discharge* of *stormwater* from small *MS4s*.

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

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

2. This *SPDES* general permit contains terms and conditions specific for each of the following types of *MS4 Operators* that are authorized to *discharge* under this *SPDES* general permit, in accordance with Part I.A.1:
 - a. *Traditional Land Use Control MS4 Operators*;
 - b. *Traditional Non-land Use Control MS4 Operators*; and
 - c. *Non-traditional MS4 Operators*.

The minimum control measures (MCMs) for *traditional land use MS4 Operators* are listed in Part VI. The MCMs for *traditional non-land use control MS4 Operators* and *non-traditional MS4 Operators* are listed in Part VII. Part III.B, Part VIII, and Part IX. list additional requirements for all *MS4 Operators' MS4s discharging* to impaired waters.

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

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

B. Exemption and Limitations on Coverage

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

Part II. Obtaining Permit Coverage

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

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

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

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

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

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

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

B. Electronic Submission Waiver

1. *MS4 Operators* must submit all NOIs electronically unless the *MS4 Operator* has received a waiver from the Department based on one of the following conditions:
 - a. If the *MS4 Operator* is physically located in a geographical area (i.e., zip code or census tract) that is identified as under-served for broadband internet

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

- access in the most recent report from the Federal Communications Commission; or
- b. If the *MS4 Operator* has limitations regarding available computer access or computer capability.
2. If an *MS4 Operator* wishes to obtain a waiver from submitting an NOI electronically, the *MS4 Operator* must submit a request using the Application for Electronic Submittal Waiver to the *Department* at the following address:

NYS DEC Bureau of Water Compliance
 MS4 NOTICE OF INTENT WAIVER
 625 Broadway, 4th Floor
 Albany, New York 12233-3505
 3. A waiver may only be considered granted once the *MS4 Operator* receives written confirmation from the *Department*.
 4. *MS4 Operators* must document the eNOI waiver in the *SWMP Plan* (Part IV.B.), if applicable.
- C. *MS4 Operators* who submit a complete NOI are authorized to *discharge stormwater* under the terms and conditions of this *SPDES* general permit.
1. NOI Content

The NOI shall include:

 - a. Legal name and address of the *MS4 Operator*;
 - b. Receiving waterbodies; and
 - c. *Municipal Separate Storm Sewer System (MS4)* NPDES Permit-Related Information of 40 CFR Part 127 Appendix A.

Part III. Special Conditions

A. Discharge Compliance with Water Quality Standards

1. The *MS4 Operator* must implement the required controls contained in Part III. through Part IX. of this *SPDES* general permit. The *Department* expects that compliance with the terms and conditions of this *SPDES* general permit will assure *MS4 discharges* meet applicable *water quality standards*.
2. It shall be a violation of the ECL for any *discharge* authorized by this *SPDES* general permit to either cause or contribute to a violation of *water quality standards* as contained in 6 NYCRR 700-705.
3. The *MS4 Operator* must take all necessary actions to ensure *discharges* comply with the terms and conditions of this *SPDES* general permit. If at any time an *MS4 Operator* becomes aware (e.g., through self-monitoring or by notification from the *Department*) that a *discharge* causes or contributes to the violation of an applicable *water quality standard*, the *MS4 Operator* must implement corrective

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

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

B. Water Quality Improvement Strategies for Impaired Waters

1. List of Impaired Waters (Appendix C)

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

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

For *MS4 Operators* discharging to waters within a *total maximum daily load (TMDL)* watershed that does not specify a *pollutant* load reduction necessary for *MS4s* and listed in Appendix C, the *MS4 Operator* must implement the enhanced *BMP* requirements of Part VIII. for the applicable *pollutant* of concern of the *TMDL*.

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

| Table 2. Pollutant Specific BMPs for Impaired Waters listed in Appendix C | |
|--|-----------------------------|
| POC | Part VIII. Reference |
| Phosphorus | A |
| Silt/Sediment | B |
| Pathogens | C |
| Nitrogen | D |
| Floatables | E |

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

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

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

| Table 3. Approved TMDL Watersheds with MS4 Contribution | | |
|---|------------|--------------------|
| TMDL | POC | Part IX. Reference |
| Phase II Phosphorus TMDLs for Reservoirs in the NYC Watershed, June 2000 | Phosphorus | A |
| Total Maximum Daily Load (TMDL) for Phosphorus in Lake Carmel, October 2016 | | |
| Total Maximum Daily Load (TMDL) for Phosphorus in Palmer Lake, March 2015 | | |
| Impaired Waters Restoration Plan for Greenwood Lake – Total Maximum Daily Load for Total Phosphorus, September 2005 | Phosphorus | B |
| Updated Phosphorus Total Maximum Daily Load for Onondaga Lake, June 2012 | | |
| Total Maximum Daily Load (TMDL) for Phosphorus in Lake Oscawana, September 2008 | | |
| None | Pathogen | C |
| TMDL for Nitrogen in the Peconic Estuary Program Study Area, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Sawmill Creek; and Meetinghouse Creek, Terry Creek and Tributaries, September 2007 | Nitrogen | D |

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

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

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

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

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

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

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

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

A. Administrative

1. Alternative Implementation Options

- a. *MS4 Operators* may utilize other entities or the resources of those entities to assist with any portion of the *SWMP* development, implementation, or enforcement. These entities may consist of other *MS4 Operators*, an *RSE*, a Coalition of *MS4 Operators*, other public entities (e.g., non-*MS4 Operators*), or a private third-party contractor. If the *MS4 Operator* is relying upon another entity for compliance with any portion of this *SPDES* general permit, there must be an agreement in place that:
 - i. Is legally binding;
 - ii. Is documented in writing;
 - iii. Is signed and dated by all parties including a certification statement that explains that the *MS4 Operator* is responsible for compliance with this *SPDES* general permit;
 - iv. Identifies the activities that the entity will be responsible for including the particular MCM, the location and type of work;
 - v. Includes the name, address, and telephone number of the contact person representing the entity;
 - vi. Is kept up-to-date and part of the *SWMP Plan*; and
 - vii. Is retained by each party for the duration of the permit term.

- b. In the *SWMP Plan*, the *MS4 Operator* must *develop* and maintain an inventory of entities assisting in permit implementation that includes the following information:
 - i. Name of entity performing permit implementation; and
 - ii. Permit requirement being implemented performed by entity.
- c. Irrespective of any agreements, each party remains legally responsible for obtaining its own permit coverage, for filing the *NOI*, and satisfying all requirements of this *SPDES* general permit for its own *discharges*.
- d. Within thirty (30) days signing, alternative implementation agreements (Part IV.A.1.) must be documented in the *SWMP Plan* (Part IV.B.).
- e. Annually review and update any alternative implementation agreements in the *SWMP Plan*, as necessary.

2. Staffing plan/Organizational chart

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

B. *SWMP Plan*

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

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

1. Stormwater Program Coordinator

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

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

2. Availability of *SWMP Plan*

- a. Within six (6) months of the EDC, the *MS4 Operator* must make the current *SWMP Plan*, and documentation associated with the implementation of the *SWMP Plan*, available during normal business hours to the *MS4 Operator's* management and staff responsible for implementation as well as the *Department* and United States Environmental Protection Agency (USEPA) staff.² The completion of this permit requirement must be documented in the *SWMP Plan*.
- b. Within six (6) months of the EDC, the *MS4 Operator* must make a copy of the current *SWMP Plan* available for public inspection during normal business hours at a location that is accessible to the public or on a public website. The location of the *SWMP Plan* must be kept current. The completion of this permit requirement must be documented in the *SWMP Plan*.

3. Timeframes for *SWMP Plan* Development or Updates

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

C. Minimum Control Measures (MCMs)

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

MS4 Operators subject to Part VI.

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

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

MS4 Operators subject to Part VII.

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

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

MS4 Operators subject to Part VIII.

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

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

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

MS4 Operators subject to Part IX.

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

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

D. Mapping

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

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

- d. MS4 infrastructure (as required for *MS4 Operators* continuing coverage from previous iterations of this *SPDES* general permit that were subject to Part IX.A. or Part IX.D.), including:
 - i. Conveyance system
 - a) Type (closed pipe or open drainage);
 - b) Conveyance description for closed pipes (material, shape, dimensions);
 - c) Conveyance description for open drainage (channel/ditch lining material, shape, dimensions); and
 - d) Direction of flow;
 - ii. Culvert crossings (location and dimensions)
 - iii. Stormwater structures
 - a) Type (drop inlet, *catch basin*, or manhole); and
 - b) Number of connections to *catch basins*, and manholes;
 - e. Basemap information:
 - i. *Automatically*³ and *additionally designated areas* (based on criterion 3 of Additional Designation Criteria in Appendix B);⁴
 - ii. Names and location of all *surface waters of the State*, including:
 - a) Waterbody classification;⁵
 - b) Waterbody Inventory/Priority Waterbodies List (WI/PWL);⁶
 - i) Impairment status; and
 - ii) *POC*, if applicable;
 - c) *TMDL* watershed areas;⁷
 - iii. Land use, including:
 - a) Industrial;
 - b) Residential;
 - c) Commercial;
 - d) Open space; and
 - e) Institutional;
 - iv. Roads; and
 - v. Topography.⁸
2. The comprehensive system mapping must be updated with the data collected for each phase of mapping within the timeframe for each phase as outlined below:
- a. Phase I: Within three (3) years of the EDC, the comprehensive system mapping must include the following information:

³Utilizing the Stormwater Interactive Map on the Department's website or the NYS GIS Clearinghouse.

⁴Utilizing the Stormwater Interactive Map on the Department's website.

⁵Utilizing the Stormwater Interactive Map on the Department's website or the NYS GIS Clearinghouse.

⁶Utilizing the Stormwater Interactive Map on the Department's website or the NYS GIS Clearinghouse.

⁷Utilizing the Stormwater Interactive Map on the Department's website.

⁸ Utilizing USGS Quadrangle Map or finer.

- i. Monitoring locations, with associated prioritization (Part VI.C.1.d. or Part VII.C.1.d, depending on the *MS4 Operator* type);
 - ii. Preliminary *storm-sewershed* boundaries (for newly designated *MS4 Operators*);
 - iii. Focus areas (Part VI.A.1.a. or Part VII.A.1.a, depending on the *MS4 Operator* type);
 - iv. *Publicly owned/operated* post-construction *stormwater management practices (SMPs)* (Part VI.E.3. or Part VII.E.3, depending on the *MS4 Operator* type). The *publicly owned/operated* post-construction *SMPs* subject to this requirement are in the *automatically designated area* or an *additionally designated area* subject to Criterion 1, 2, or 3 of the Additional Designation Criteria (Appendix B); and
 - v. *Municipal facilities*, with associated prioritization (Part VI.F.2.c. or Part VII.F.2.c, depending on the *MS4 Operator* type).
- b. Phase II: Within five (5) years of the EDC, the comprehensive system mapping must include the following information:
- i. *MS4* infrastructure, including:
 - a) Conveyance system
 - i) Type (closed pipe or open drainage); and
 - ii) Direction of flow;⁹
 - b) *Stormwater* structures
 - i) Type (drop inlet, *catch basin*, or manhole); and
 - ii) Number of connections to and from drop inlets, *catch basins*, and manholes;
 - ii. *Privately owned/operated* post-construction *SMPs* which *discharge* to the *MS4* (Part VI.E.2.). The *privately owned/operated* post-construction *SMPs* subject to this requirement are in the *automatically designated area* or an *additionally designated area* subject to Criterion 1, 2, or 3 of the Additional Designation Criteria (Appendix B).
 - a) If the location of the privately-owned post-construction *SMPs* cannot be determined without accessing the private property, the *MS4 Operator* must map the location of the property that the post-construction *SMP* is located on using street address or tax parcel.

E. Legal Authority

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

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

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

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

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

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

- b) Post-construction *SMPs* as required by CGP meet the *sizing criteria* specified in the New York State Stormwater Management Design Manual, January 2015 (NYS SWMDM 2015), and performance criteria, or equivalent, including Operation & Maintenance Plans for long term maintenance;
- c) Construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste, all of which may cause adverse impacts to water quality; and
- d) Receive and collect information related to compliance with the approved SWPPP including verification of maintenance of post-construction *SMPs* (if conducted by private entities).

F. Enforcement Measures & Tracking

1. Enforcement Response Plan

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

- a. The ERP must describe how the *MS4 Operator* will use the following types of enforcement responses or combination of responses:
 - i. Verbal warnings;
 - ii. Written notices;
 - iii. Citations (and associated fines);
 - iv. Stop work orders;
 - v. Withholding of plan approvals or other authorizations affecting the ability to *discharge* to the *MS4*; and
 - vi. Additional measures, supported in local legal authorities, such as collecting against the project's bond or directly billing the responsible party to pay for work and materials to correct violations.
- b. Enforcement responses are based on the type, magnitude, and duration of the violation, effect of the violation on the receiving water, compliance history of the operator, and good faith of the operator in compliance efforts.

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

2. Enforcement Tracking

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

- a. Name of the owner/operator of the facility or site of the violation (can be redacted from the publicly available SWMP Plan);
- b. Location of the *stormwater* source (e.g., construction project);
- c. Description of the violation;
- d. Schedule for returning to compliance;
- e. Description of enforcement response used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner;
- f. Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violations);
- g. Any referrals to different departments or agencies; and
- h. Date violation was resolved.

Part V. Recordkeeping, Reporting, and SWMP Evaluation

A. Recordkeeping

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

B. Reporting

1. Report Submittal

- a. Reports must be submitted electronically to the *Department* using the forms located on the Department's website (<http://www.dec.ny.gov/>).
- b. Electronic Submission Waiver
 - ii. *MS4 Operators* must submit all reports electronically unless the *MS4 Operator* has received a waiver from the *Department* based on one of the following conditions:

- a) If the *MS4 Operator* is physically located in a geographical area (i.e., zip code or census tract) that is identified as under-served for broadband internet access in the most recent report from the Federal Communications Commission; or
 - b) If the *MS4 Operator* has limitations regarding available computer access or computer capability.
- iii. If an *MS4 Operator* wishes to obtain a waiver from submitting a report electronically, the *MS4 Operator* must submit a request using the Application for Electronic Submittal Waiver to the *Department* at the following address:
- NYS DEC Bureau of Water Compliance
MS4 NOTICE OF INTENT WAIVER
625 Broadway 4th Floor
Albany, New York 12233-3505
- iv. A waiver may only be considered granted once the *MS4 Operator* receives written confirmation from the *Department*.
- v. *MS4 Operators* must document the electronic submission waiver in the *SWMP Plan*, if applicable.

2. Annual Reports

- a. Annually, *MS4 Operators* must submit an Annual Report to the *Department* using the form provided by the *Department*. The completion of this permit requirement must be documented in the *SWMP Plan*.
- b. The reporting period for the Annual Report is January 3 of the current year to January 2 of the following year (Reporting Year).
- c. For *MS4 Operators* continuing coverage, the Annual Report must be submitted to the *Department* by April 1 of the year following the end of the Reporting Year.
- d. For newly designated *MS4 Operators*, if authorization to discharge is granted:
 - i. Before September 30, the first Annual Report must be submitted by April 1 of the year following the end of the Reporting Year; or
 - ii. After September 30, the first Annual Report must be submitted by April 1 following their first complete Reporting Year.

3. Interim Progress Certifications

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

- b. *MS4 Operators* located within the watersheds listed in Table 3 must include additional information to identify the activities that have been performed during the reporting period to demonstrate progress made by the *MS4 Operator* towards completion of the reduction requirements, prescribed in Part IX.
- c. An Interim Progress Certification for the period of January 3 through June 30 of the same year must be submitted to the *Department* by October 1 of the same year. An Interim Progress Certification for the period of July 1 through January 2 of the following year must be submitted to the *Department* by April 1 of the following year along with the Annual Report. Submission of the Annual Report is not a substitute for submission of the Interim Progress Certification.

4. Shared Annual Reporting

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

- a. The shared Annual Report must outline and explain group activities, but also include the tasks performed by each individual *MS4 Operator*.
- b. On or before the reporting deadline, April 1, each *MS4 Operator* within the group, must sign the certification section of the Annual Report to take responsibility for the information in the Annual Report, which includes specific endorsement or acceptance of both the shared Annual Report information and Annual Report information on behalf of the individual *MS4 Operator*.

5. Certification

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

6. Annual Report and Interim Progress Certification Content

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

- a. The status of compliance with permit requirements;
- b. Information documented in the *SWMP Plan*, as specified throughout this *SPDES* general permit; and
- c. A certification statement in accordance with 40 CFR 122.22(d).

C. *SWMP* Evaluation

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

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

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

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

A. MCM1 – Public Education and Outreach Program

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

1. Development

a. Focus Areas

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

- i. Areas *discharging* to waters with Class AA-S, A-S, AA, A, B, SA, or SB (mapped in accordance with Part IV.D.1.e.ii.a));
- ii. *Sewersheds* for impaired waters listed in Appendix C (subject to Part VIII. requirements; mapped in accordance with Part IV.D.1.c. for *MS4 Operators* continuing coverage and Part IV.D.2.a.ii. for newly designated *MS4 Operators*);
- iii. *TMDL* watersheds (subject to Part IX. requirements; mapped in accordance with Part IV.D.1.e.ii.c));
- iv. Areas with *construction activities*;
- v. Areas with on-site wastewater systems (subject to Part VIII. or Part IX. requirements);
- vi. Residential, commercial, and industrial areas (mapped in accordance with Part IV.D.1.e.iii.);
- vii. *Stormwater hotspots*; and
- viii. Areas with *illicit discharges*.

b. Target Audiences and Associated *Pollutant* Generating Activities

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

- i. Residents;
- ii. Commercial:¹⁰ Business owners and staff;
- iii. Institutions:¹¹ Managers, staff, and students;
- iv. Construction: Developers, contractors, and design professionals;
- v. Industrial:¹² Owners and staff; and
- vi. *MS4 Operator's municipal* staff.

c. Education and Outreach Topics

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

d. *Illicit Discharge* Education

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

- i. What types of *discharges* are allowable (Part I.A.3.);
- ii. What is an *illicit discharge* and why is it prohibited (Part VI.C.);
- iii. The environmental hazards associated with *illicit discharges* and improper disposal of waste;
- iv. Proper handling and disposal practices for the most common behaviors within the community (e.g., septic care, car washing, household hazardous waste, swimming pool draining, or other activities resulting in *illicit discharges* to the *MS4*); and
- v. How to report *illicit discharges* they may observe (Part VI.C.1.a.).

2. Implementation and Frequency

a. Distribution Method of Educational Messages

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

- i. Printed materials (e.g., mail inserts, brochures, and newsletters);
- ii. Electronic materials (e.g., websites, email listservs);

¹⁰ Business, retail stores, and restaurants.

¹¹ Hospitals, churches, colleges, and schools.

¹² Factories, recyclers, auto-salvage, and mines.

- iii. Mass media (e.g., newspapers, public service announcements on radio or cable);
- iv. Workshops or focus groups;
- v. Displays in public areas (e.g., town halls, library, parks); or
- vi. Social Media (e.g., Facebook, Twitter, blogs).

b. Frequency

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

- i. Deliver an educational message to each target audience(s) (Part VI.A.1.b.) for each focus area(s) (Part VI.A.1.a.) based on the defined education and outreach topic(s) (Part VI.A.1.c.); and
- ii. Document the completion of this requirement in the *SWMP Plan*.

c. Updates to the Public Education and Outreach Program

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

- i. Review and update the focus areas, target audiences, and/or education and outreach topics; and
- ii. Document the completion of this requirement in the *SWMP Plan*.

B. MCM 2 - Public Involvement/Participation

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

1. Public Involvement/Participation

- a. Annually, the *MS4 Operator* must provide an opportunity for public involvement/participation in the development and implementation of the *SWMP*. The *MS4 Operator* must document the public involvement/participation opportunities in the *SWMP Plan*. The opportunities for public involvement/participation are as follows:
 - i. Citizen advisory group on *stormwater* management;
 - ii. Public hearings or meetings;
 - iii. Citizen volunteers to educate other individuals about the *SWMP*;
 - iv. Coordination with other pre-existing public involvement/participation opportunities;

- v. Reporting concerns about activities or behaviors observed; or
 - vi. Stewardship activities.
- b. Annually, the *MS4 Operator* must inform the public of the opportunity (Part VI.B.1.a.) for their involvement/participation in the development and implementation of the *SWMP* and how they can become involved. The *MS4 Operator* must document the method for distribution of this information in the *SWMP Plan*. The methods for distribution are as follows:
- i. Public notice;
 - ii. Printed materials (e.g., mail inserts, brochures and newsletters);
 - iii. Electronic materials (e.g., websites, email listservs);
 - iv. Mass media (e.g., newspapers, public service announcements on radio or cable);
 - v. Workshops or focus groups;
 - vi. Displays in public areas (e.g., town halls, library, parks); or
 - vii. Social Media (e.g., Facebook, Twitter, blogs).
- c. Within six (6) months of the EDC, the *MS4 Operator* must identify a local point of contact to receive and respond to public concerns regarding *stormwater* management and compliance with permit requirements. The name or title of this individual, with contact information, must be published on public outreach and public participation materials and documented in the *SWMP Plan*.

2. Public Notice and Input Requirements

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

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

b. Public Notice and Input Requirements for Draft Annual Report

- i. Annually, the *MS4 Operator* must provide an opportunity for the public to review and comment on the draft Annual Report. The completion of this permit requirement must be documented in the *SWMP Plan*. This requirement may be satisfied by either:
 - a) Presentation of the draft Annual Report at a regular meeting of an existing board (e.g., administrative, planning, zoning) or a separate meeting specifically for *stormwater*, as designated by the *MS4* or if requested by the public. The public must have the ability to ask

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

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

c. Consideration of Public Input

- i. Annually, the *MS4 Operator* must include a summary of comments received on the *SWMP Plan* and draft Annual Report in the *SWMP Plan*.
- ii. Within thirty (30) days of when public input is received, the *MS4 Operator* must update the *SWMP Plan*, where appropriate, based on the public input received.

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

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

1. *Illicit Discharge Detection*

a. Public Reporting of *Illicit Discharges*

- i. Within six (6) months of the EDC, the *MS4 Operator* must establish and document in the *SWMP Plan* an email or phone number (with message recording capability) for the public to report *illicit discharges*.
- ii. Within thirty (30) days of an *illicit discharge*, the *MS4 Operator* must document each report of an *illicit discharge* in the *SWMP Plan* with the following information:
 - a) Date of the report;
 - b) Location of the *illicit discharge*;
 - c) Nature of the *illicit discharge*;
 - d) Follow up actions taken or needed (including response times); and
 - e) Inspection outcomes and any enforcement taken.

b. Monitoring Locations

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

- i. *MS4 outfalls*;¹³

¹³ *MS4 outfalls* can be found at a *municipal facility*.

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

c. **Monitoring Locations Inventory**

- i. Within three (3) years of the EDC, the *MS4 Operator* must *develop* and maintain an inventory of the monitoring locations in the *SWMP Plan*. The following information must be included in the inventory:¹⁶
 - a) Inventory information for *MS4 outfalls*
 - i) ID;
 - ii) Prioritization (high or low) (Part VI.C.1.d.);
 - iii) Type of monitoring location (Part VI.C.1.b.);
 - iv) Name of *MS4 Operator's municipal facility*, if located at a *municipal facility*;¹⁷
 - v) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));
 - vi) Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));
 - vii) Land use in drainage area;
 - viii) Type of conveyance (open drainage or closed pipe);
 - ix) Material;
 - x) Shape;
 - xi) Dimensions;
 - xii) Submerged in water; and
 - xiii) Submerged in sediment.
 - b) Inventory information for *interconnections*
 - i) ID;
 - ii) Prioritization (high or low) (Part VI.C.1.d.);
 - iii) Type of monitoring location (Part VI.C.1.b.);
 - iv) Name of *MS4 Operator* receiving *discharge* or private storm system;
 - v) Name of *MS4 Operator's municipal facility*, if located at a *municipal facility*; and
 - vi) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a)).
 - c) Inventory information for *municipal facility intraconnections*
 - i) ID;
 - ii) Prioritization (high or low) (Part VI.C.1.d.);

¹⁴ *Interconnections* can be found at a *municipal facility*.

¹⁵ *Municipal facility intraconnections* can be found only at a *municipal facility*.

¹⁶ The information included in the inventory is collected during inspections on the Monitoring Locations Inspection and Sampling Field Sheet (Appendix D) unless otherwise specified by the permit conditions.

¹⁷ This information is collected as part of the *municipal facility* inventory.

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

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

d. Monitoring Locations Prioritization

- i. Within three (3) years of the EDC, the *MS4 Operator* must prioritize monitoring locations which are included in the monitoring locations inventory (Part VI.C.1.c.) as follows:
 - a) High priority monitoring locations include monitoring locations:
 - i) At a high priority *municipal facility*, as defined in Part VI.F.2.c;
 - ii) *Discharging* to impaired waters (subject to Part VIII. requirements; mapped in accordance with Part IV.D.1.e.ii.b));
 - iii) *Discharging* within a TMDL watershed (subject to Part IX. requirements; mapped in accordance with Part IV.D.1.e.ii.c));
 - iv) *Discharging* to waters with Class AA-S, A-S, AA, A, B, SA, or SB (mapped in accordance with Part IV.D.1.e.ii.a)); and/or
 - v) Confirmed citizen complaints on three or more separate occasions in the last twelve (12) months.
 - b) All other monitoring locations are considered low priority.
- ii. Within thirty (30) days of when a monitoring location is constructed or the *MS4 Operator* discovers it, the *MS4 Operator* must prioritize those monitoring locations; and
- iii. Annually, after the initial prioritization (Part VI.C.1.d.i.), the *MS4 Operator* must update the monitoring location prioritization in the inventory (Part VI.C.1.c.) based on information gathered as part of the monitoring location inspection and sampling program (Part VI.C.1.e.). The completion of this permit requirement must be documented in the *SWMP Plan*.

e. Monitoring Locations Inspection and Sampling Program

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

- i. The monitoring locations inspection and sampling procedures including:

- a) During *dry weather*,¹⁸ one (1) inspection of each monitoring location identified in the inventory (Part VI.C.1.c.) every five (5) years following the most recent inspection;
- b) Documentation of all monitoring location inspections, including any sampling results, using the Monitoring Locations Inspection and Sampling Field Sheet (Appendix D) or an equivalent form containing the same information and include the completed monitoring location inspections and sampling results in the *SWMP Plan* (e.g., the completed Monitoring Locations Inspection and Sampling Field Sheets);
- c) Provisions to sample all monitoring locations which had inspections which resulted in a *suspect or obvious illicit discharge* characterization. The sampling requirement is based on the number and severity of *physical indicators present in the flow* to better inform track down procedures (Part VI.C.2.). If the source of the *illicit discharge* is clear and discernable (e.g., sewage), sampling is not necessary;
- d) Sampling may be done with field test kits or field instrumentation that are sufficiently sensitive to detect the parameter below the sampling action level used¹⁹ and are not subject to 40 CFR Part 136 requirements for approved methods and certified laboratories;
- e) Provisions to initiate, or cause to initiate,²⁰ track down procedures (Part VI.C.2.a.), in accordance with the timeframes specified in Part VI.C.2.a.iii, for monitoring locations with an overall characterization²¹ as *suspect illicit discharge* or *obvious illicit discharge* or that exceed any sampling action level used;
- f) Provisions to re-inspect the monitoring location within thirty (30) days of initial inspection if there is a *physical indicator not related to flow*, potentially indicative of *intermittent* or *transitory discharges*, utilizing techniques described in Chapter 12.6 of the Center for Watershed Protection Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance, October 2004 (CWP 2004) or equivalent.
 - i) If those same physical indicators persist, the *MS4 Operator* must initiate *illicit discharge* track down procedures (Part VI.C.2.a.).

¹⁸ MS4 Operators can reference the Center for Watershed Protection Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance, October 2004 (CWP 2004) for other factors to consider when determining when to conduct monitoring location inspection and sampling.

¹⁹ Refer to Chapter 12 of the CWP 2004 for parameters, sampling action levels, and procedures.

²⁰ If track down is conducted by individuals or entities other than those conducting the monitoring locations inspections.

²¹ Reference to the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Monitoring Location Characterization based on the Relative Severity Index of physical indicators for flowing monitoring locations only.

- ii. The training provisions for the *MS4 Operator's* monitoring locations inspection and sampling procedures (Part VI.C.1.e.i.).
 - a) If new staff are added, training on the *MS4 Operator's* monitoring locations inspection and sampling procedures (Part VI.C.1.e.i.) must be given prior to conducting monitoring locations inspections and sampling procedures;
 - b) For existing staff, training on the *MS4 Operator's* monitoring locations inspection and sampling procedures (Part VI.C.1.e.i.) must be given prior to conducting monitoring locations inspections and sampling and once every five (5) years, thereafter; and
 - c) If the monitoring locations inspection and sampling procedures (Part VI.C.1.e.i.) are updated (Part VI.C.1.e.iv.), training on the updates must be given to all staff prior to conducting monitoring locations inspections and sampling.
- iii. The names, titles, and contact information for the individuals who have received monitoring locations inspection and sampling procedures training and update annually; and
- iv. Annually, by April 1, the *MS4 Operator* must:
 - a) Review and update the monitoring location inspection and sampling procedures (Part VI.C.1.e.i.) based on monitoring location inspection results (e.g., trends, patterns, areas with *illicit discharges*, and common problems); and
 - b) Document the completion of this requirement in the *SWMP Plan*.

2. *Illicit Discharge Track Down Program*

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

- a. The *illicit discharge* track down procedures including:
 - i. Procedures as described in Chapter 13 of CWP 2004 or equivalent;
 - ii. Steps taken for *illicit discharge* track down procedures;
 - iii. The following timeframes to initiate *illicit discharge* track down:
 - a) Within twenty-four (24) hours of discovery, the *MS4 Operator* must initiate track down procedures for flowing *MS4* monitoring locations with *obvious illicit discharges*;²²

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

- b) Within two (2) hours of discovery, the *MS4 Operator* must initiate track down procedures for *obvious illicit discharges* of sanitary wastewater that would affect bathing areas during bathing season, shell fishing areas or public water intakes and report orally or electronically to the Regional Water Engineer and local health department; and
 - c) Within five (5) days of discovery, the *MS4 Operator* must initiate track down procedures for *suspect illicit discharges*.
- b. The training provisions for the *MS4 Operator's illicit discharge* track down procedures (Part VI.C.2.a.).
- i. If new staff are added, training on the *MS4 Operator's illicit discharge* track down procedures (Part VI.C.2.a.) must be given prior to conducting *illicit discharge* track downs;
 - ii. For existing staff, training on the *MS4 Operator's illicit discharge* track down procedures (Part VI.C.2.a.) must be given prior to *conducting illicit discharge* track downs and once every five (5) years, thereafter; and
 - iii. If the *illicit discharge* track down procedures (Part VI.C.2.a.) are updated (Part VI.C.2.d.), training on the updates must be given to all staff prior to conducting *illicit discharge* track downs.
- c. The names, titles, and contact information for the individuals who have received *illicit discharge* track down procedures training and update annually; and
- d. Annually, by April 1, the *MS4 Operator* must:
- i. Review and update the *illicit discharge* track down procedures (Part VI.C.2.a.); and
 - ii. Document the completion of this requirement in the *SWMP Plan*.

3. *Illicit Discharge Elimination Program*

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

- a. The *illicit discharge* elimination procedures including:
 - i. Provisions for escalating enforcement and tracking, both consistent with the ERP required in Part IV.F. of this *SPDES* general permit;
 - ii. Provisions to confirm the corrective actions have been taken;
 - iii. Steps taken for *illicit discharge* elimination procedures; and
 - iv. The following timeframes for *illicit discharge* elimination:
 - a) Within twenty-four (24) hours of identification of an *illicit discharge* that has a reasonable likelihood of adversely affecting human health or the environment, the *MS4 Operator* must eliminate the *illicit discharge*;

- b) Within five (5) days of identification of an *illicit discharge* that does not have a reasonable likelihood of adversely affecting human health or the environment, the *MS4 Operator* must eliminate the *illicit discharge*; and
 - c) Where elimination of an *illicit discharge* within the specified timeframes (Part VI.C.3.a.iv.) is not possible, the *MS4 Operator* must notify the Regional Water Engineer.
- b. The training provisions for the *MS4 Operator's illicit discharge* elimination procedures (Part VI.C.3.a.).
- i. If new staff are added, training on the *MS4 Operator's illicit discharge* elimination procedures (Part VI.C.3.a.) must be given prior to conducting *illicit discharge* eliminations;
 - ii. For existing staff, training on the *MS4 Operator's illicit discharge* elimination procedures (Part VI.C.3.a.) must be given prior to conducting *illicit discharge* eliminations and once every five (5) years, thereafter; and
 - iii. If the *illicit discharge* elimination procedures (Part VI.C.3.a.) are updated (Part VI.C.3.d.), training on the updates must be given to all staff prior to conducting *illicit discharge* eliminations.
- c. The names, titles, and contact information for the individuals who have received *illicit discharge* elimination procedures training and update annually; and
- d. Annually, by April 1, the *MS4 Operator* must:
- i. Review and update the *illicit discharge* elimination procedures (Part VI.C.3.a.); and
 - ii. Document the completion of this requirement in the *SWMP Plan*.

D. MCM 4 - Construction Site Stormwater Runoff Control

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

1. Applicable Construction Activities/Projects/Sites

- a. The construction site *stormwater* runoff control program must address *stormwater* runoff to the *MS4* from sites with *construction activities* that:
- i. Result in a total land disturbance of greater than or equal to one acre; or

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

- ii. Disturb less than one acre if part of a larger common plan of development or sale.
- b. For *construction activities* where the *MS4 Operator* is listed as the owner/operator on the Notice of Intent for coverage under the CGP:
 - i. The *MS4 Operator* must ensure compliance with the CGP; and
 - ii. The additional requirements for construction oversight described in Part VI.D.6 through Part VI.D.9 are not required.

2. Public Reporting of Construction Site Complaints

- a. Within six (6) months of the EDC, the *MS4 Operator* must establish and document in the *SWMP Plan* an email or phone number (with message recording capability) for the public to report complaints related to construction *stormwater* activity.
- b. The *MS4 Operator* must document reports of construction site complaints in the *SWMP Plan* with the following information:
 - i. Date of the report;
 - ii. Location of the construction site;
 - iii. Nature of complaint;
 - iv. Follow up actions taken or needed; and
 - v. Inspection outcomes and any enforcement taken.

3. Construction Oversight Program

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

- a. The construction oversight procedures including:
 - i. When the construction site *stormwater* control program applies (Part VI.D.1.);
 - ii. What types of *construction activity* require a SWPPP;
 - iii. The procedures for submission of SWPPPs;
 - iv. SWPPP review requirements (Part VI.D.6.)
 - v. Pre-construction oversight requirements (Part VI.D.7.)
 - vi. Construction site inspection requirements (Part VI.D.8.);
 - vii. Construction site close-out requirements (Part VI.D.9.);
 - viii. Enforcement process/expectations for compliance; and
 - ix. Other procedures associated with the control of *stormwater* runoff from applicable *construction activities*.

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

4. Construction Site Inventory & Inspection Tracking

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

- ix. Current status of the construction site/project (i.e., active, temporarily shut down, complete²⁴).
- b. Annually, the *MS4 Operator* must update the inventory if construction projects are approved or completed.

5. Construction Site Prioritization

- a. Within one (1) year of the EDC, the *MS4 Operator* must prioritize all construction sites which are included in the construction site inventory (Part VI.D.4.) as follows:
 - i. High priority construction sites include construction sites:
 - a) With a direct conveyance (e.g., channel, ditch, storm sewer) to a *surface water of the State* that is:
 - i) Listed in Appendix C with silt/sediment, phosphorus, or nitrogen as the POC;
 - ii) Classified as AA-S, AA, or A (mapped in accordance with Part IV.D.1.e.ii.a)); or
 - iii) Classified with a trout (T) or trout spawning (TS) designation (mapped in accordance with Part IV.D.1.e.ii.a));
 - b) With greater than five (5) acres of disturbed earth at any one time;
 - c) With earth disturbance within one hundred (100) feet of any lake or pond (mapped in accordance with Part IV.D.1.e.ii.b)); and/or
 - d) Within fifty (50) feet of any rivers or streams (mapped in accordance with Part IV.D.1.e.ii.b));
 - ii. All other construction sites are considered low priority.
- b. Within thirty (30) days of when a construction site becomes active, the *MS4 Operator* must prioritize those construction sites; and
- c. Annually, after the initial prioritization (Part VI.D.5.a.), the *MS4 Operator* must update the construction site prioritization in the inventory (Part VI.D.4.a.) based on information gathered as part of the construction oversight program (Part VI.D.3.). The completion of this permit requirement must be documented in the *SWMP Plan*.
 - i. If the prioritization of the construction site changes priority based on information gathered as part of the construction oversight program, the *MS4 Operator* must comply with the requirements that apply to that prioritization.

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

6. SWPPP Review

The *MS4 Operator* must:

- a. Ensure individual(s), responsible for reviewing SWPPPs for acceptance, receive:
 - i. Four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity. This training must be completed within three (3) years of the EDC and every three (3) years thereafter.
 - ii. Document the completion of this requirement in the *SWMP Plan*.
- b. Ensure SWPPP reviewers receive this training (Part VI.D.6.a.) prior to conducting SWPPP reviews for acceptance.
 - i. Individuals without these trainings cannot review SWPPPs for acceptance.
 - ii. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.
- c. Ensure individuals responsible for reviewing SWPPPs review all SWPPPs for applicable *construction activities* (Part VI.D.1.) and for conformance with the requirements of the CGP, including:
 - i. Erosion and sediment controls must be reviewed for conformance with the NYS E&SC 2016, or equivalent;
 - ii. Individuals responsible for review of post-construction *SMPs* must be *qualified professionals* or under the supervision of a *qualified professional*; and
 - iii. Post-construction *SMPs* must be reviewed for conformance with the NYS SWMDM 2015 or equivalent, including:
 - a) All post-construction *SMPs* must meet the *sizing criteria* contained in the CGP and NYS SWMDM 2015.
 - b) Deviations from the performance criteria of the NYS SWMDM 2015 must demonstrate that they are equivalent.
 - c) The SWPPP must include an O&M plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction *SMP*. The SWPPP must identify the entity that will be responsible for the long-term operation and maintenance of each practice.
- d. In the *SWMP Plan*, document and update annually the names, titles, and contact information for the individuals who have received the trainings listed in Part VI.D.6.a.
- e. In the *SWMP Plan*, document the SWPPP review including the information found in Part III.B. of the CGP;
- f. Prioritize new *construction activities* (Part VI.D.5.a.); and

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

7. Pre-Construction Meeting

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

- a. Confirm the approved project has received, or will receive²⁶, coverage under the CGP or an individual *SPDES* permit;
- b. Verify contractors and subcontractors selected by the owner/operator of the *construction activity* have identified at least one individual that has received four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District or other endorsed entity as required by the CGP and Part VI.D.3.d; and
- c. Review the construction oversight program (Part VI.D.3.) and expectations for compliance.

8. Construction Site Inspections

The *MS4 Operator* must:

- a. Ensure individuals(s), responsible for construction site inspections, receive:
 - i. Four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity. This training must be complete, within three (3) years of the EDC and every three (3) years thereafter.
 - ii. Document the completion of this requirement in the *SWMP Plan*.
- b. Ensure all *MS4 Construction Site Inspectors* receive this training prior to conducting construction site inspections.
 - i. Individuals without these trainings cannot inspect construction sites.
 - ii. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

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

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

- c. Annually inspect all sites with *construction activity* identified in the inventory (Part VI.D.4.) during active construction after the pre-construction meeting (Part VI.D.7.), or sooner if deficiencies are noted that require attention.
 - i. Follow up to construction site inspections must confirm corrective actions are completed within timeframes established by the CGP and the *MS4 Operator's ERP* (Part IV.F.1.).
- d. In the *SWMP Plan*, document and update annually the names, titles, and contact information for the individuals who have received the trainings listed in Part VI.D.8.a.
- e. Document all inspections using the Construction Site Inspection Report Form (Appendix D) or an equivalent form containing the same information. The *MS4 Operator* must include the completed Construction Site Inspection Reports in the *SWMP Plan*.

9. Construction Site Close-out

- a. The *MS4 Operator* must ensure a final construction site inspection is conducted and documentation of the final construction site inspection must be maintained in the *SWMP Plan*. The final construction site inspection must be documented using the Construction Site Inspection Report Form (Appendix D), or an equivalent form containing the same information, or accept the construction site owner/operator's *qualified inspector* final inspection certification required by the CGP.
- b. The Notice of Termination (NOT)²⁷ must be signed by the *MS4 Operator* as required by the CGP for projects determined to be complete. The NOT must be signed in accordance with Part X.J.

E. MCM 5 – Post-Construction Stormwater Management

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

1. Applicable Post-Construction *SMPs*

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

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

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

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

2. Post-Construction *SMP* Inventory & Inspection Tracking²⁸

- a. The *MS4 Operators* continuing coverage must:
 - i. Maintain the inventory from previous iterations of this *SPDES* general permit for post-construction *SMPs* installed after March 10, 2003; and
 - ii. *Develop* the inventory for post-construction *SMPs* installed after March 10, 2003 including post-construction *SMPs*:
 - a) As they are approved or discovered; or
 - b) After the owner/operator of the *construction activity* has filed the NOT with the *Department* (Part VI.D.9.b.).
- b. The newly designated *MS4 Operators* must *develop* and maintain the inventory for post-construction *SMPs* installed after March 10, 2003 including post-construction *SMPs*:
 - i. As they are approved or discovered; or
 - ii. After the owner/operator of the *construction activity* has filed the NOT with the *Department* (Part VI.D.9.b.).
- c. Annually, the *MS4 Operator* must update the inventory of post-construction *SMPs* to include the post-construction *SMPs* in Part VI.E.2.a. and Part VI.E.2.b.
- d. Within five (5) years of the EDC, the following information must be included in the inventory either by using the *MS4 Operator* maintenance records or by verification of maintenance records provided by the owner of the post-construction *SMP*:
 - i. Street address or tax parcel;
 - ii. Type;²⁹
 - iii. Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));
 - iv. Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));
 - v. Date of installation (if available) or discovery;
 - vi. Ownership;
 - vii. Responsible party for maintenance;

²⁸ Post-construction *SMPs* can be found at a *municipal facility*.

²⁹ Post-construction *SMP* types are defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017).

- viii. Contact information for party responsible for maintenance;
 - ix. Location of documentation depicting O&M requirements and legal agreements for post-construction *SMP*;
 - x. Frequency for inspection of post-construction *SMP*, as specified in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017) or as specified in the O&M plan contained in the approved SWPPP (Part VI.D.6.);
 - xi. Reason for installation (e.g., new development, redevelopment, *retrofit*, flood control), if known;
 - xii. Date of last inspection;
 - xiii. Inspection results; and
 - xiv. Any corrective actions identified and completed.
- e. *MS4 Operators* must document the inventory of post-construction *SMPs* in the *SWMP Plan*.

3. SWPPP Review

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

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

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

- a. The post-construction *SMP* inspection and maintenance procedures including:
 - i. Provisions to ensure that each post-construction *SMP* identified in the post-construction *SMP* inventory (Part VI.E.2.) is inspected at the frequency specified in the NYS DEC Maintenance Guidance 2017 or as specified in the O&M plan contained in the approved SWPPP (Part VI.D.6.), if available;
 - a) The *MS4 Operator* can only accept Level 1 inspections (NYS DEC Maintenance Guidance 2017) by private owners inspecting post-construction *SMPs*.
 - ii. Documentation of post-construction *SMP* inspections using the Post-Construction *SMP* Inspection Checklist³⁰ or an equivalent form containing the same information. The *MS4 Operator* must include the completed

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

- post-construction *SMP* inspections (i.e., the completed Post-Construction *SMP* Inspection Checklist) in the *SWMP Plan*;
- iii. Provisions to initiate follow-up actions (i.e., maintenance, repair, or higher-level inspection) within thirty (30) days of post-construction *SMP* inspection; and
 - iv. Provisions to initiate enforcement within sixty (60) days of the inspection if follow-up actions are not complete.
- b. The training provisions for the *MS4 Operator's* post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.).
- i. If new staff are added, training on the *MS4 Operator's* post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.) and procedures outlined in the *Department* endorsed program must be given prior to conducting any post-construction *SMP* inspection and maintenance;
 - ii. For existing staff, training on the *MS4 Operator's* post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.) and procedures outlined in the *Department* endorsed program must be given prior to conducting any post-construction *SMP* inspection and maintenance and once every five (5) years, thereafter; and
 - iii. If the post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.) are updated (Part VI.E.4.d.), training on the updates must be given to all staff prior to conducting post-construction *SMP* inspection and maintenance.
- c. The names, titles, and contact information for the individuals who have received post-construction *SMP* inspection and maintenance procedures training and update annually; and
- d. Annually, by April 1, the *MS4 Operator* must:
- i. Review and update the post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.); and
 - ii. Document the completion of this requirement in the *SWMP Plan*.

F. MCM 6 – Pollution Prevention and Good Housekeeping

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

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

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

a. Minimize Exposure

- i. Exposure of materials to rain, snow, snowmelt, and runoff must be minimized, unless not technologically possible or not economically practicable and achievable in light of best industry practices, including areas used for loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations, with the following *BMPs*:
 - a) Locate materials and activities inside or protect them with storm resistant coverings;
 - b) Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
 - c) Locate materials, equipment, and activities so leaks and spills are contained in existing containment and diversion systems;
 - d) Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the *discharge* of *pollutants*;
 - e) Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;
 - f) Use spill/overflow protection equipment;
 - g) Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also captures any overspray;
 - h) Drain fluids, indoors or under cover, from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks; and/or
 - i) Minimize exposure of chemicals by replacing with a less toxic alternative (e.g., use non-hazardous cleaners).
- ii. *No Exposure Certification for High Priority Municipal Facilities*

- a) *Municipal facilities* may qualify for *No Exposure Certification* (Appendix D) when all activities and materials are completely sheltered from exposure to rain, snow, snowmelt and/or runoff.
- b) High priority *municipal facilities* (Part VI.F.2.c.i.a)) with uncovered parking areas for vehicles awaiting maintenance may be considered a low priority *municipal facility* (Part VI.F.2.c.i.c)) if only routine maintenance is performed inside and all other *no exposure* criteria are met.
- c) *Municipal facilities* accepting or repairing disabled vehicles and/or vehicles that have been involved in accidents are not eligible for the *No Exposure Certification*.
- d) *Municipal facilities* must maintain the *No Exposure Certification* and document in the *SWMP Plan*. The *No Exposure Certification* ceases to apply when activities or materials become exposed.

b. Follow a Preventive Maintenance Program

- i. Implement a preventative maintenance program that includes routine inspection, testing, maintenance, and repair of all fueling areas, vehicles and equipment and systems to prevent leaks, spills and other releases. This includes:
 - a) Performing inspections and preventive maintenance of *stormwater* drainage, source controls, treatment systems, and plant equipment and systems;
 - b) Maintaining non-structural *BMPs* (e.g., keep spill response supplies available, personnel appropriately trained, containment measures, covering fuel areas); and
 - c) Ensure vehicle washwater is not *discharged* to the *MS4* or to *surface waters of the State*. Wash equipment/vehicles in a designated and/or covered area where washwater is collected to be recycled or *discharged* to the sanitary sewer (Part I.B.2.d.).
- ii. Routine maintenance must be performed to ensure *BMPs* are operating properly.
- iii. When a *BMP* is not functioning to its designed effectiveness and needs repair or replacement:
 - a) Maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of *stormwater* controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable; and
 - b) Interim measures must be taken to prevent or minimize the *discharge* of *pollutants* until the final repair or replacement is implemented,

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

c. Spill Prevention and Response Procedures

- i. Minimize the potential for leaks, spills and other releases that may be exposed to *stormwater* and *develop* plans for effective response to such spills if or when they occur. At a minimum, the *MS4 Operator* must:
 - a) Store materials in appropriate containers;
 - b) Label containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides”) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
 - c) Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the *discharge of pollutants* from these areas;
 - d) *Develop* procedures for stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;
 - e) Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made;
 - f) *Develop* procedures for notification of the appropriate facility personnel, emergency response agencies, and regulatory agencies when a leak, spill, or other release occurs. If possible, one of these individuals should be a member of the *stormwater* pollution prevention team (Part VI.F.2.d.i.a)). Any spills must be reported in accordance with 6 NYCRR 750-2.7; and
 - g) Following any spill or release, the *MS4 Operator* must evaluate the adequacy of the *BMPs* identified in the *municipal facility* specific SWPPP. If the *BMPs* are inadequate, the SWPPP must be updated to identify new *BMPs* that will prevent reoccurrence and improve the emergency response to such releases.
- ii. Measures for cleaning up spills or leaks must be consistent with applicable petroleum bulk storage, chemical bulk storage, or hazardous waste management regulations at 6 NYCRR Parts 596-599, 613 and 370-373.
- iii. This *SPDES* general permit does not relieve the *MS4 Operator* of any reporting or other requirements related to spills or other releases of petroleum or hazardous substances. Any spill of a hazardous substance must be reported in accordance with 6 NYCRR 597.4. Any spill of petroleum must be reported in accordance with 6 NYCRR 613.6 or 17 NYCRR 32.3.

d. Erosion and Sediment Controls³¹

- i. Stabilize exposed areas and control runoff using structural and/or non-structural controls to minimize onsite erosion and sedimentation.
- ii. The *MS4 Operator* must consider:
 - a) Structural and/or non-structural controls found in the NYS E&SC 2016;
 - b) Areas that, due to topography, land disturbance (e.g., construction), or other factors, have potential for significant soil erosion;
 - c) Whether structural, vegetative, and/or stabilization *BMPs* are needed to limit erosion;
 - d) Whether velocity dissipation devices (or equivalent measures) are needed at *discharge* locations and along the length of any channel to provide a non-erosive flow velocity from the structure to a water course; and
 - e) Address erosion or areas with poor vegetative cover, especially if the erosion is within fifty (50) feet of a *surface water of the State*.

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

- i. Maintain vegetated areas on *MS4 Operator* owned/operated property and right of ways:
 - a) Specify proper use, storage, and disposal of pesticides, herbicides, and fertilizers including minimizing the use of these products and using only in accordance manufacturer's instruction;
 - b) Use lawn maintenance and landscaping practices that are protective of water quality. Protective practices include: reduced mowing frequencies; proper disposal of lawn clippings; and use of alternative landscaping materials (e.g., drought resistant planting);
 - c) Place pet waste disposal containers and signage concerning the proper collection and disposal of pet waste at all parks and open space where pets are permitted; and
 - d) Address waterfowl congregation areas where needed to reduce waterfowl droppings from entering the *MS4*.

f. Salt³² Storage Piles or Pile Containing Salt

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

³¹ The use of the term "controls" in Part VI.F.1.d. aligns with the use of the term "controls" in the CGP.

³² For purposes of this *SPDES* general permit, salt means any chloride-containing material used to treat paved surfaces for deicing, including sodium chloride, calcium chloride, magnesium chloride, and brine solutions.

g. Waste, Garbage, and Floatable Debris

- i. Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids and could leak, ensure that *discharges* have a control (e.g., secondary containment, treatment); and
- ii. Keep exposed areas free of waste, garbage, and debris or intercept them before they are *discharged*:
 - a) Manage trash containers at parks and open space (scheduled cleanings; sufficient number);
 - b) Pick up trash and debris on *MS4 Operator* owned/operated property and rights of way; and
 - c) Clean out *catch basins* within the appropriate timeframes (Part VI.F.3.c.iii.).

h. Alternative Implementation Options

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

2. Municipal Facilities³³

a. Municipal Facility Program

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

- i. The *municipal facility* procedures including:
 - a) The *BMPs* (Part VI.F.1.) incorporated into the *municipal facility* program;
 - b) The high priority *municipal facility* requirements (Part VI.F.2.d.) as applied to the specific *municipal facility*; and
 - c) The low priority *municipal facility* requirements (Part VI.F.2.e.) as applied to the specific *municipal facility*.
- ii. The training provisions for the *MS4 Operator's municipal facility* procedures (Part VI.F.2.a.i.).
 - a) If new staff are added, training on the *MS4 Operator's municipal facility* procedures (Part VI.F.2.a.i.) must be given prior to conducting *municipal facility* procedures;
 - b) For existing staff, training on the *MS4 Operator's municipal facility* procedures (Part VI.F.2.a.i.) must be given prior to conducting

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

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

- c) If the *municipal facility* procedures (Part VI.F.2.a.i.) are updated (Part VI.F.2.a.iv.), training on the updates must be given to all staff prior to conducting *municipal facility* procedures.
- iii. The names, titles, and contact information for the individuals who have received *municipal facility* training and update annually; and
- iv. Annually, by April 1, the *MS4 Operator* must:
 - a) Review and update the *municipal facility* procedures (Part VI.F.2.a.i.); and
 - b) Document the completion of this requirement in the *SWMP Plan*.

b. *Municipal Facility Inventory*

- i. Within two (2) years of the EDC, the *MS4 Operator* must *develop* and maintain an inventory of all *municipal facilities* in the *SWMP Plan*. The following information must be included in the inventory:
 - a) Name of *municipal facility*;
 - b) Street address;
 - c) Type of *municipal facility*;
 - d) Prioritization (high or low) (Part VI.F.2.c.);
 - e) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));
 - f) Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));
 - g) Contact information;
 - h) Responsible department;
 - i) Location of SWPPP (if high priority; when completed);
 - j) Type of activities present on site;
 - k) Size of facility (acres);
 - l) Date of last assessment;
 - m) *BMPs* identified; and
 - n) Projected date of next comprehensive site assessment (Part VI.F.2.d.ii.c) or Part VI.F.2.e.ii.c), depending on the *municipal facility* prioritization (Part VI.F.2.c.)).
- ii. Annually, the *MS4 Operator* must update the inventory if new *municipal facilities* are added.

c. *Municipal Facility Prioritization*

- i. Within three (3) years of the EDC, the *MS4 Operator* must prioritize all known *municipal* facilities as follows:
 - a) High priority *municipal facilities* include *municipal* facilities that have one or more of the following on site and exposed to *stormwater*:
 - i) Storage of chemicals, salt, petroleum, pesticides, fertilizers, anti-freeze, lead-acid batteries, tires, waste/debris;
 - ii) Fueling stations; and/or
 - iii) Vehicle or equipment maintenance/repair.
 - b) Low priority *municipal facilities* include any *municipal* facilities that do not meet the criteria for a high priority (Part VI.F.2.c.i.a)) *municipal facility*.
 - c) High priority *municipal facilities* (Part IV.F.2.c.i.a)) which qualify for a *No Exposure Certification* (Part VI.F.1.a.ii.) are low priority *municipal* facilities.
- ii. Within thirty (30) days of when a *municipal facility* is added to the inventory, the *MS4 Operator* must prioritize those *municipal* facilities; and
- iii. Annually, after the initial prioritization (Part VI.F.2.c.i.), the *MS4 Operator* must update the *municipal facility* prioritization in the inventory (Part VI.F.2.b.i.) based on information gathered as part of the *municipal facility* program (Part VI.F.2.a.), including cases where a *No Exposure Certification* (Part VI.F.1.a.ii.) ceases to apply. The completion of this permit requirement must be documented in the *SWMP Plan*.

d. High Priority *Municipal Facility* Requirements

i. *Municipal Facility Specific SWPPP*

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

a) *Stormwater* Pollution Prevention Team

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

b) General Site Description

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

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

c) Summary of potential *pollutant* sources

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

- i) Materials or activities include: machinery; raw materials; intermediate products; byproducts; final products or waste products; and, material handling activities which includes storage, loading and unloading, transportation or conveyance of any raw material, intermediate product, final product or waste product.
- ii) For each separate area identified, the description must include:
 - (a) Activities - A list of the activities occurring in the area (e.g., material storage, equipment fueling and cleaning);
 - (b) Pollutants - A list of the associated *pollutant(s)* for each activity. The *pollutant(s)* list must include all materials that are exposed to *stormwater*, and
 - (c) Potential for presence in *stormwater* - For each area of the *municipal facility* that generates *stormwater discharges*, a prediction of the direction of flow, and the likelihood of the activity to contaminate the *stormwater discharge*. Factors to consider include the toxicity of chemicals, quantity of chemicals used, produced or *discharged*, the likelihood of contact with *stormwater*, and history of leaks or spills of toxic or hazardous *pollutants*.

d) Spills and Releases

For areas that are exposed to precipitation or that otherwise drain to a *stormwater* conveyance to be covered under this *SPDES* general permit, the *municipal facility* specific SWPPP must include a list of spills or releases³⁴ of petroleum and hazardous substances or other *pollutants*, including unauthorized *non-stormwater discharges*, that may adversely affect water quality that occurred during the last three-year period. The list must be updated when spills or releases occur.

e) Site Map

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

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

- i) Property boundaries and size in acres;
- ii) Location and extent of significant structures (including materials shelters), and impervious surfaces;
- iii) Monitoring locations (mapped in accordance with Part IV.D.2.a.i.) with its approximate *sewershed*. Each monitoring location must be labeled with the monitoring location identification;
- iv) Location of all post-construction *SMPs* (mapped in accordance with Part IV.D.2.a.iv.) and *MS4* infrastructure (mapped in accordance with Part IV.D.2.b.i.);
- v) Locations of *discharges* authorized under other *SPDES* permits;
- vi) Locations where potential spills or releases can contribute to *pollutants* in *stormwater discharges* and their accompanying drainage points;
- vii) Locations of haul and access roads;
- viii) Rail cars and tracks;
- ix) Arrows showing direction of *stormwater* flow;
- x) Location of all receiving waters in the immediate vicinity of the *municipal facility*, indicating if any of the waters are impaired and, if so, whether the waters have *TMDLs* established for them (mapped in accordance with Part IV.D.1.e.ii.);
- xi) Locations where *stormwater* flows have significant potential to cause erosion;
- xii) Location and source of run-on from adjacent property containing significant quantities of *pollutants* and/or volume of concern to the *municipal facility*; and
- xiii) Locations of the following areas where such areas are exposed to precipitation or *stormwater*:
 - (a) Fueling stations;
 - (b) Vehicle and equipment maintenance and/or cleaning areas;
 - (c) Loading/unloading areas;
 - (d) Locations used for the treatment, storage or disposal of wastes;
 - (e) Liquid storage tanks;
 - (f) Processing and storage areas;
 - (g) Locations where significant materials, fuel or chemicals are stored and transferred;
 - (h) Locations where vehicles and/or machinery are stored when not in use
 - (i) Transfer areas for substances in bulk;

- (j) Location and description of non-*stormwater discharges* (Part I.A.3.);
- (k) Locations where spills³⁵ or leaks have occurred; and
- (l) Locations of all existing structural *BMPs*.

f) *Stormwater Best Management Practices (BMPs)*

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

g) *Municipal facility* assessments

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

ii. *Municipal Facility Assessments*

a) Wet Weather Visual Monitoring

- i) Once every five (5) years, the *MS4 Operator* must conduct wet weather visual monitoring of the monitoring locations (Part VI.C.1.b.) and other sites of *stormwater* leaving the site that are *discharging stormwater* from fueling areas, storage areas, vehicle and equipment maintenance/fueling areas, material handling areas and similar potential *pollutant* generating areas (Part VI.F.2.d.i.e)xiii)).
 - (a) All samples must be collected from *discharges* resulting from a *qualifying storm event*. The storm event must be documented using the Storm Event Data Form (Appendix D) and kept with the *municipal facility* specific SWPPP. The sample must be taken during the first thirty (30) minutes (or as soon as practical, but not to exceed one hour) of the *discharge* at the monitoring location.
 - (b) No analytical tests are required to be performed on the samples for the purpose of meeting the visual monitoring requirements.
 - (c) The visual examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and any other obvious indicators of *stormwater* pollution.
 - (d) The visual examination of the sample must be conducted in a well-lit area.

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

- (e) Where practicable, the same individual should carry out the collection and examination of *discharges* for the entire permit term for consistency.
- (f) The *MS4 Operator* must document the visual examination using the Visual Monitoring Form (Appendix D) and keep it with the *municipal facility* specific SWPPP to record:
 - (i) Monitoring location ID;
 - (ii) Examination date and time;
 - (iii) Personnel conducting the examination;
 - (iv) Nature of the *discharge* (runoff or snowmelt);
 - (v) Visual quality of the *stormwater discharge* including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of *stormwater* pollution; and
 - (vi) Probable sources of any observed *stormwater* contamination.
 - (vii) Corrective and follow up actions – If the visual examination indicates the presence of color, odor, floating solids, settled solids, suspended solids, foam, oil sheen, or other indicators of *stormwater* pollution, the *MS4 Operator* must, at minimum, complete and document the following actions:
 - (1) Evaluate the facility for potential sources;
 - (2) Remedy the problems identified;
 - (3) Revise the *municipal facility* specific SWPPP; and
 - (4) Perform an additional visual inspection during the first *qualifying storm event* following implementation of the corrective action. If the first *qualifying storm event* does not occur until the next visual monitoring period, this follow up action may be used as the next visual inspection.
- b) The monitoring locations inspection and sampling program must be implemented at the *municipal facility* (Part VI.C.1.e.).
- c) Comprehensive Site Assessments
 - i) Once every five (5) years following the most recent assessment, the *MS4 Operator* must complete a comprehensive site assessment for each high priority *municipal facility* as identified in the inventory (Part VI.F.2.b.) using the Municipal Facility Assessment Form (Appendix D) or an equivalent form containing

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

- (a) The *municipal facility* is in compliance with the terms and conditions of this *SPDES* general permit;
- (b) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which has a reasonable likelihood of adversely affecting human health or the environment;
 - (i) Within twenty-four (24) hours, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented; or
- (c) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which does not have a reasonable likelihood of adversely affecting human health or the environment;
 - (i) Within seven (7) days, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented.

e. Low Priority *Municipal Facility* Requirements

- i. The *MS4 Operator* must identify procedures outlining *BMPs* for the types of activities that occur at the low priority *municipal* facilities as described in Part VI.F.1. A *municipal facility* specific SWPPP is not required.
- ii. *Municipal Facility* Assessments
 - a) Low priority *municipal* facilities are not required to conduct wet weather visual monitoring.
 - b) The monitoring locations inspection and sampling program must be implemented at the *municipal facility* (Part VI.C.1.e.).
 - c) Comprehensive Site Assessments
 - i) Once every five (5) years following the most recent assessment, the *MS4 Operator* must complete a comprehensive site assessment for each low priority *municipal facility* as identified in the inventory (Part VI.F.2.b.) using the Municipal Facility Assessment Form (Appendix D) or an equivalent form containing the same information, and document in the *SWMP Plan* that:
 - (a) The *municipal facility* is in compliance with the terms and conditions of this *SPDES* general permit;
 - (b) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which

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

- (i) Within twenty-four (24) hours, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented; or
- (c) Deficiencies were identified and all reasonable steps will be to minimize any *discharge* in violation of the permit, which does not have a reasonable likelihood of adversely affecting human health or the environment;
 - (i) Within seven (7) days, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented.

3. **Municipal Operations & Maintenance**

a. *Municipal Operations Program*

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

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

- i. The *municipal operations* procedures including:
 - a) The *BMPs* (Part VI.F.1.) incorporated into the *municipal operations* program;
 - b) The *municipal operations* corrective actions requirements (Part VI.F.3.b.);
 - c) *Catch basin* inspection and maintenance requirements (Part VI.F.3.c.);
 - d) Roads, bridges, parking lots, and right of way maintenance requirements (Part VI.F.3.d.); and
 - e) All other *municipal operations* maintenance requirements.
- ii. The training provisions for the *MS4 Operator's municipal operations* procedures (Part VI.F.3.a.i.).
 - a) If new staff are added, training on the *MS4 Operator's municipal operations* procedures (Part VI.F.3.a.i.) must be given prior to conducting *municipal operations* procedures;

- b) For existing staff, training on the *MS4 Operator's municipal operations* procedures (Part VI.F.3.a.i.) must be given prior to conducting *municipal operations* procedures and once every five (5) years, thereafter; and
 - c) If the *municipal operations* procedures (Part VI.F.3.a.i.) are updated (Part VI.F.3.a.iv.), training on the updates must be given to all staff prior to conducting *municipal operations* procedures.
- iii. The names, titles, and contact information for the individuals who have received *municipal operations* training and update annually; and
 - iv. Annually, by April 1, the *MS4 Operator* must:
 - a) Review and update the *municipal operations* procedures (Part VI.F.3.a.i.); and
 - c) Document the completion of this requirement in the *SWMP Plan*.

b. *Municipal Operations Corrective Actions*

- i. For *municipal operations*, *MS4 Operators* must either:
 - a) Ensure compliance with the terms and conditions of this *SPDES* general permit; or
 - b) Implement corrective actions according to the following schedule and, after implementation, ensure the operations are in compliance with the terms and conditions of this *SPDES* general permit:
 - i) Within twenty-four (24) hours of discovery for situations that have a reasonable likelihood of adversely affecting human health or the environment;
 - ii) Initiated within seven (7) days of inspection and completed within thirty (30) days of inspection for situations that do not have a reasonable likelihood of adversely affecting human health or the environment; and
 - iii) For corrective actions that require special funding or construction that will take longer than thirty (30) days to complete, a schedule must be prepared that specifies interim milestones that will ensure compliance in the shortest reasonable time.

c. *Catch Basin Inspection and Maintenance*

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

- i. Identify when *catch basin* inspection is needed with consideration for:
 - a) Areas with *construction activities* (mapped in accordance with Part IV.D.2.a.iii.);
 - b) Residential, commercial, and industrial areas (mapped in accordance with Part IV.D.1.d.iii.);

- c) Recurring or history of issues; or
 - d) Confirmed citizen complaints on three or more separate occasions in the last twelve (12) months.
- ii. Inventory *catch basin* inspection information including:
- a) Date of inspection;
 - b) Approximate level of trash, sediment, and/or debris captured at time of clean-out (no trash, sediment, and/or debris, <50% of the depth of the *sump*, >50% of the depth of the *sump*);
 - c) Depth of structure;
 - d) Depth of *sump*; and
 - e) Date of clean out, if applicable (Part VI.F.3.c.iii.).
- iii. Based on inspection results, clean out *catch basins* within the following timeframes:
- a) Within six (6) months after the *catch basin* inspection, *catch basins* which had trash, sediment, and/or debris exceeding 50% of the depth of the *sump* as a result of a *catch basin* inspection must be cleaned out;
 - b) Within one (1) year after the *catch basin* inspection, *catch basins* which had trash, sediment, and/or debris at less than 50% of the depth of the *sump* as a result of a *catch basin* inspection must be cleaned out; and
 - c) MS4 Operators are not required to clean out *catch basins* if the *catch basins* are operating properly and:
 - i. There is no trash, sediment, and/or debris in the *catch basin*; or
 - ii. The *sump* depth of the *catch basin* is less than or equal to two (2) feet.
- iv. Properly manage (handling and disposal) materials removed from *catch basins* during clean out so that:
- a) Water removed during the *catch basin* cleaning process will not reenter the *MS4* or *surface waters of the State*;
 - b) Material removed from *catch basins* is disposed of in accordance with any applicable environmental laws and regulations; and
 - c) Material removed during the *catch basin* cleaning process will not reenter the *MS4* or *surface waters of the State*.
- v. Determine if there are signs/evidence of *illicit discharges* and procedures for referral/follow-up if *illicit discharges* are encountered.

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

i. Sweeping

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

- a) All roads, bridges, parking lots, and right of ways must be swept and/or cleaned once every five (5) years in the spring (following winter activities such as sanding). This requirement is not applicable to:
 - i) Uncurbed roads with no *catch basins*;
 - ii) High-speed limited access highways; or
 - iii) Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.
- b) Annually, from April 1 through October 31, roads in business and commercial areas must be swept. This requirement is not applicable to:
 - i) Uncurbed roads with no *catch basins*;
 - ii) High-speed limited access highways; or
 - iii) Roads defined as interstates, freeways and expressways, or arterials by the USDOT 2013.

ii. Maintenance

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

- a) Pave, mark, and seal in dry conditions;
- b) Stage road operations and maintenance activity (e.g., patching, potholes) to reduce the potential discharge of pollutants to the *MS4* or *surface waters of the State*;
- c) Restrict the use of herbicides/pesticide application to roadside vegetation; and
- d) Contain *pollutants* associated with bridge maintenance activities (e.g., paint chips, dust, cleaning products, other debris).

iii. Winter Road Maintenance

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

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

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

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

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

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

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

A. MCM1 – Public Education and Outreach Program

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

1. Development

a. Focus Areas

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

- i. Areas *discharging* to waters with Class AA-S, A-S, AA, A, B, SA, or SB (mapped in accordance with Part IV.D.1.e.ii.a));
- ii. *Sewersheds* for impaired waters listed in Appendix C (subject to Part VIII. requirements; mapped in accordance with Part IV.D.1.c. for *MS4 Operators* continuing coverage and Part IV.D.2.a.ii. for newly designated *MS4 Operators*);
- iii. *TMDL* watersheds (subject to Part IX. requirements; mapped in accordance with Part IV.D.1.e.ii.c));
- iv. Areas with *construction activities*;
- v. Areas with on-site wastewater systems (subject to Part VIII. or Part IX. requirements);
- vi. Residential, commercial, and industrial areas (mapped in accordance with Part IV.D.1.e.iii.);
- vii. *Stormwater hotspots*; and
- viii. Areas with *illicit discharges*.

b. Target Audiences and Associated *Pollutant* Generating Activities

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

- i. Residents;
- ii. Commercial:³⁷ Business owners and staff;
- iii. Institutions:³⁸ Managers, staff, and students;
- iv. Construction: Developers, contractors, and design professionals;
- v. Industrial:³⁹ Owners and staff; and
- vi. *MS4 Operator's municipal* staff.

c. Education and Outreach Topics

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

e. *Illicit Discharge* Education

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

- i. What types of *discharges* are allowable (Part I.A.3.);
- ii. What is an *illicit discharge* and why is it prohibited (Part VII.C.);
- iii. The environmental hazards associated with *illicit discharges* and improper disposal of waste;
- iv. Proper handling and disposal practices for the most common behaviors within the community (e.g., septic care, car washing, household hazardous waste, swimming pool draining, or other activities resulting in *illicit discharges* to the *MS4*); and
- v. How to report *illicit discharges* they may observe (Part VII.C.1.a.).

³⁷ Business, retail stores, and restaurants.

³⁸ Hospitals, churches, colleges, and schools.

³⁹ Factories, recyclers, auto-salvage, and mines.

2. Implementation and Frequency

a. Distribution Method of Educational Messages

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

- i. Printed materials (e.g., mail inserts, brochures, and newsletters);
- ii. Electronic materials (e.g., websites, email listservs);
- iii. Mass media (e.g., newspapers, public service announcements on radio or cable);
- iv. Workshops or focus groups;
- v. Displays in public areas (e.g., town halls, library, parks); or
- vi. Social Media (e.g., Facebook, Twitter, blogs).

b. Frequency

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

- i. Deliver an educational message to each target audience(s) (Part VII.A.1.b.) for each focus area(s) (Part VII.A.1.a.) based on the defined education and outreach topic(s) (Part VII.A.1.c.); and
- ii. Document the completion of this requirement in the *SWMP Plan*.

c. Updates to the Public Education and Outreach Program

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

- i. Review and update the focus areas, target audiences, and/or education and outreach topics; and
- ii. Document the completion of this requirement in the *SWMP Plan*.

B. MCM 2 - Public Involvement/Participation

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

1. Public Involvement/Participation

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

- i. Citizen advisory group on *stormwater* management;
 - ii. Public hearings or meetings;
 - iii. Citizen volunteers to educate other individuals about the *SWMP*;
 - iv. Coordination with other pre-existing public involvement/participation opportunities;
 - v. Reporting concerns about activities or behaviors observed; or
 - vi. Stewardship activities.
- b. Annually, the *MS4 Operator* must inform the public of the opportunity (Part VII.B.1.a.) for their involvement/participation in the development and implementation of the *SWMP* and how they can become involved. The *MS4 Operator* must document the method for distribution of this information in the *SWMP Plan*. The methods for distribution are as follows:
- i. Public notice;
 - ii. Printed materials (e.g., mail inserts, brochures and newsletters);
 - iii. Electronic materials (e.g., websites, email listservs);
 - iv. Mass media (e.g., newspapers, public service announcements on radio or cable);
 - v. Workshops or focus groups;
 - vi. Displays in public areas (e.g., town halls, library, parks); or
 - vii. Social Media (e.g., Facebook, Twitter, blogs).
- c. Within six (6) months of the EDC, the *MS4 Operator* must identify a local point of contact to receive and respond to public concerns regarding *stormwater* management and compliance with permit requirements. The name or title of this individual, with contact information, must be published on public outreach and public participation materials and documented in the *SWMP Plan*.

2. Public Notice and Input Requirements

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

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

b. Public Notice and Input Requirements for Draft Annual Report

- i. Annually, the *MS4 Operator* must provide an opportunity for the public to review and comment on the draft Annual Report. The completion of this permit requirement must be documented in the *SWMP Plan*. This requirement may be satisfied by either:
 - a) Presentation of the draft Annual Report at a regular meeting of an existing board (e.g., administrative, planning, zoning) or a separate meeting specifically for *stormwater*, as designated by the *MS4* or if requested by the public. The public must have the ability to ask questions about and make comments on the draft annual report during that presentation; or
 - b) Posting of the draft Annual Report on a public website. The website must provide information on the timeframes and procedures to submit comments and/or request a meeting. However, if a public meeting is requested by two or more persons, the *MS4 Operator* must hold such a meeting.

c. Consideration of Public Input

- i. Annually, the *MS4 Operator* must include a summary of comments received on the *SWMP Plan* and draft Annual Report in the *SWMP Plan*.
- ii. Within thirty (30) days of when public input is received, the *MS4 Operator* must update the *SWMP Plan*, where appropriate, based on the public input received.

C. MCM 3 - Illicit Discharge Detection and Elimination

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

1. Illicit Discharge Detection

a. Public Reporting of Illicit Discharges

- i. Within six (6) months of the EDC, the *MS4 Operator* must establish and document in the *SWMP Plan* an email or phone number (with message recording capability) for the public to report *illicit discharges*.
- ii. Within thirty (30) days of an *illicit discharge*, the *MS4 Operator* must document each report of an *illicit discharge* in the *SWMP Plan* with the following information:
 - a) Date of the report;
 - b) Location of the *illicit discharge*;
 - c) Nature of the *illicit discharge*;

- d) Follow up actions taken or needed (including response times); and
- e) Inspection outcomes and any enforcement taken.

b. Monitoring Locations

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

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

c. Monitoring Locations Inventory

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

a) Inventory information for *MS4 outfalls*

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

b) Inventory information for *interconnections*

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

⁴⁰ *MS4 outfalls* can be found at a *municipal facility*.

⁴¹ *Interconnections* can be found at a *municipal facility*.

⁴² *Municipal facility intraconnections* can be found only at a *municipal facility*.

⁴³ The information included in the inventory is collected during inspections on the Monitoring Locations Inspection and Sampling Field Sheet (Appendix D) unless otherwise specified by the permit conditions.

⁴⁴ This information is collected as part of the *municipal facility* inventory.

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

c) Inventory information for *municipal facility intraconnections*

- i) ID;
 - ii) Prioritization (high or low) (Part VII.C.1.d.);
 - iii) Type of monitoring location (Part VII.C.1.b.);
 - iv) Name of *MS4 Operator's municipal facility*; and
 - v) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a)).
- ii. Annually, the *MS4 Operator* must update the inventory if monitoring locations are created or discovered.

d. Monitoring Locations Prioritization

- i. Within three (3) years of the EDC, the *MS4 Operator* must prioritize monitoring locations which are included in the monitoring locations inventory (Part VII.C.1.c.) as follows:
 - a) High priority monitoring locations include monitoring locations:
 - vi) At a high priority *municipal facility*, as defined in Part VII.F.2.c;
 - vii) *Discharging* to impaired waters (subject to Part VIII. requirements; mapped in accordance with Part IV.D.1.e.ii.b));
 - viii) *Discharging* within a TMDL watershed (subject to Part IX. requirements; mapped in accordance with Part IV.D.1.e.ii.c));
 - ix) *Discharging* to waters with Class AA-S, A-S, AA, A, B, SA, or SB (mapped in accordance with Part IV.D.1.e.ii.a)); and/or
 - x) Confirmed citizen complaints on three or more separate occasions in the last twelve (12) months.
 - b) All other monitoring locations are considered low priority.
- ii. Within thirty (30) days of when a monitoring location is constructed or the *MS4 Operator* discovers it, the *MS4 Operator* must prioritize those monitoring locations; and
- iii. Annually, after the initial prioritization (Part VII.C.1.d.i.), the *MS4 Operator* must update the monitoring location prioritization in the inventory (Part VII.C.1.c.) based on information gathered as part of the monitoring location inspection and sampling program (Part VII.C.1.e.). The completion of this permit requirement must be documented in the *SWMP Plan*.

e. Monitoring Locations Inspection and Sampling Program

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

- i. The monitoring locations inspection and sampling procedures including:
 - a) During *dry weather*,⁴⁵ one (1) inspection of each monitoring location identified in the inventory (Part VII.C.1.c.) every five (5) years following the most recent inspection;
 - b) Documentation of all monitoring location inspections, including any sampling results, using the Monitoring Locations Inspection and Sampling Field Sheet (Appendix D) or an equivalent form containing the same information and include the completed monitoring location inspections and sampling results in the *SWMP Plan* (e.g., the completed Monitoring Locations Inspection and Sampling Field Sheets);
 - c) Provisions to sample all monitoring locations which had inspections which resulted in a *suspect* or *obvious illicit discharge* characterization. The sampling requirement is based on the number and severity of *physical indicators present in the flow* to better inform track down procedures (Part VII.C.2.). If the source of the *illicit discharge* is clear and discernable (e.g., sewage), sampling is not necessary;
 - d) Sampling may be done with field test kits or field instrumentation that are sufficiently sensitive to detect the parameter below the sampling action level used⁴⁶ and are not subject to 40 CFR Part 136 requirements for approved methods and certified laboratories;
 - e) Provisions to initiate, or cause to initiate,⁴⁷ track down procedures (Part VII.C.2.a.), in accordance with the timeframes specified in Part VII.C.2.a.iii, for monitoring locations with an overall characterization⁴⁸ as *suspect illicit discharge* or *obvious illicit discharge* or that exceed any sampling action level used;
 - f) Provisions to re-inspect the monitoring location within thirty (30) days of initial inspection if there is a *physical indicator not related to flow*, potentially indicative of *intermittent* or *transitory discharges*, utilizing techniques described in Chapter 12.6 of the Center for Watershed

⁴⁵ MS4 Operators can reference the Center for Watershed Protection Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance, October 2004 (CWP 2004) for other factors to consider when determining when to conduct monitoring location inspection and sampling.

⁴⁶ Refer to Chapter 12 of the CWP 2004 for parameters, sampling action levels, and procedures.

⁴⁷ If track down is conducted by individuals or entities other than those conducting the monitoring locations inspections.

⁴⁸ Reference to the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Monitoring Location Characterization based on the Relative Severity Index of physical indicators for flowing monitoring locations only.

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

- i) If those same physical indicators persist, the *MS4 Operator* must initiate *illicit discharge* track down procedures (Part VII.C.2.a.).
- ii. The training provisions for the *MS4 Operator's* monitoring locations inspection and sampling procedures (Part VII.C.1.e.i.).
 - a) If new staff are added, training on the *MS4 Operator's* monitoring locations inspection and sampling procedures (Part VII.C.1.e.i.) must be given prior to conducting monitoring locations inspections and sampling procedures;
 - b) For existing staff, training on the *MS4 Operator's* monitoring locations inspection and sampling procedures (Part VII.C.1.e.i.) must be given prior to conducting monitoring locations inspections and sampling and once every five (5) years, thereafter; and
 - c) If the monitoring locations inspection and sampling procedures (Part VII.C.1.e.i.) are updated (Part VII.C.1.e.iv.), training on the updates must be given to all staff prior to conducting monitoring locations inspections and sampling.
- iii. The names, titles, and contact information for the individuals who have received monitoring locations inspection and sampling procedures training and update annually; and
- iv. Annually, by April 1, the *MS4 Operator* must:
 - a) Review and update the monitoring location inspection and sampling procedures (Part VII.C.1.e.i.) based on monitoring location inspection results (e.g., trends, patterns, areas with *illicit discharges*, and common problems); and
 - b) Document the completion of this requirement in the *SWMP Plan*.

2. *Illicit Discharge Track Down Program*

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

- a. The *illicit discharge* track down procedures including:
 - i. Procedures as described in Chapter 13 of CWP 2004 or equivalent;
 - ii. Steps taken for *illicit discharge* track down procedures;
 - iii. The following timeframes to initiate *illicit discharge* track down:

- a) Within twenty-four (24) hours of discovery, the *MS4 Operator* must initiate track down procedures for flowing *MS4* monitoring locations with *obvious illicit discharges*;⁴⁹
 - b) Within two (2) hours of discovery, the *MS4 Operator* must initiate track down procedures for *obvious illicit discharges* of sanitary wastewater that would affect bathing areas during bathing season, shell fishing areas or public water intakes and report orally or electronically to the Regional Water Engineer and local health department; and
 - c) Within five (5) days of discovery, the *MS4 Operator* must initiate track down procedures for *suspect illicit discharges*.
- b. The training provisions for the *MS4 Operator's illicit discharge* track down procedures (Part VII.C.2.a.).
 - i. If new staff are added, training on the *MS4 Operator's illicit discharge* track down procedures (Part VII.C.2.a.) must be given prior to conducting *illicit discharge* track downs;
 - ii. For existing staff, training on the *MS4 Operator's illicit discharge* track down procedures (Part VII.C.2.a.) must be given prior to *conducting illicit discharge* track downs and once every five (5) years, thereafter; and
 - iii. If the *illicit discharge* track down procedures (Part VII.C.2.a.) are updated (Part VII.C.2.d.), training on the updates must be given to all staff prior to conducting *illicit discharge* track downs.
 - c. The names, titles, and contact information for the individuals who have received *illicit discharge* track down procedures training and update annually; and
 - d. Annually, by April 1, the *MS4 Operator* must:
 - i. Review and update the *illicit discharge* track down procedures (Part VII.C.2.a.); and
 - ii. Document the completion of this requirement in the *SWMP Plan*.

3. *Illicit Discharge Elimination Program*

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

- a. The *illicit discharge* elimination procedures including:
 - i. Provisions for escalating enforcement and tracking, both consistent with the ERP required in Part IV.F. of this *SPDES* general permit;
 - ii. Provisions to confirm the corrective actions have been taken;

⁴⁹ Reference to the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Monitoring Location Characterization based on the Relative Severity Index of physical indicators for flowing monitoring locations only.

- iii. Steps taken for *illicit discharge* elimination procedures; and
- iv. The following timeframes for *illicit discharge* elimination:
 - a) Within twenty-four (24) hours of identification of an *illicit discharge* that has a reasonable likelihood of adversely affecting human health or the environment, the *MS4 Operator* must eliminate the *illicit discharge*;
 - b) Within five (5) days of identification of an *illicit discharge* that does not have a reasonable likelihood of adversely affecting human health or the environment, the *MS4 Operator* must eliminate the *illicit discharge*; and
 - c) Where elimination of an *illicit discharge* within the specified timeframes (Part VII.C.3.a.iv.) is not possible, the *MS4 Operator* must notify the Regional Water Engineer.
- b. The training provisions for the *MS4 Operator's illicit discharge* elimination procedures (Part VII.C.3.a.).
 - i. If new staff are added, training on the *MS4 Operator's illicit discharge* elimination procedures (Part VII.C.3.a.) must be given prior to conducting *illicit discharge* eliminations;
 - ii. For existing staff, training on the *MS4 Operator's illicit discharge* elimination procedures (Part VII.C.3.a.) must be given prior to conducting *illicit discharge* eliminations and once every five (5) years, thereafter; and
 - iii. If the *illicit discharge* elimination procedures (Part VII.C.3.a.) are updated (Part VII.C.3.d.), training on the updates must be given to all staff prior to conducting *illicit discharge* eliminations.
- c. The names, titles, and contact information for the individuals who have received *illicit discharge* elimination procedures training and update annually; and
- d. Annually, by April 1, the *MS4 Operator* must:
 - i. Review and update the *illicit discharge* elimination procedures (Part VII.C.3.a.); and
 - ii. Document the completion of this requirement in the *SWMP Plan*.

D. MCM 4 - Construction Site Stormwater Runoff Control

The *MS4 Operator* must *develop*, implement, and enforce a program to ensure construction sites are effectively controlled. This MCM is designed to prevent *pollutants* from construction related activities,⁵⁰ as well as promote the proper planning and installation of post-construction *SMPs*.

⁵⁰ Projects that comply with the terms and conditions of the CGP or an individual *SPDES* permit for *stormwater* for which they obtained coverage and local erosion and sediment control requirements are effectively controlled.

1. Applicable Construction Activities/Projects/Sites

- a. The construction site *stormwater* runoff control program must address *stormwater* runoff to the *MS4* from sites with *construction activities* permitted, approved, funded, or owned/operated by the *MS4 Operator* that:
 - i. Result in a total land disturbance of greater than or equal to one acre; or,
 - ii. Disturb less than one acre if part of a larger common plan of development or sale.
- b. For *construction activities* where the *MS4 Operator* is listed as the owner/operator on the Notice of Intent for coverage under the CGP:
 - i. The *MS4 Operator* must ensure compliance with the CGP; and
 - ii. The additional requirements for construction oversight described in Part VII.D.6 through Part VII.D.9 are not required.

2. Public Reporting of Construction Site Complaints

- a. Within six (6) months of the EDC, the *MS4 Operator* must establish and document in the *SWMP Plan* an email or phone number (with message recording capability) for the public to report complaints related to construction *stormwater* activity.
- b. The *MS4 Operator* must document reports of construction site complaints in the *SWMP Plan* with the following information:
 - i. Date of the report;
 - ii. Location of the construction site;
 - iii. Nature of complaint;
 - iv. Follow up actions taken or needed; and
 - v. Inspection outcomes and any enforcement taken.

3. Construction Oversight Program

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

- a. The construction oversight procedures including:
 - i. When the construction site *stormwater* control program applies (Part VII.D.1.);
 - ii. What types of *construction activity* require a SWPPP;
 - iii. The procedures for submission of SWPPPs;
 - iv. SWPPP review requirements (Part VII.D.6.)
 - v. Pre-construction oversight requirements (Part VII.D.7.)

- vi. Construction site inspection requirements (Part VII.D.8.);
 - vii. Construction site close-out requirements (Part VII.D.9.);
 - viii. Enforcement process/expectations for compliance; and
 - ix. Other procedures associated with the control of *stormwater* runoff from applicable *construction activities*.
- b. The training provisions for the *MS4 Operator's* construction oversight procedures (Part VII.D.3.a.).
 - i. If new staff are added, training on the *MS4 Operator's* construction oversight procedures (Part VII.D.3.a.) must be given prior to conducting any construction oversight activities;
 - ii. For existing staff, training on the *MS4 Operator's* construction oversight procedures (Part VII.D.3.a.) must be given prior to conducting any construction oversight activities and once every five (5) years, thereafter; and
 - iii. If the construction oversight procedures (Part VII.D.3.a.) are updated (Part VII.D.3.a.), training on the updates must be given to all staff prior to conducting construction oversight.
 - c. The names, titles, and contact information for the individuals who have received construction oversight training and update annually;
 - d. Procedures to ensure those involved in the *construction activity* itself (e.g., contractor, subcontractor, *qualified inspector*, SWPPP reviewers) have received four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity; and
 - e. Annually, by April 1, the *MS4 Operator* must:
 - i. Review and update the construction oversight procedures (Part VII.D.3.a.); and
 - ii. Document the completion of this requirement in the *SWMP Plan*.

4. Construction Site Inventory & Inspection Tracking

- a. Within six (6) months of the EDC, the *MS4 Operator* must *develop* and maintain an inventory of all applicable construction sites (Part VII.D.1.a.) in the *SWMP Plan*. The following information must be included in the inventory:
 - i. Location of the construction site;
 - ii. Owner/operator contact information, if other than the *MS4 Operator*;
 - iii. Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));
 - iv. Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));

- v. Prioritization (high or low) (Part VII.D.5.);
 - vi. Construction project *SPDES* identification number;
 - vii. SWPPP approval date;
 - viii. Inspection history, including dates and ratings (satisfactory, marginal, or unsatisfactory, when available); and
 - ix. Current status of the construction site/project (i.e., active, temporarily shut down, complete⁵¹).
- b. Annually, the *MS4 Operator* must update the inventory if construction projects are approved or completed.

5. Construction Site Prioritization

- a. Within one (1) year of the EDC, the *MS4 Operator* must prioritize all construction sites which are included in the construction site inventory (Part VII.D.4.) as follows:
- i. High priority construction sites include construction sites:
 - a) With a direct conveyance (e.g., channel, ditch, storm sewer) to a *surface water of the State* that is:
 - i) Listed in Appendix C with silt/sediment, phosphorus, or nitrogen as the POC;
 - ii) Classified as AA-S, AA, or A (mapped in accordance with Part IV.D.1.e.ii.a)); or
 - iii) Classified with a trout (T) or trout spawning (TS) designation (mapped in accordance with Part IV.D.1.e.ii.a));
 - b) With greater than five (5) acres of disturbed earth at any one time;
 - c) With earth disturbance within one hundred (100) feet of any lake or pond (mapped in accordance with Part IV.D.1.e.ii.b)); and/or
 - d) Within fifty (50) feet of any rivers or streams (mapped in accordance with Part IV.D.1.e.ii.b));
 - ii. All other construction sites are considered low priority.
- b. Within thirty (30) days of when a construction site becomes active, the *MS4 Operator* must prioritize those construction sites; and
- c. Annually, after the initial prioritization (Part VII.D.5.a.), the *MS4 Operator* must update the construction site prioritization in the inventory (Part VII.D.4.a.) based on information gathered as part of the construction oversight program (Part VII.D.3.). The completion of this permit requirement must be documented in the *SWMP Plan*.

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

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

6. SWPPP Review

The *MS4 Operator* must:

- a. Ensure individual(s), responsible for reviewing SWPPPs for acceptance, receive:
 - i. Four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity. This training must be completed within three (3) years of the EDC and every three (3) years thereafter.
 - ii. Document the completion of this requirement in the *SWMP Plan*.
- b. Ensure SWPPP reviewers receive this training (Part VII.D.6.a.) prior to conducting SWPPP reviews for acceptance.
 - i. Individuals without these trainings cannot review SWPPPs for acceptance.
 - ii. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.
- c. Ensure individuals responsible for reviewing SWPPPs review all SWPPPs for applicable *construction activities* (Part VII.D.1.) and for conformance with the requirements of the CGP, including:
 - i. Erosion and sediment controls must be reviewed for conformance with the NYS E&SC 2016, or equivalent;
 - ii. Individuals responsible for review of post-construction *SMPs* must be *qualified professionals* or under the supervision of a *qualified professional*; and
 - iii. Post-construction *SMPs* must be reviewed for conformance with the NYS SWMDM 2015 or equivalent, including:
 - a) All post-construction *SMPs* must meet the *sizing criteria* contained in the CGP and NYS SWMDM 2015.
 - b) Deviations from the performance criteria of the NYS SWMDM 2015 must demonstrate that they are equivalent.
 - c) The SWPPP must include an O&M plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction *SMP*. The SWPPP must identify the entity that will be responsible for the long-term operation and maintenance of each practice.

- d. In the *SWMP Plan*, document and update annually the names, titles, and contact information for the individuals who have received the trainings listed in Part VII.D.6.a.
- e. In the *SWMP Plan*, document the SWPPP review including the information found in Part III.B. of the CGP;
- f. Prioritize new *construction activities* (Part VII.D.5.a.); and
- g. Notify construction site owner/operators that their SWPPP has been accepted using the *MS4 SWPPP Acceptance Form*⁵² created by the *Department* and required by the CGP, signed in accordance with Part X.J.

7. Pre-Construction Meeting

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

- a. Confirm the approved project has received, or will receive⁵³, coverage under the CGP or an individual *SPDES* permit;
- b. Verify contractors and subcontractors selected by the owner/operator of the *construction activity* have identified at least one individual that has received four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District or other endorsed entity as required by the CGP and Part VII.D.3.d; and
- c. Review the construction oversight program (Part VII.D.3.) and expectations for compliance.

8. Construction Site Inspections

The *MS4 Operator* must:

- a. Ensure individuals(s), responsible for construction site inspections, receive:
 - i. Four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other *Department* endorsed entity. This training must be complete, within three (3) years of the EDC and every three (3) years thereafter.
 - ii. Document the completion of this requirement in the *SWMP Plan*.

⁵² The *MS4 SWPPP Acceptance Form* can be found on the Department's website.

⁵³ Preconstruction meetings may occur prior to the issuance of the *MS4 SWPPP Acceptance Form*, however, the *MS4 Operator* must confirm coverage under the CGP will be applied for by the construction site owner/operator prior to commencement of construction of *construction activities*.

- b. Ensure all *MS4* Construction Site Inspectors receive this training prior to conducting construction site inspections.
 - i. Individuals without these trainings cannot inspect construction sites.
 - ii. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.
- c. Annually inspect all sites with *construction activity* identified in the inventory (Part VII.D.4.) during active construction after the pre-construction meeting (Part VII.D.7.), or sooner if deficiencies are noted that require attention.
 - i. Follow up to construction site inspections must confirm corrective actions are completed within timeframes established by the CGP and the *MS4 Operator's ERP* (Part IV.F.1.).
- d. In the *SWMP Plan*, document and update annually the names, titles, and contact information for the individuals who have received the trainings listed in Part VII.D.8.a.
- e. Document all inspections using the Construction Site Inspection Report Form (Appendix D) or an equivalent form containing the same information. The *MS4 Operator* must include the completed Construction Site Inspection Reports in the *SWMP Plan*.

9. Construction Site Close-out

- a. The *MS4 Operator* must ensure a final construction site inspection is conducted and documentation of the final construction site inspection must be maintained in the *SWMP Plan*. The final construction site inspection must be documented using the Construction Site Inspection Report Form (Appendix D), or an equivalent form containing the same information, or accept the construction site owner/operator's *qualified inspector* final inspection certification required by the CGP.
- b. The Notice of Termination (NOT)⁵⁴ must be signed by the *MS4 Operator* as required by the CGP for projects determined to be complete. The NOT must be signed in accordance with Part X.J.

E. MCM 5 – Post-Construction Stormwater Management

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

⁵⁴ The NOT can be found on the Department's website.

1. Applicable Post-Construction SMPs

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

- a. Post-construction *SMPs* that have been installed as part of any CGP covered construction site or individual *SPDES* permit (since March 10, 2003); and
- b. All new post-construction *SMPs* constructed as part of the construction site *stormwater* runoff control program (Part VII.D.).

2. Post-Construction *SMP* Inventory & Inspection Tracking⁵⁵

- a. The *MS4 Operators* continuing coverage must:
 - i. Maintain the inventory from previous iterations of this *SPDES* general permit for post-construction *SMPs* installed after March 10, 2003; and
 - ii. *Develop* the inventory for post-construction *SMPs* installed after March 10, 2003 including post-construction *SMPs*:
 - a) As they are approved or discovered; or
 - b) After the owner/operator of the *construction activity* has filed the NOT with the *Department* (Part VII.D.9.b.).
- b. The newly designated *MS4 Operators* must *develop* and maintain the inventory for post-construction *SMPs* installed after March 10, 2003 including post-construction *SMPs*:
 - i. As they are approved or discovered; or
 - ii. After the owner/operator of the *construction activity* has filed the NOT with the *Department* (Part VII.D.9.b.).
- c. Annually, the *MS4 Operator* must update the inventory of post-construction *SMPs* to include the post-construction *SMPs* in Part VII.E.2.a. and Part VII.E.2.b.
- d. Within five (5) years of the EDC, the following information must be included in the inventory either by using the *MS4 Operator* maintenance records or by verification of maintenance records provided by the owner of the post-construction *SMP*:
 - i. Street address or tax parcel;
 - ii. Type;⁵⁶
 - iii. Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));

⁵⁵ Post-construction *SMPs* can be found at a *municipal facility*.

⁵⁶ Post-construction *SMP* types are defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017).

- iv. Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));
 - v. Date of installation (if available) or discovery;
 - vi. Ownership;
 - vii. Responsible party for maintenance;
 - viii. Contact information for party responsible for maintenance;
 - ix. Location of documentation depicting O&M requirements and legal agreements for post-construction *SMP*;
 - x. Frequency for inspection of post-construction *SMP*, as specified in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017) or as specified in the O&M plan contained in the approved SWPPP (Part VII.D.6.);
 - xi. Reason for installation (e.g., new development, redevelopment, *retrofit*, flood control), if known;
 - xii. Date of last inspection;
 - xiii. Inspection results; and
 - xiv. Any corrective actions identified and completed.
- e. *MS4 Operators* must document the inventory of post-construction *SMPs* in the *SWMP Plan*.

3. SWPPP Review

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

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

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

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

- ii. Documentation of post-construction *SMP* inspections using the Post-Construction *SMP* Inspection Checklist⁵⁷ or an equivalent form containing the same information. The *MS4 Operator* must include the completed post-construction *SMP* inspections (i.e., the completed Post-Construction *SMP* Inspection Checklist) in the *SWMP Plan*;
 - iii. Provisions to initiate follow-up actions (i.e., maintenance, repair, or higher-level inspection) within thirty (30) days of post-construction *SMP* inspection; and
 - iv. Provisions to initiate enforcement within sixty (60) days of the inspection if follow-up actions are not complete.
- b. The training provisions for the *MS4 Operator's* post-construction *SMP* inspection and maintenance procedures (Part VII.E.4.a.).
- i. If new staff are added, training on the *MS4 Operator's* post-construction *SMP* inspection and maintenance procedures (Part VII.E.4.a.) and procedures outlined in the *Department* endorsed program must be given prior to conducting any post-construction *SMP* inspection and maintenance;
 - ii. For existing staff, training on the *MS4 Operator's* post-construction *SMP* inspection and maintenance procedures (Part VII.E.4.a.) and procedures outlined in the *Department* endorsed program must be given prior to conducting any post-construction *SMP* inspection and maintenance and once every five (5) years, thereafter; and
 - iii. If the post-construction *SMP* inspection and maintenance procedures (Part VII.E.4.a.) are updated (Part VII.E.4.d.), training on the updates must be given to all staff prior to conducting post-construction *SMP* inspection and maintenance.
- c. The names, titles, and contact information for the individuals who have received post-construction *SMP* inspection and maintenance procedures training and update annually; and
- d. Annually, by April 1, the *MS4 Operator* must:
- i. Review and update the post-construction *SMP* inspection and maintenance procedures (Part VII.E.4.a.); and
 - ii. Document the completion of this requirement in the *SWMP Plan*.

F. MCM 6 – Pollution Prevention and Good Housekeeping

The *MS4 Operator* must *develop* and implement a pollution prevention and good housekeeping program for *municipal facilities* and *municipal operations* to minimize

⁵⁷ The *Department* developed checklist forms specific to each post-construction *SMP* designed to assist *MS4 Operators* in conducting inspections and maintenance activities of standard practices. The Post-Construction *SMP* Inspection Checklist, March 31, 2017, can be found on the *Department's* website.

pollutant discharges. This MCM is designed to ensure the *MS4 Operator's* own activities do not contribute *pollutants* to *surface waters of the State*.

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

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

a. Minimize Exposure

- i. Exposure of materials to rain, snow, snowmelt, and runoff must be minimized, unless not technologically possible or not economically practicable and achievable in light of best industry practices, including areas used for loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations, with the following *BMPs*:
 - a) Locate materials and activities inside or protect them with storm resistant coverings;
 - b) Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
 - c) Locate materials, equipment, and activities so leaks and spills are contained in existing containment and diversion systems;
 - d) Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the *discharge of pollutants*;
 - e) Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;
 - f) Use spill/overflow protection equipment;
 - g) Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also captures any overspray;
 - h) Drain fluids, indoors or under cover, from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks; and/or
 - i) Minimize exposure of chemicals by replacing with a less toxic alternative (e.g., use non-hazardous cleaners).
- ii. *No Exposure Certification for High Priority Municipal Facilities*
 - a) *Municipal facilities* may qualify for *No Exposure Certification* (Appendix D) when all activities and materials are completely sheltered from exposure to rain, snow, snowmelt and/or runoff.

- b) High priority *municipal facilities* (Part VII.F.2.c.i.a)) with uncovered parking areas for vehicles awaiting maintenance may be considered a low priority *municipal facility* (Part VII.F.2.c.i.c)) if only routine maintenance is performed inside and all other no *exposure* criteria are met.
- c) *Municipal facilities* accepting or repairing disabled vehicles and/or vehicles that have been involved in accidents are not eligible for the *No Exposure Certification*.
- d) *Municipal facilities* must maintain the *No Exposure Certification* and document in the *SWMP Plan*. The *No Exposure Certification* ceases to apply when activities or materials become exposed.

b. Follow a Preventive Maintenance Program

- i. Implement a preventative maintenance program that includes routine inspection, testing, maintenance, and repair of all fueling areas, vehicles and equipment and systems to prevent leaks, spills and other releases. This includes:
 - a) Performing inspections and preventive maintenance of *stormwater* drainage, source controls, treatment systems, and plant equipment and systems;
 - b) Maintaining non-structural *BMPs* (e.g., keep spill response supplies available, personnel appropriately trained, containment measures, covering fuel areas); and
 - c) Ensure vehicle washwater is not *discharged* to the *MS4* or to *surface waters of the State*. Wash equipment/vehicles in a designated and/or covered area where washwater is collected to be recycled or *discharged* to the sanitary sewer (Part I.B.2.d.).
- ii. Routine maintenance must be performed to ensure *BMPs* are operating properly.
- iii. When a *BMP* is not functioning to its designed effectiveness and needs repair or replacement:
 - a) Maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of *stormwater* controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable; and
 - b) Interim measures must be taken to prevent or minimize the *discharge* of *pollutants* until the final repair or replacement is implemented, including cleaning up any contaminated surfaces so that the material will not be *discharged* during subsequent storm events.

c. Spill Prevention and Response Procedures

- i. Minimize the potential for leaks, spills and other releases that may be exposed to *stormwater* and *develop* plans for effective response to such spills if or when they occur. At a minimum, the *MS4 Operator* must:
 - a) Store materials in appropriate containers;
 - b) Label containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides”) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
 - c) Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the *discharge* of *pollutants* from these areas;
 - d) *Develop* procedures for stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;
 - e) Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made;
 - f) *Develop* procedures for notification of the appropriate facility personnel, emergency response agencies, and regulatory agencies when a leak, spill, or other release occurs. If possible, one of these individuals should be a member of the *stormwater* pollution prevention team (Part VII.F.2.d.i.a)). Any spills must be reported in accordance with 6 NYCRR 750-2.7; and
 - g) Following any spill or release, the *MS4 Operator* must evaluate the adequacy of the *BMPs* identified in the *municipal facility* specific SWPPP. If the *BMPs* are inadequate, the SWPPP must be updated to identify new *BMPs* that will prevent reoccurrence and improve the emergency response to such releases.
- ii. Measures for cleaning up spills or leaks must be consistent with applicable petroleum bulk storage, chemical bulk storage, or hazardous waste management regulations at 6 NYCRR Parts 596-599, 613 and 370-373.
- iii. This *SPDES* general permit does not relieve the *MS4 Operator* of any reporting or other requirements related to spills or other releases of petroleum or hazardous substances. Any spill of a hazardous substance must be reported in accordance with 6 NYCRR 597.4. Any spill of petroleum must be reported in accordance with 6 NYCRR 613.6 or 17 NYCRR 32.3.

d. Erosion and Sediment Controls⁵⁸

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

⁵⁸ The use of the term “controls” in Part VII.F.1.d. aligns with the use of the term “controls” in the CGP.

- ii. The *MS4 Operator* must consider:
 - a) Structural and/or non-structural controls found in the NYS E&SC 2016;
 - b) Areas that, due to topography, land disturbance (e.g., construction), or other factors, have potential for significant soil erosion;
 - c) Whether structural, vegetative, and/or stabilization *BMPs* are needed to limit erosion;
 - d) Whether velocity dissipation devices (or equivalent measures) are needed at *discharge* locations and along the length of any channel to provide a non-erosive flow velocity from the structure to a water course; and
 - e) Address erosion or areas with poor vegetative cover, especially if the erosion is within fifty (50) feet of a *surface water of the State*.
- e. Manage Vegetated Areas and Open Space on *Municipal Property*
 - i. Maintain vegetated areas on *MS4 Operator* owned/operated property and right of ways:
 - a) Specify proper use, storage, and disposal of pesticides, herbicides, and fertilizers including minimizing the use of these products and using only in accordance manufacturer's instruction;
 - b) Use lawn maintenance and landscaping practices that are protective of water quality. Protective practices include: reduced mowing frequencies; proper disposal of lawn clippings; and use of alternative landscaping materials (e.g., drought resistant planting);
 - c) Place pet waste disposal containers and signage concerning the proper collection and disposal of pet waste at all parks and open space where pets are permitted; and
 - d) Address waterfowl congregation areas where needed to reduce waterfowl droppings from entering the *MS4*.
- f. Salt⁵⁹ Storage Piles or Pile Containing Salt

Enclose or cover storage piles of salt, or piles containing salt, used for deicing or maintenance of paved surfaces, except during loading, unloading, and handling. Implement appropriate measures (e.g., good housekeeping, routine sweeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.
- g. Waste, Garbage, and Floatable Debris
 - i. Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids and could leak, ensure that *discharges* have a control (e.g., secondary containment, treatment); and

⁵⁹ For purposes of this *SPDES* general permit, salt means any chloride-containing material used to treat paved surfaces for deicing, including sodium chloride, calcium chloride, magnesium chloride, and brine solutions.

- ii. Keep exposed areas free of waste, garbage, and debris or intercept them before they are *discharged*:
 - a) Manage trash containers at parks and open space (scheduled cleanings; sufficient number);
 - b) Pick up trash and debris on *MS4 Operator* owned/operated property and rights of way; and
 - c) Clean out *catch basins* within the appropriate timeframes (Part VII.F.3.c.iii.).

h. Alternative Implementation Options

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

2. Municipal Facilities⁶⁰

a. Municipal Facility Program

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

- i. The *municipal facility* procedures including:
 - a) The *BMPs* (Part VII.F.1.) incorporated into the *municipal facility* program;
 - b) The high priority *municipal facility* requirements (Part VII.F.2.d.) as applied to the specific *municipal facility*; and
 - c) The low priority *municipal facility* requirements (Part VII.F.2.e.) as applied to the specific *municipal facility*.
- ii. The training provisions for the *MS4 Operator's municipal facility* procedures (Part VII.F.2.a.i.).
 - a) If new staff are added, training on the *MS4 Operator's municipal facility* procedures (Part VII.F.2.a.i.) must be given prior to conducting *municipal facility* procedures;
 - b) For existing staff, training on the *MS4 Operator's municipal facility* procedures (Part VII.F.2.a.i.) must be given prior to conducting *municipal facility* procedures and once every five (5) years, thereafter; and

⁶⁰ *Municipal facilities* that have coverage under a separate *SPDES* permit (either individual or *MSGP*) must comply with the terms and conditions of that permit and the requirements set forth in this Part are not applicable.

- c) If the *municipal facility* procedures (Part VII.F.2.a.i.) are updated (Part VII.F.2.a.iv.), training on the updates must be given to all staff prior to conducting *municipal facility* procedures.
- iii. The names, titles, and contact information for the individuals who have received *municipal facility* training and update annually; and
- iv. Annually, by April 1, the *MS4 Operator* must:
 - a) Review and update the *municipal facility* procedures (Part VII.F.2.a.i.); and
 - b) Document the completion of this requirement in the *SWMP Plan*.

b. *Municipal Facility Inventory*

- i. Within two (2) years of the EDC, the *MS4 Operator* must *develop* and maintain an inventory of all *municipal facilities* in the *SWMP Plan*. The following information must be included in the inventory:
 - a) Name of *municipal facility*;
 - b) Street address;
 - c) Type of *municipal facility*;
 - d) Prioritization (high or low) (Part VII.F.2.c.);
 - e) Receiving waterbody name and class (mapped in accordance with Part IV.D.1.e.ii.a));
 - f) Receiving waterbody WI/PWL Segment ID (mapped in accordance with Part IV.D.1.e.ii.b));
 - g) Contact information;
 - h) Responsible department;
 - i) Location of SWPPP (if high priority; when completed);
 - j) Type of activities present on site;
 - k) Size of facility (acres);
 - l) Date of last assessment;
 - m) *BMPs* identified; and
 - n) Projected date of next comprehensive site assessment (Part VII.F.2.d.ii.c) or Part VII.F.2.e.ii.c), depending on the *municipal facility* prioritization (Part VII.F.2.c.)).
- ii. Annually, the *MS4 Operator* must update the inventory if new *municipal facilities* are added.

c. *Municipal Facility Prioritization*

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

- a) High priority *municipal* facilities include *municipal* facilities that have one or more of the following on site and exposed to *stormwater*:
 - i) Storage of chemicals, salt, petroleum, pesticides, fertilizers, anti-freeze, lead-acid batteries, tires, waste/debris;
 - ii) Fueling stations; and/or
 - iii) Vehicle or equipment maintenance/repair.
- b) Low priority *municipal* facilities include any *municipal* facilities that do not meet the criteria for a high priority (Part VII.F.2.c.i.a)) *municipal facility*.
- c) High priority *municipal* facilities (Part IV.F.2.c.i.a)) which qualify for a *No Exposure Certification* (Part VII.F.1.a.ii.) are low priority *municipal* facilities.
- ii. Within thirty (30) days of when a *municipal facility* is added to the inventory, the *MS4 Operator* must prioritize those *municipal* facilities; and
- iii. Annually, after the initial prioritization (Part VII.F.2.c.i.), the *MS4 Operator* must update the *municipal facility* prioritization in the inventory (Part VII.F.2.b.i.) based on information gathered as part of the *municipal facility* program (Part VII.F.2.a.), including cases where a *No Exposure Certification* (Part VII.F.1.a.ii.) ceases to apply. The completion of this permit requirement must be documented in the *SWMP Plan*.

d. High Priority *Municipal Facility* Requirements

i. *Municipal Facility Specific SWPPP*

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

a) *Stormwater* Pollution Prevention Team

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

b) General Site Description

A written description of the nature of the activities occurring at the *municipal facility* with a potential to *discharge pollutants*, type of *pollutants* expected, and location of key features as detailed in the site map (Part VII.F.2.d.i.e)).

c) Summary of potential *pollutant* sources

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

- i) Materials or activities include: machinery; raw materials; intermediate products; byproducts; final products or waste products; and material handling activities which includes storage, loading and unloading, transportation or conveyance of any raw material, intermediate product, final product or waste product.
- ii) For each separate area identified, the description must include:
 - (a) Activities - A list of the activities occurring in the area (e.g., material storage, equipment fueling and cleaning);
 - (b) Pollutants - A list of the associated *pollutant(s)* for each activity. The *pollutant(s)* list must include all materials that are exposed to *stormwater*, and
 - (c) Potential for presence in *stormwater* - For each area of the *municipal facility* that generates *stormwater discharges*, a prediction of the direction of flow, and the likelihood of the activity to contaminate the *stormwater discharge*. Factors to consider include the toxicity of chemicals, quantity of chemicals used, produced or *discharged*, the likelihood of contact with *stormwater*, and history of leaks or spills of toxic or hazardous *pollutants*.

d) Spills and Releases

For areas that are exposed to precipitation or that otherwise drain to a *stormwater* conveyance to be covered under this *SPDES* general permit, the *municipal facility* specific SWPPP must include a list of spills or releases⁶¹ of petroleum and hazardous substances or other *pollutants*, including unauthorized *non-stormwater discharges*, that may adversely affect water quality that occurred during the last three-year period. The list must be updated when spills or releases occur.

e) Site Map

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

- i) Property boundaries and size in acres;

⁶¹ This may also include releases of petroleum or hazardous substances that are not in excess of reporting quantities but which may still cause or contribute to significant water quality impairment.

- ii) Location and extent of significant structures (including materials shelters), and impervious surfaces;
- iii) Monitoring locations (mapped in accordance with Part IV.D.2.a.i.) with its approximate *sewershed*. Each monitoring location must be labeled with the monitoring location identification;
- iv) Location of all post-construction *SMPs* (mapped in accordance with Part IV.D.2.a.iv.) and *MS4* infrastructure (mapped in accordance with Part IV.D.2.b.i.);
- v) Locations of *discharges* authorized under other *SPDES* permits;
- vi) Locations where potential spills or releases can contribute to *pollutants* in *stormwater discharges* and their accompanying drainage points;
- vii) Locations of haul and access roads;
- viii) Rail cars and tracks;
- ix) Arrows showing direction of *stormwater* flow;
- x) Location of all receiving waters in the immediate vicinity of the *municipal facility*, indicating if any of the waters are impaired and, if so, whether the waters have *TMDLs* established for them (mapped in accordance with Part IV.D.1.e.ii.);
- xi) Locations where *stormwater* flows have significant potential to cause erosion;
- xii) Location and source of run-on from adjacent property containing significant quantities of *pollutants* and/or volume of concern to the *municipal facility*; and
- xiii) Locations of the following areas where such areas are exposed to precipitation or *stormwater*:
 - (a) Fueling stations;
 - (b) Vehicle and equipment maintenance and/or cleaning areas;
 - (c) Loading/unloading areas;
 - (d) Locations used for the treatment, storage or disposal of wastes;
 - (e) Liquid storage tanks;
 - (f) Processing and storage areas;
 - (g) Locations where significant materials, fuel or chemicals are stored and transferred;
 - (h) Locations where vehicles and/or machinery are stored when not in use
 - (i) Transfer areas for substances in bulk;
 - (j) Location and description of non-*stormwater discharges* (Part I.A.3.);

- (k) Locations where spills⁶² or leaks have occurred; and
- (l) Locations of all existing structural *BMPs*.

f) *Stormwater Best Management Practices (BMPs)*

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

g) *Municipal facility* assessments

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

ii. *Municipal Facility Assessments*

a) Wet Weather Visual Monitoring

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

- (a) All samples must be collected from *discharges* resulting from a *qualifying storm event*. The storm event must be documented using the Storm Event Data Form (Appendix D) and kept with the *municipal facility* specific SWPPP. The sample must be taken during the first thirty (30) minutes (or as soon as practical, but not to exceed one hour) of the *discharge* at the monitoring location.
- (b) No analytical tests are required to be performed on the samples for the purpose of meeting the visual monitoring requirements.
- (c) The visual examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and any other obvious indicators of *stormwater* pollution.
- (d) The visual examination of the sample must be conducted in a well-lit area.
- (e) Where practicable, the same individual should carry out the collection and examination of *discharges* for the entire permit term for consistency.

⁶² A spill includes: any spill of a hazardous substance that must be reported in accordance with 6 NYCRR 597.4 and any spill of petroleum that must be reported in accordance with 6 NYCRR 613.6 or 17 NYCRR 32.3.

- (f) The *MS4 Operator* must document the visual examination using the Visual Monitoring Form (Appendix D) and keep it with the *municipal facility* specific SWPPP to record:
 - (i) Monitoring location ID;
 - (ii) Examination date and time;
 - (iii) Personnel conducting the examination;
 - (iv) Nature of the *discharge* (runoff or snowmelt);
 - (v) Visual quality of the *stormwater discharge* including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of *stormwater* pollution; and
 - (vi) Probable sources of any observed *stormwater* contamination.
 - (vii) Corrective and follow up actions – If the visual examination indicates the presence of color, odor, floating solids, settled solids, suspended solids, foam, oil sheen, or other indicators of *stormwater* pollution, the *MS4 Operator* must, at minimum, complete and document the following actions:
 - (1) Evaluate the facility for potential sources;
 - (2) Remedy the problems identified;
 - (3) Revise the *municipal facility* specific SWPPP; and
 - (4) Perform an additional visual inspection during the first *qualifying storm event* following implementation of the corrective action. If the first *qualifying storm event* does not occur until the next visual monitoring period, this follow up action may be used as the next visual inspection.
- b) The monitoring locations inspection and sampling program must be implemented at the *municipal facility* (Part VII.C.1.e.).
- c) Comprehensive Site Assessments
 - i) Once every five (5) years following the most recent assessment, the *MS4 Operator* must complete a comprehensive site assessment for each high priority *municipal facility* as identified in the inventory (Part VII.F.2.b.) using the Municipal Facility Assessment Form (Appendix D) or an equivalent form containing the same information, and document in the *municipal facility* specific SWPPP and *SWMP Plan* that:

- (a) The *municipal facility* is in compliance with the terms and conditions of this *SPDES* general permit;
- (b) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which has a reasonable likelihood of adversely affecting human health or the environment;
 - (i) Within twenty-four (24) hours, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented; or
- (c) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which does not have a reasonable likelihood of adversely affecting human health or the environment;
 - (i) Within seven (7) days, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented.

e. Low Priority *Municipal Facility* Requirements

- i. The *MS4 Operator* must identify procedures outlining *BMPs* for the types of activities that occur at the low priority *municipal facilities* as described in Part VII.F.1. A *municipal facility* specific SWPPP is not required.
- ii. *Municipal Facility* Assessments
 - a) Low priority *municipal facilities* are not required to conduct wet weather visual monitoring.
 - b) The monitoring locations inspection and sampling program must be implemented at the *municipal facility* (Part VII.C.1.e.).
 - c) Comprehensive Site Assessments
 - i) Once every five (5) years following the most recent assessment, the *MS4 Operator* must complete a comprehensive site assessment for each low priority *municipal facility* as identified in the inventory (Part VII.F.2.b.) using the Municipal Facility Assessment Form (Appendix D) or an equivalent form containing the same information, and document in the *SWMP Plan* that:
 - (a) The *municipal facility* is in compliance with the terms and conditions of this *SPDES* general permit;
 - (b) Deficiencies were identified and all reasonable steps will be taken to minimize any *discharge* in violation of the permit, which has a reasonable likelihood of adversely affecting human health or the environment;

- (i) Within twenty-four (24) hours, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented; or
- (c) Deficiencies were identified and all reasonable steps will be to minimize any *discharge* in violation of the permit, which does not have a reasonable likelihood of adversely affecting human health or the environment;
 - (i) Within seven (7) days, the *MS4 Operator* must prepare a schedule that includes corrective actions and specific interim milestones to be implemented until the corrective action is implemented.

3. *Municipal Operations & Maintenance*

a. *Municipal Operations Program*

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

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

- i. The *municipal operations* procedures including:
 - a) The *BMPs* (Part VII.F.1.) incorporated into the *municipal operations* program;
 - b) The *municipal operations* corrective actions requirements (Part VII.F.3.b.);
 - c) *Catch basin* inspection and maintenance requirements (Part VII.F.3.c.);
 - d) Roads, bridges, parking lots, and right of way maintenance requirements (Part VII.F.3.d.); and
 - e) All other *municipal operations* maintenance requirements.
- ii. The training provisions for the *MS4 Operator's municipal operations* procedures (Part VII.F.3.a.i.).
 - a) If new staff are added, training on the *MS4 Operator's municipal operations* procedures (Part VII.F.3.a.i.) must be given prior to conducting *municipal operations* procedures;
 - b) For existing staff, training on the *MS4 Operator's municipal operations* procedures (Part VII.F.3.a.i.) must be given prior to conducting

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

- c) If the *municipal operations* procedures (Part VII.F.3.a.i.) are updated (Part VII.F.3.a.iv.), training on the updates must be given to all staff prior to conducting *municipal operations* procedures.
- iii. The names, titles, and contact information for the individuals who have received *municipal operations* training and update annually; and
- iv. Annually, by April 1, the *MS4 Operator* must:
 - a) Review and update the *municipal operations* procedures (Part VII.F.3.a.i.); and
 - b) Document the completion of this requirement in the *SWMP Plan*.

b. *Municipal Operations Corrective Actions*

- i. For *municipal operations*, *MS4 Operators* must either:
 - a) Ensure compliance with the terms and conditions of this *SPDES* general permit; or
 - b) Implement corrective actions according to the following schedule and, after implementation, ensure the operations are in compliance with the terms and conditions of this *SPDES* general permit:
 - i) Within twenty-four (24) hours of discovery for situations that have a reasonable likelihood of adversely affecting human health or the environment;
 - ii) Initiated within seven (7) days of inspection and completed within thirty (30) days of inspection for situations that do not have a reasonable likelihood of adversely affecting human health or the environment; and
 - iii) For corrective actions that require special funding or construction that will take longer than thirty (30) days to complete, a schedule must be prepared that specifies interim milestones that will ensure compliance in the shortest reasonable time.

c. *Catch Basin Inspection and Maintenance*

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

- i. Identify when *catch basin* inspection is needed with consideration for:
 - a) Areas with *construction activities* (mapped in accordance with Part IV.D.2.a.iii.);
 - b) Residential, commercial, and industrial areas (mapped in accordance with Part IV.D.1.d.iii.);
 - c) Recurring or history of issues; or

- d) Confirmed citizen complaints on three or more separate occasions in the last twelve (12) months.
- ii. Inventory *catch basin* inspection information including:
 - a) Date of inspection;
 - b) Approximate level of trash, sediment, and/or debris captured at time of clean-out (no trash, sediment, and/or debris, <50% of the depth of the *sump*, >50% of the depth of the *sump*);
 - c) Depth of structure;
 - d) Depth of *sump*; and
 - e) Date of clean out, if applicable (Part VII.F.3.c.iii.).
- iii. Based on inspection results, clean out *catch basins* within the following timeframes:
 - a) Within six (6) months after the *catch basin* inspection, *catch basins* which had trash, sediment, and/or debris exceeding 50% of the depth of the *sump* as a result of a *catch basin* inspection must be cleaned out;
 - b) Within one (1) year after the *catch basin* inspection, *catch basins* which had trash, sediment, and/or debris at less than 50% of the depth of the *sump* as a result of a *catch basin* inspection must be cleaned out; and
 - c) MS4 Operators are not required to clean out *catch basins* if the *catch basins* are operating properly and:
 - i. There is no trash, sediment, and/or debris in the *catch basin*; or
 - ii. The *sump* depth of the *catch basin* is less than or equal to two (2) feet.
- iv. Properly manage (handling and disposal) materials removed from *catch basins* during clean out so that:
 - a) Water removed during the *catch basin* cleaning process will not reenter the *MS4* or *surface waters of the State*;
 - b) Material removed from *catch basins* is disposed of in accordance with any applicable environmental laws and regulations; and
 - c) Material removed during the *catch basin* cleaning process will not reenter the *MS4* or *surface waters of the State*.
- v. Determine if there are signs/evidence of *illicit discharges* and procedures for referral/follow-up if *illicit discharges* are encountered.

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

i. Sweeping

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

- a) All roads, bridges, parking lots, and right of ways must be swept and/or cleaned once every five (5) years in the spring (following winter activities such as sanding). This requirement is not applicable to:
 - i) Uncurbed roads with no *catch basins*;
 - ii) High-speed limited access highways; or
 - iii) Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.
- b) Annually, from April 1 through October 31, roads in business and commercial areas must be swept. This requirement is not applicable to:
 - i) Uncurbed roads with no *catch basins*;
 - ii) High-speed limited access highways; or
 - iii) Roads defined as interstates, freeways and expressways, or arterials by the USDOT 2013.

ii. Maintenance

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

- a) Pave, mark, and seal in dry conditions;
- b) Stage road operations and maintenance activity (e.g., patching, potholes) to reduce the potential discharge of pollutants to the *MS4* or *surface waters of the State*;
- c) Restrict the use of herbicides/pesticide application to roadside vegetation; and
- d) Contain *pollutants* associated with bridge maintenance activities (e.g., paint chips, dust, cleaning products, other debris).

iii. Winter Road Maintenance

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

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

- b) Ensure that routine snow disposal activities comply with the Division of Water Technical and Operation Guidance Series 5.1.11, Snow Disposal.⁶³

⁶³ The Division of Water Technical and Operation Guidance Series 5.1.11, Snow Disposal can be found on the Department's website.

Part VIII. Enhanced Requirements for Impaired Waters

Part VIII. requirements must be implemented in addition to the applicable requirements of the six (6) MCMs in Part VI. or Part VII, depending on the *MS4 Operator* type. Part VIII. requirements apply in the *sewersheds* which *discharge* to waters impaired for phosphorus, silt/sediment, pathogens, nitrogen, or floatables (Appendix C). *MS4 outfalls* are in the *automatically designated area*. *ADA MS4 outfalls* are in the *additionally designated area* subject to Criterion 3 of the Additional Designation Criteria (Appendix B).

MS4 Operator's subject to Part VIII. that implement pollutant specific *BMPs* after the EDC but prior to *MS4* infrastructure and *sewershed* mapping can use those *BMPs* to satisfy the permit requirements in this section.

The Part VIII. requirements, applicable to the *POC*, must be incorporated in the *MS4 Operator's SWMP* and *SWMP Plan*.

A. Pollutant Specific BMPs for Phosphorus

Part VIII.A. must be implemented for all phosphorus impaired waters listed in Appendix C.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

- a. Within three (3) years of the EDC, *MS4* infrastructure mapping requirements (Part IV.D.2.b.i.) and *sewersheds* for each:
 - i. *MS4 outfall*; and
 - ii. *ADA MS4 outfall*.
- b. Within three (3) years of the EDC, the following information for each *MS4 outfall*:
 - i. Retail and wholesale plant nurseries (including big box stores);
 - ii. Commercial lawn care facilities; and
 - iii. Golf courses.
- c. Within three (3) years of the EDC, *ADA MS4 outfalls*.

2. Public Education and Outreach

- a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on how the impairment is being addressed by implementation of the *MS4 Operator's* local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

- b. Following the completion of Part VIII.A.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to phosphorus to the applicable target audiences within the *sewersheds* for impaired waters listed in Appendix C focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the *MS4 Operator* type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. Illicit Discharge Detection and Elimination

Following the completion of Part VIII.A.1, within five (5) years of the EDC, the *MS4 Operator* must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the *MS4 Operator* type) the number of each item identified in Part VIII.A.1.b. for each associated *MS4 outfall*.

5. Construction Site Stormwater Runoff Control

For Following the completion of Part VIII.A.1, high priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

- a. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or
- b. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post-Construction Stormwater Management

No additional requirements.

7. Pollution Prevention and Good Housekeeping

Following the completion of Part VIII.A.1:

- a. Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to phosphorus impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:
 - i. Uncurbed roads with no *catch basins*;

- ii. High-speed limited access highways; or
 - iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.
- b. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities in Sewersheds to Impaired Waters*

Incorporate, where feasible,⁶⁴ cost-effective runoff reduction techniques⁶⁵ during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

B. Pollutant Specific BMPs for Silt/Sediment

Part VIII.B. must be implemented for all silt/sediment impaired waters listed in Appendix C.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

- a. Within three (3) years of the EDC, *MS4* infrastructure mapping requirements (Part IV.D.2.b.i.) and *sewerheds* for each:
 - i. *MS4 outfall*; and
 - ii. *ADA MS4 outfall*.
- b. Within three (3) years of the EDC, facilities with *SPDES* permit coverage under the MSGP with *stormwater discharges* applicable under Sector C, E, L, or J with facility contact.
- c. Within three (3) years of the EDC, *ADA MS4 outfalls*.

⁶⁴ Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

⁶⁵ Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

2. Public Education and Outreach

- a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on how the impairment is being addressed by implementation of the *MS4 Operator's* local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- b. Following the completion of Part VIII.B.1, each year of active construction, the *MS4 Operator* must educate individuals involved in *construction activity* (e.g., contractor, subcontractor, qualified inspector, SWPPP reviewers) within the *sewershed* boundary on the use of post-construction *SMPs* that are intended to collect and separate silt and sediment debris from *stormwater* before *discharging* to waters of the State (e.g., sediment forebays) as detailed in the NYS SWMDM 2015. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. Illicit Discharge Detection and Elimination

Following the completion of Part VIII.B.1, within five (5) years of the EDC, the *MS4 Operator* must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the *MS4 Operator* type) the number of each item identified in Part VIII.B.1.b. for each associated *MS4 outfall*.

5. Construction Site Stormwater Runoff Control

Following the completion of Part VIII.B.1, high priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

- a. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or
- b. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post-Construction Stormwater Management

No additional requirements.

7. Pollution Prevention and Good Housekeeping

Following the completion of Part VIII.B.1:

- a. Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to silt/sediment impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:
 - i. Uncurbed roads with no *catch basins*;
 - ii. High-speed limited access highways; or
 - iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.
- b. For areas within the *sewershed* that are compacted, poorly drained, contain areas of exposed soil, or nutrient deficient, the *MS4 Operator* must:
 - i. Refer to Section 4 of the NYS E&SC 2016 for Soil Stabilization practices, and follow BMP procedures; and
 - ii. *Develop* and implement procedures for watering and maintenance of implemented BMPs appropriate to establish root and vegetative cover, utilizing products which provide critical support to vegetation and soil stabilization.

MS4 Operators must document the completion of this requirement in the *SWMP Plan*.

- c. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities in Sewersheds to Impaired Waters*

Incorporate, where feasible,⁶⁶ cost-effective runoff reduction techniques⁶⁷ during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

⁶⁶ Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

⁶⁷ Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

C. Pollutant Specific BMPs for Pathogens

Part VIII.C. must be implemented for all pathogen impaired waters listed in Appendix C.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

- a. Within three (3) years of the EDC, *MS4* infrastructure mapping requirements (Part IV.D.2.b.i.) and *sewersheds* for each:
 - i. *MS4 outfall*; and
 - ii. *ADA MS4 outfall*.
- b. Within three (3) years of the EDC, the following information for each *MS4 outfall*:
 - i. Areas with a history of sanitary sewer overflows;
 - ii. Waterfowl congregation areas on *municipal* property or right of way;
 - iii. Areas where pets/domestic animals may frequent (i.e., public trails, dog parks, and zoos); and
 - iv. Waste disposal areas (e.g., active landfills, transfer stations).
- c. Within three (3) years of the EDC, *ADA MS4 outfalls*.

2. Public Education and Outreach

- a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on any how the impairment is being addressed by implementation of the *MS4 Operator's* local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- b. Following the completion of Part VIII.C.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to pathogens to the applicable target audiences within the *sewersheds* for impaired waters listed in Appendix C focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the *MS4 Operator* type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A. or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. *Illicit Discharge Detection and Elimination*

Following the completion of Part VIII.C.1, within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part VIII.C.1.b. for each associated *MS4 outfall*.

5. *Construction Site Stormwater Runoff Control*

No additional requirements.

6. *Post-Construction Stormwater Management*

No additional requirements.

7. *Pollution Prevention and Good Housekeeping*

Following the completion of Part VIII.C.1:

a. *Infrastructure Maintenance*

- i. Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to pathogen impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:
 - a) Uncurbed roads with no *catch basins*;
 - b) High-speed limited access highways; or
 - c) Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.
- ii. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

b. *Wildlife Control*

- i. Within six (6) months of the EDC, the *MS4 Operator* must identify *municipal facilities* with nuisance bird populations that have the potential to contribute pathogens (e.g., Canada Geese) and document those *municipal facilities* in the *SWMP Plan*.
- ii. Within six (6) months of the EDC, signage must be available at these municipal facilities, instructing the public not to feed wildlife. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- iii. Within six (6) months of the EDC, the *MS4 Operator* must remove accumulated trash and debris from *municipal* facilities when necessary to

eliminate potential food sources for wildlife. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

- iv. Within one (1) year of the EDC, *MS4 Operators* must evaluate the effectiveness of deterrents, population controls, and other measures that may reduce bird related pathogen contributions and document the results of the evaluation in the *SWMP Plan*.

c. *Animal Waste Control*

Within one (1) year of the EDC, the *MS4 Operator* must make dog waste receptacles available in areas where pets/domestic animals may frequent (e.g., public trails, dog parks). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. **Planned Upgrades to *Municipal Facilities in Sewersheds to Impaired Waters***

Incorporate, where feasible,⁶⁸ cost-effective runoff reduction techniques⁶⁹ during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

D. **Pollutant Specific BMPs for Nitrogen**

Part VIII.D. must be implemented for all nitrogen impaired waters listed in Appendix C.

1. **Mapping**

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

- a. Within three (3) years of the EDC, *MS4* infrastructure mapping requirements (Part IV.D.2.b.i.) and *sewerheds* for each:
 - i. *MS4 outfall*; and
 - ii. *ADA MS4 outfall*.
- b. Within three (3) years of the EDC, the following information for each *MS4 outfall*:
 - i. Retail and wholesale plant nurseries (including big box stores);
 - ii. Commercial lawn care facilities; and

⁶⁸ Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

⁶⁹ Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

- iii. Golf courses.
- c. Within three (3) years of the EDC, *ADA MS4 outfalls*.

2. Public Education and Outreach

- a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on any how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- b. Following the completion of Part VIII.D.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to nitrogen to the applicable target audiences within the *sewersheds* for impaired waters listed in Appendix C focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the MS4 Operator type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. Illicit Discharge Detection and Elimination

Following the completion of Part VIII.D.1 , within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part VIII.D.1.b for each associated *MS4 outfall*.

5. Construction Site Stormwater Runoff Control

Following the completion of Part VIII.D.1, high priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

- a. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or
- b. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post-Construction Stormwater Management

No additional requirements.

7. Pollution Prevention and Good Housekeeping

Following the completion of Part VIII.D.1:

- a. Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to nitrogen impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:
 - i. Uncurbed roads with no *catch basins*;
 - ii. High-speed limited access highways; or
 - iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.
- b. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities in Sewersheds to Impaired Waters*

Incorporate, where feasible,⁷⁰ cost-effective runoff reduction techniques⁷¹ during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

E. Pollutant Specific BMPs for Floatables

Part VIII.E. must be implemented for all floatable impaired waters listed in Appendix C.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

- a. Within three (3) years of the EDC, *MS4* infrastructure mapping requirements (Part IV.D.2.b.i.) and *sewersheds* for each:

⁷⁰ Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

⁷¹ Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

- i. *MS4 outfall*; and
 - ii. *ADA MS4 outfall*.
- b. Within three (3) years of the EDC, *ADA MS4 outfalls*.

2. Public Education and Outreach

- a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on any how the impairment is being addressed by implementation of the *MS4 Operator's* local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- b. Following the completion of Part VIII.E.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to floatables to the applicable target audiences within the *sewersheds* for impaired waters listed in Appendix C focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the *MS4 Operator* type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. Illicit Discharge Detection and Elimination

No additional requirements.

5. Construction Site Stormwater Runoff Control

No additional requirements.

6. Post-Construction Stormwater Management

No additional requirements.

7. Pollution Prevention and Good Housekeeping

Following completion of Part VIII.E.1:

- a. Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to floatables impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:
 - i. Uncurbed roads with no *catch basins*;
 - ii. High-speed limited access highways; or

- iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.
- b. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities in Sewersheds to Impaired Waters*

Incorporate, where feasible,⁷² cost-effective runoff reduction techniques⁷³ during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

⁷² Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

⁷³ Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

Part IX. Watershed Improvement Strategy Requirements for TMDL Implementation

Part IX. requirements must be implemented in addition to the applicable requirements of the six (6) MCMs in Part VI. or Part VII, depending on the *MS4 Operator* type. Part IX. requirements apply in the watersheds where the *Department* developed implementation plans for which USEPA has approved a TMDL (Table 3). Finalized TMDL implementation plans referenced in this Part are incorporated into and enforceable under this *SPDES* general permit.

MS4 Operator's subject to Part IX. that implement TMDL specific *BMPs* after the EDC but prior to *MS4* infrastructure and *sewershed* mapping can use those *BMPs* to satisfy the permit requirements in this section.

The Part IX. requirements must be incorporated in the *MS4 Operator's SWMP* and *SWMP Plan*.

A. NYC East of Hudson Phosphorus Impaired Watershed *MS4s*

| Table 4. Phosphorus Impaired Watershed(s) | | | |
|--|---|--|--|
| Areas where requirements apply | New York City East of Hudson (EOH) | | |
| EPA Approved TMDL | <i>Phase II Phosphorus TMDLs for Reservoirs in the NYC Watershed, June 2000</i> | <i>Total Maximum Daily Load (TMDL) for Phosphorus in Lake Carmel, October 2016</i> | <i>Total Maximum Daily Load (TMDL) for Phosphorus in Palmer Lake,² March 2015</i> |
| Implementation Plan | Croton Watershed Phase II TMDL Implementation Plan (January 2009) | | |
| <i>POC</i> | Phosphorus | | |
| Area where requirements Apply | NYC EOH Watershed | | |
| Achievement of <i>Pollutant Load Reduction</i> | Continued <i>retrofit</i> implementation to achieve the pollutant load reduction specified in that Phase II Implementation Plan | | |

MS4 Operators located within the watersheds listed in Table 4 must *develop* and implement the following phosphorus-specific *BMPs* in addition to the Croton Watershed Phase II TMDL Implementation Plan (January 2009) and the applicable requirements in Part VI. or Part VII, depending on the *MS4 Operator* type.

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

- a. Within three (3) years of the EDC, areas with potential to contribute phosphorus to the TMDL waterbody, which include:
 - i. Retail and wholesale plant nurseries (including big box stores);
 - ii. Commercial lawn care facilities;
 - iii. Golf courses;
 - iv. Commercial or industrial yard waste storage areas (e.g., yard waste composting and disposal areas); and
 - v. *MS4* infrastructure with a history of issues (e.g., clogged infrastructure, infiltration and inflow (I/I)).
- b. Within three (3) years of the EDC, the following information for all post-construction *SMPs* as identified in the post-construction *SMP* inventory (Part VI.E.2. or Part VII.E.2, depending on the *MS4 Operator* type):
 - i. Type;⁷⁴ and
 - ii. Ownership.

2. Public Education and Outreach on Stormwater Impacts

- a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on how the impairment is being addressed by implementation of the *MS4 Operator's* local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- b. Following the completion of Part IX.A.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to phosphorus to the applicable target audiences within the TMDL watershed focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the *MS4 Operator* type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A. or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

⁷⁴ Post-construction *SMP* types are defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017).

4. *Illicit Discharge Detection and Elimination*

a. *Inventory of Potential Phosphorus Sources*

Following the completion of Part IX.A.1, within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part IX.A.1.a. for each associated *MS4 outfall*.

b. *On-site wastewater systems*

The *MS4 Operator* must *develop*, implement, and enforce a program that ensures on-site wastewater systems (i.e., septic tanks, cesspools, absorption fields or distribution systems) are properly operated and do not contribute *pollutants* to the *MS4*. To ensure this, the *MS4 Operator* must:

- i. Once every five (5) years, ensure that residential septic tanks/cesspools are pumped out and system components (i.e., septic tanks, cesspools and installed absorption field) are inspected;
- ii. Ensure the following information is collected and document the completion of this requirement in the *SWMP Plan*:
 - a) Individual performing inspection;
 - b) Inspection date;
 - c) Address;
 - d) Location of system on property; and
 - e) Evidence of failed systems.
- iii. Refer failures to the appropriate agency to ensure corrective actions are taken; and
- iv. Eliminate *illicit discharges* from on-site wastewater systems to the *MS4* in accordance with the time frames specified in Part VI.C.3. or Part VII.C.3, depending on the *MS4 Operator* type.

5. *Construction Site Stormwater Runoff Control*

- a. The *MS4 Operator* must include construction projects that disturb between 5000 square feet (sf) and one (1) acre in the construction site runoff control program as described in Part VI.D. or Part VII.D, depending on the *MS4 Operator* type. Construction projects meeting this threshold are low priority construction sites.
- b. The legal authority used to satisfy Part IV.E.2.b. must include the following language:

“Land activity is defined as *construction activity* including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than 5000 sf and activities disturbing less

- than 5000 sf of total land area that are part of a *larger common plan of development or sale* and will occur under one plan.”
- c. High priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).
 - i. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or
 - ii. If the *MS4 Operator* utilizes the *qualified inspector’s* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post-Construction Stormwater Management

- a. The *MS4 Operator* must require the use of the Enhanced Phosphorus Removal design standards contained in Chapter 10 of the NYS SWMDM 2015 for all new development and redevelopment projects that disturb greater than or equal to one (1) acre and construction projects less than one acre that are part of a larger common plan of development or sale.
- b. The legal authority used to satisfy Part IV.E. must also meet the following provisions:

Land development activities requiring water quantity and quality controls (post-construction *stormwater* runoff controls) must include: “Single-family home construction located in the NYC East of Hudson watershed” and “Single-family residential subdivisions located in the NYC East of Hudson watershed.”
- c. Requirements for SWPPPs that include post-construction *stormwater* controls must include: “Post-construction *SMPs* in the SWPPP must be designed in conformance with Chapter 10 of the NYS SWMDM 2015 for Enhanced Phosphorus Removal Design Standards.”
- d. Performance Standards must include the following enhanced stabilization requirements: “For construction sites located in the NYC East of Hudson watershed, where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected must be in conformance with the NYS E&SC 2016.”
- e. Inspections of land development activities during construction must include requirements for a *qualified inspector* to conduct two (2) site inspections every seven (7) calendar days for single-family homes, and single-family residential, subdivisions within the NYC East of Hudson watersheds.

- f. *Retrofit* program
- i. All *MS4 Operators* identified within the Croton Watershed Phase II TMDL Implementation Plan, January 2009, must continue to implement the *retrofit* program according to the following schedule:
 - a) Within one (1) year of the EDC, the *MS4 Operator* must submit to the *Department* a *retrofit* plan that identifies the following:
 - i) Project name;
 - ii) Location;
 - iii) Proposed *retrofit* type;
 - iv) Anticipated date for construction;
 - v) Estimated phosphorus reduction (using the criteria in the Croton Watershed Phase II TMDL Implementation Plan, January 2009); and
 - vi) Estimated total phosphorus reduction for all projects demonstrating they will meet the reduction specified in the Croton Watershed Phase II TMDL Implementation Plan, January 2009.
 - b) Within five (5) years of the EDC, all *retrofit* projects must be constructed to achieve the five (5) year phosphorus reduction assigned to the *MS4 Operator*, as required by the Croton Watershed Phase II TMDL Implementation Plan, January 2009.
 - ii. Annually, by December 31, *MS4 Operators* (or *RSE* representing *MS4 Operators* as described in Part III.B.2.b.) must submit to the *Department* any changes made to the *retrofit* plan including the information in Part IX.A.6.e.i.
 - iii. *MS4 Operators* must document the retrofit program in the *SWMP Plan* specifying:
 - a) Progress on *retrofit* projects already commenced; and
 - b) Identification of *retrofit* projects for the upcoming construction season; and
 - c) Certification that completed retrofit projects have been constructed in accordance with the *retrofit* plans.

7. Pollution Prevention/Good Housekeeping

- a. Twice a year, once from March to August and once from September to February, all *catch basins* located in the TMDL watershed(s) must be inspected (Part VI.F.3.c. or Part VII.F.3.c, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

- b. Following the completion of Part IX.A.1, annually, from April 1 through October 31, all streets located in the TMDL watershed(s) must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:
 - i. Uncurbed roads with no *catch basins*;
 - ii. High-speed limited access highways;
 - iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.
- c. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. Within thirty (30) days of inspection, the *MS4 Operator* must initiate all necessary maintenance and repair activities discovered for *municipally* owned or operated post-construction *SMPs*. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities* in Watersheds to Impaired Waters

Incorporate, where feasible,⁷⁵ cost-effective runoff reduction techniques⁷⁶ during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

⁷⁵ Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

⁷⁶ Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

B. Other Phosphorus Impaired Watershed MS4s

| Table 5. Other Phosphorus Impaired Watersheds | | | |
|--|---|---|--|
| Area where Requirements Apply | Greenwood Lake | Onondaga Lake | Oscawana Lake |
| EPA Approved TMDL | <i>Impaired Waters Restoration Plan for Greenwood Lake – Total Maximum Daily Load for Total Phosphorus, Sept 2005</i> | <i>Updated Phosphorus Total Maximum Daily Load for Onondaga Lake, June 2012</i> | <i>Total Maximum Daily Load (TMDL) for Phosphorus in Lake Oscawana, September 2008</i> |
| Implementation Plan | Greenwood Lake Watershed Phosphorus TMDL Implementation Plan, October 2019 | None | None |
| <i>POC</i> | Phosphorus | | |
| Achievement of <i>Pollutant</i> Load Reduction | In accordance with Implementation Plan | In accordance with approved TMDL | In accordance with approved TMDL |

MS4 Operators located in the watersheds listed in Table 5 must *develop* and implement the following phosphorus-specific *BMPs* in addition to the applicable Implementation Plan and applicable requirements in Part VI. or Part VII, depending on the *MS4 Operator* type:

1. Mapping

In accordance with the timeframes listed below, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24,000 or finer, the comprehensive system mapping (Part IV.D.) to include:

- a. Within three (3) years of the EDC, include areas with potential to contribute phosphorus to the TMDL waterbody, which include:
 - i. Retail and wholesale plant nurseries (including big box stores);
 - ii. Commercial lawn care facilities;
 - iii. Golf courses; and
 - iv. Commercial or industrial yard waste storage areas (e.g., yard waste composting and disposal areas).
- b. Within three (3) years of the EDC, include the following information for all post-construction *SMPs* as identified in the post-construction *SMP* inventory (Part VI.E.2. or Part VII.E.2, depending on the *MS4 Operator* type):

- i. Type⁷⁷; and
- ii. Ownership.

2. Public Education and Outreach on Stormwater Impacts

- a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on any how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- b. Following the completion of Part IX.B.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to phosphorus to the applicable target audiences within the TMDL watershed focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the MS4 Operator type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A. or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- c. Twice a permit term, separated by a minimum of one (1) year, the *MS4 Operator* must educate residential on-site wastewater system users on the on-site wastewater inspection program described in Part IX.B.4.c and proper maintenance practices. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

3. Public Involvement/Participation

No additional requirements.

4. Illicit Discharge Detection and Elimination

a. Inventory of Potential Phosphorus Sources

Following the completion of Part IX.B.1, within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part VIII.B.1.a. for each associated MS4 outfall.

b. On-site wastewater systems

The *MS4 Operator* (with the exclusion of *MS4 Operators* located in the Onondaga Lake watershed) must *develop*, implement, and enforce a program that ensures residential on-site wastewater systems (i.e., septic tanks,

⁷⁷ Post-construction *SMP* types are defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017).

cesspools, absorption fields or distribution systems) are properly operated and do not contribute *pollutants* to the *MS4*. The *MS4 Operator* must:

- i. Once every five (5) years, ensure that residential septic tanks/cesspools are pumped out and system components (i.e., septic tanks, cesspools and installed absorption field) are inspected;
- ii. Ensure the following information is collected and document the completion of this requirement in the *SWMP Plan*:
 - a) Individual performing inspection;
 - b) Inspection date;
 - c) Address;
 - d) Location of system on property;
 - e) Inspection rating (pass/fail);
 - f) Evidence of failed systems;
- iii. Refer failures to the appropriate agency to ensure corrective actions are taken; and
- iv. Eliminate *illicit discharges* from on-site wastewater systems to the *MS4* in accordance with the time frames specified in Part VI.C.3. or Part VII.C.3, depending on the *MS4 Operator* type.

5. Construction Site Stormwater Runoff Control

High priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

- a. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or
- b. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post Construction Stormwater Management

- a. The *MS4 Operator* must require the use of the Enhanced Phosphorus Removal design standards contained in Chapter 10 of the NYS SWMDM 2015 for all new development and redevelopment projects within the listed watersheds.
- b. The legal authority used to satisfy Part IV.E.2.b. must also include the following language requiring the use of the Enhanced Phosphorus Removal

Design Standards in accordance with the NYS SWMDM 2015 for the applicable watershed:

“Land development activities requiring water quantity and quality controls (post-construction *stormwater* runoff controls) must include: “Single-family home construction located in the <insert watershed name> watershed” and “Single-family residential subdivisions located in the <insert watershed name> watershed.”

- c. Requirements for SWPPPs that include post-construction *stormwater* controls must include: “Post-construction *SMPs* in the SWPPP must be designed in conformance with the Enhanced Phosphorus Removal Design Standards in the NYS SWMDM 2015.”
- d. Performance Standards must include the following enhanced stabilization requirements: “Where soil disturbance activity has temporarily or permanently ceased, the construction site is located in the <*insert watershed name*> watershed, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected must be in conformance with the Erosion Control Manual.”
- e. Inspections of land development activities during construction must include requirements for a *qualified inspector* to conduct two (2) site inspections every seven (7) calendar days for single-family homes and subdivisions within the <*insert watershed name*> watersheds.
- f. *Retrofit* program
 - i. All *MS4 Operators* identified within the Greenwood Lake Watershed Phosphorus TMDL Implementation Plan, October 2019, must continue to implement the *retrofit* program according to the following schedule:
 - a) Within one (1) year of the EDC, the *MS4 Operator* must submit to the *Department* a *retrofit* plan that identifies the following:
 - i) Project name;
 - ii) Location;
 - iii) Proposed *retrofit* type;
 - iv) Anticipated date for construction;
 - v) Estimated phosphorus reduction (using the criteria in the Greenwood Lake Watershed Phosphorus TMDL Implementation Plan, October 2019); and
 - vi) Estimated total phosphorus reduction for all projects demonstrating they will meet the reduction specified in the Greenwood Lake Watershed Phosphorus TMDL Implementation Plan, October 2019.
 - b) Within five (5) years of the EDC, all *retrofit* projects must be constructed to achieve the five (5) year phosphorus reduction assigned

to the *MS4 Operator*, as required by the Greenwood Lake Watershed Phosphorus TMDL Implementation Plan, October 2019.

- ii. Annually, by December 31, *MS4 Operators* (or *RSE* representing *MS4 Operators* as described in Part III.B.2.b.) must submit to the *Department* any changes made to the *retrofit* plan including the information in Part IX.A.6.e.i.
- iii. *MS4 Operators* must document the retrofit program in the *SWMP Plan* specifying:
 - a) Progress on *retrofit* projects already commenced; and
 - b) Identification of *retrofit* projects for the upcoming construction season; and
 - c) Certification that completed retrofit projects have been constructed in accordance with the *retrofit* plans.

7. Pollution Prevention/Good Housekeeping

Following the completion of Part IX.B.1:

- a. Annually, from April 1 through October 31, all streets located in the TMDL watershed(s) must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:
 - i. Uncurbed roads with no *catch basins*;
 - ii. High-speed limited access highways; or
 - iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.
- b. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- c. Within thirty (30) days of inspection, the *MS4 Operator* must initiate all necessary maintenance and repair activities discovered for *municipally* owned or operated post-construction *SMPs*. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities in Watersheds to Impaired Waters*

Incorporate, where feasible,⁷⁸ cost-effective runoff reduction techniques⁷⁹ during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

C. Pathogen Impaired Watersheds *MS4s*

No Pathogen TMDL requirements.

D. Nitrogen Impaired Watershed *MS4s*

| Table 6. Nitrogen Impaired Watershed(s) | |
|--|---|
| Area where Requirements Apply | Peconic |
| EPA Approved TMDL | <i>TMDL for Nitrogen in the Peconic Estuary Program Study Area, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Sawmill Creek; and Meetinghouse Creek, Terry Creek and Tributaries (September 2007)</i> |
| Implementation Plan | <i>TMDL for Nitrogen in the Peconic Estuary Program Study Area, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Sawmill Creek; and Meetinghouse Creek, Terry Creek and Tributaries (September 2007)</i> |
| <i>POC</i> | Nitrogen |
| <i>Pollutant Load Reduction</i> | In accordance with approved TMDL |
| Waterbodies | Terrys Creek & Tributaries |
| | Meetinghouse Creek |
| | Western Flanders Bay & Lower Sawmill Creek |
| | Lower Peconic River and tidal tributaries |

⁷⁸ Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

⁷⁹ Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

MS4 Operators located in the watersheds listed in Table 6 must *develop* and implement the following nitrogen-specific *BMPs* in addition to the applicable Implementation Plan and applicable requirements in Part VI. or Part VII, depending on the *MS4 Operator* type:

1. Mapping

Within three (3) years of the EDC, the *MS4 Operator* must update, in geographic information system (GIS) format with a scale of 1:24000 or finer, the comprehensive system mapping (Part IV.D.) to include:

- a. Areas with potential to contribute nitrogen to the *TMDL* waterbody, which include:
 - i. Retail and wholesale plant nurseries (including big box stores);
 - ii. Commercial lawn care facilities;
 - iii. Golf courses; and
 - iv. Commercial or Industrial yard waste storage areas (e.g., yard waste composting and disposal areas).
- b. Information for all post-construction *SMPs* as identified in the post-construction *SMP* inventory (Part VI.E.2. or Part VII.E.2, depending on the *MS4 Operator* type):
 - i. Type;⁸⁰ and
 - ii. Ownership of *SMP*.

2. Public Education and Outreach on Stormwater Impacts

- a. Within six (6) months of the EDC, the *MS4 Operator* must make available information on any how the impairment is being addressed by implementation of the *MS4 Operator's* local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- b. Following the completion of Part IX.D.1, twice a year, once from March to August and once from September to February, the *MS4 Operator* must provide educational messages with information specific to nitrogen to the applicable target audiences within the *TMDL* watershed focus area, identified in Part VI.A.1.b. or Part VII.A.1.b, depending on the *MS4 Operator* type. The *SWMP Plan* must be updated with changes made to public education and outreach program (Part VI.A. or Part VII.A, depending on the *MS4 Operator* type). *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

⁸⁰ Post-construction *SMP* types are defined in the New York State Department of Environmental Conservation Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017).

3. Public Involvement/Participation

No additional requirements.

4. Illicit Discharge Detection and Elimination

Following the completion of Part IX.D.1, within five (5) years of the EDC, the MS4 Operator must include on the *MS4 outfall* inventory (Part VI.C.1.c. or Part VII.C.1.c, depending on the MS4 Operator type) the number of each item identified in Part VIII.D.1.a. for each associated MS4 outfall.

5. Construction Site Stormwater Runoff Control

High priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the *MS4 Operator* type).

- a. If the *MS4 Operator* is completing the inspection, the construction site must be inspected every ninety (90) days; or
- b. If the *MS4 Operator* utilizes the *qualified inspector's* weekly inspection reports, as required by the CGP, to satisfy this requirement, the *MS4 Operator* must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention.

MS4 Operators must document the construction site inspections in the *SWMP Plan*.

6. Post-Construction Stormwater Management

The *MS4 Operator* must ensure on-site retention of the 1-year storm or greater from new development or redevelopment projects using runoff reduction techniques⁸¹ selected from the NYS SWMDM 2015.

7. Pollution Prevention/Good Housekeeping

Following the completion of Part IX.D.1:

- a. Annually, from April 1 through October 31, all streets located in the TMDL watershed(s) must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:
 - i. Uncurbed roads with no *catch basins*;
 - ii. High-speed limited access highways; or
 - iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

⁸¹ Runoff reduction techniques can be found in Chapters 4 and 5 of the NYS SWMDM 2015.

- b. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.
- c. Within thirty (30) days of inspection, the *MS4 Operator* must initiate all necessary maintenance and repair activities discovered for *municipally* owned or operated post-construction *SMPs*. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

8. Planned Upgrades to *Municipal Facilities* in Watersheds to Impaired Waters

Incorporate, where feasible,⁸² cost-effective runoff reduction techniques⁶⁸ during planned *municipal* upgrades including *municipal* right of ways (e.g., bioswales, green streets, porous pavement, replacement of closed drainage with grass swales, replacement of the existing islands in the parking lots with bioretention or curb cuts to route the flow through below-grade infiltration areas or other low-cost improvements that provide runoff treatment or reduction).

⁸² Consideration of feasibility should include type of land use or *municipal operation*, suitability of soils, presence of utilities, potential for exacerbating existing contamination problems, safety issues, maintenance requirements, and expected lifespans of available technologies.

Part X. Standard Permit Conditions

For the purposes of this *SPDES* general permit, examples of contractors and subcontractors include:

A. Duty to Comply

The owner/operator, and all contractors or subcontractors, must comply with all terms and conditions of this *SPDES* general permit. Any non-compliance with the terms and conditions of this *SPDES* general permit constitutes a violation of the New York State Environmental Conservation Law, and its implementing regulations, and is grounds for enforcement action. Filing of a request for transfer or termination of coverage under this *SPDES* general permit, or a notification of planned changes or anticipated non-compliance, does not limit, diminish or stay compliance with any terms and conditions of this *SPDES* general permit.

B. Need to Halt or Reduce Activity is Not a Defense

The necessity to halt or reduce the activity regulated by this *SPDES* general permit, in order to maintain compliance with the conditions of this *SPDES* general permit, shall not be a defense in an enforcement action.

C. Penalties

There are substantial criminal, civil, and administrative penalties associated with violating the terms and conditions of this *SPDES* general permit. Fines of up to \$37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

D. False Statements

Any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this *SPDES* general permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished in accordance with New York State Environmental Conservation Law §71-1933 and or New York State Penal Law Articles 175 and 210.

E. Reopener Clause

Upon issuance of this *SPDES* general permit, a determination has been made on the basis of a submitted Notice of Intent, plans, or other available information, that compliance with the specified general permit terms and conditions will reasonably protect classified water use and assure compliance with applicable *water quality standards*. Satisfaction of the conditions of this *SPDES* general permit notwithstanding, if operation pursuant to this *SPDES* general permit causes or contributes to a condition in contravention of State *water quality standards* or guidance values, or if the *Department* determines that a modification is necessary to prevent impairment of the best use of the waters or to assure maintenance of *water*

quality standards or compliance with other provisions of New York State Environmental Conservation Law Article 17 or the Clean Water Act, or any regulations adopted pursuant thereto, the *Department* may require such modification and the Commissioner may require abatement action to be taken by the owner/operator and may also prohibit such operation until the modification has been implemented.

F. Duty to Mitigate

The owner/operator, and its contractors and subcontractors, shall take all reasonable steps to minimize or prevent any *discharge* in violation of this *SPDES* general permit which has a reasonable likelihood of adversely affecting human health or the environment.

G. Requiring Another General Permit or Individual *SPDES* Permit

The *Department* may require any discharger authorized to *discharge* in accordance with this *SPDES* general permit to apply for and obtain an individual *SPDES* permit or apply for authorization to *discharge* in accordance with another general permit.

- (1) Cases where an individual *SPDES* permit or authorization to *discharge* in accordance with another general permit may be required include, but is not limited to the following:
- (i) the discharger is not in compliance with the conditions of this *SPDES* general permit or does not meet the criteria for coverage under this *SPDES* general permit;
 - (ii) a change has occurred in the availability of demonstrated technology or practices for the control or abatement of *pollutants* applicable to the point source;
 - (iii) new effluent limitation guidelines or new source performance standards are promulgated that are applicable to point sources authorized to *discharge* in accordance with this *SPDES* general permit;
 - (iv) existing effluent limitation guidelines or new source performance standards that are applicable to point sources authorized to *discharge* in accordance with this *SPDES* general permit are modified;
 - (v) a water quality management plan containing requirements applicable to such point sources is approved by the *Department*;
 - (vi) circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under this *SPDES* general permit, or either a temporary or permanent reduction or elimination of the authorized *discharge* is necessary;
 - (vii) the *discharge* is in violation of section 17-0501 of the New York State Environmental Conservation Law;
 - (viii) the *discharge(s)* is a significant contributor of *pollutants*. In making this determination, the *Department* may consider the following factors:

- (a) the location of the *discharge(s)* with respect to waters of New York State;
 - (b) the size of the *discharge(s)*;
 - (c) the quantity and nature of the *pollutants discharged* to waters of New York State; and
 - (d) other relevant factors including compliance with other provisions of New York State Environmental Conservation Law Article 17, or the Clean Water Act.
- (1) When the *Department* requires any discharger authorized by this *SPDES* general permit to apply for an individual *SPDES* permit as provided for in this subdivision, it shall notify the discharger in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a time for the owner/operator to file the application for an individual *SPDES* permit, and a deadline, not sooner than 180 days from the owner/operator's receipt of the notification letter, whereby the authorization to discharge under this *SPDES* general permit shall be terminated. The *Department* may grant additional time upon demonstration, to the satisfaction of the Regional Water Engineer, that additional time to apply for an alternative authorization is necessary or where the *Department* has not provided a permit determination in accordance with 6 NYCRR Part 621.
- (2) When an individual *SPDES* permit is issued to a discharger authorized to *discharge* under this *SPDES* general permit for the same *discharge(s)*, this *SPDES* general permit authorization for outfalls authorized under the individual *SPDES* permit is automatically terminated on the effective date of the individual *SPDES* permit unless termination is earlier in accordance with 6 NYCRR Part 750.

H. Duty to Provide Information

The owner/operator shall furnish to the *Department*, within five (5) business days, unless otherwise set forth by the *Department*, any information that the *Department* may request to determine whether cause exists to determine compliance with this *SPDES* general permit or to determine whether cause exists for requiring an individual *SPDES* permit in accordance with 6 NYCRR 750-1.211 (see G. Requiring Another General Permit or Individual Permit). The owner/operator shall make available to the *Department*, for inspection and copying, or furnish to the *Department* within 25 business days of receipt of a *Department* request for such information, any information retained in accordance with this *SPDES* general permit. Where the owner/operator becomes aware that it failed to submit any relevant facts on the Notice of Intent, or submitted incorrect information in a Notice of Intent or in any report to the *Department*, the owner/operator shall promptly submit such facts or corrected information to the *Department*.

I. Extension

In the event a new *SPDES* general permit is not issued prior to the expiration of this *SPDES* general permit, and this *SPDES* general permit is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, then the owner/operator

with coverage under this *SPDES* general permit may continue to operate and *discharge* in accordance with the terms and conditions of this *SPDES* general permit until a new *SPDES* general permit is issued.

J. Signatories and Certification

The Notice of Intent, Notice of Termination and reports required by this *SPDES* general permit shall be signed as provided in 40 CFR §122.22

- (a) All Notices of Intent and Notices of Termination shall be signed as follows:
- (1) For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
 - (ii) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for Notice of Intent or Notice of Termination requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

Note: The *Department* does not require specific assignments or delegations of authority to responsible corporate officers identified in 40 CFR §122.22(a)(1)(i). The *Department* will presume that these responsible corporate officers have the requisite authority to sign the Notice of Intent or Notice of Termination unless the corporation has notified the *Department* to the contrary. Corporate procedures governing authority to sign a Notice of Intent or Notice of Termination may provide for assignment or delegation to applicable corporate positions under 40 CFR §122.22(a)(1)(ii) rather than to specific individuals.
 - (2) For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or
 - (3) For a *municipality*, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
 - (i) The chief executive officer of the agency, or
 - (ii) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

- (b) All reports required by this *SPDES* general permit, and other information requested by the *Department* shall be signed by a person described in paragraph (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described in (a);
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (A duly authorized representative may thus be either a named individual or any individual occupying a named position.), and
 - (3) The written authorization is submitted to the *Department*.
- (c) Changes to authorization. If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or activity, a new authorization satisfying the requirements of (b) must be submitted to the *Department* prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (d) Certification. Any person signing a document under (a) or (b) shall make the following certification:
- I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*
- (e) Electronic reporting. If documents described in (a) or (b) are submitted electronically by or on behalf of the activity with coverage under this *SPDES* general permit, any person providing the electronic signature for such documents shall meet all relevant requirements of this section, and shall ensure that all of the relevant requirements of 40 CFR Part 3 (including, in all cases, subpart D to Part 3) (Cross-Media Electronic Reporting) and 40 CFR Part 127 (NPDES Electronic Reporting Requirements) are met for that submission.

K. Inspection & Entry

The owner/operator shall allow the *Department*, the USEPA Regional Administrator, the applicable county health department, or any authorized representatives of those entities, upon the presentation of credentials and other documents as may be required by law, to:

- (a) enter upon the owner/operator's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this *SPDES* general permit;
- (b) have access to and copy, at reasonable times, any records that must be kept under the conditions of this *SPDES* general permit, including records required to be maintained for purposes of operation and maintenance;
- (c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this *SPDES* general permit;
- (d) sample or monitor at reasonable times, for the purposes of assuring *SPDES* general permit compliance or as otherwise authorized by the Clean Water Act or New York State Environmental Conservation Law, any substances or parameters at any location; and
- (e) enter upon the property of any contributor to the regulated facility or activity under authority of the owner/operator.

L. Confidentiality of Information

The following shall not be held confidential: this *SPDES* general permit, the fact sheet for this *SPDES* general permit, the name and address of any owner/operator, effluent data, the Notice of Intent, and information regarding the need to obtain an individual permit or an alternative general permit. This includes information submitted on forms themselves and any attachments used to supply information required by the forms (except information submitted on usage of substances). Upon the request of the owner/operator, the *Department* shall make determinations of confidentiality in accordance with 6 NYCRR Part 616, except as set forth in the previous sentence. Any information accorded confidential status shall be disclosed to the Regional Administrator upon his or her written request. Prior to disclosing such information to the Regional Administrator, the *Department* will notify the Regional Administrator of the confidential status of such information.

M. Other Permits May Be Required

Nothing in this *SPDES* general permit relieves the owner/operator from a requirement to obtain any other permits required by law.

N. Property Rights

Coverage under this *SPDES* general permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations, nor does it obviate the necessity of obtaining the assent of any other jurisdiction as required by law for the *discharge* authorized.

O. Compliance with Interstate Standards

If the activity covered by this *SPDES* general permit originates within the jurisdiction of an interstate water pollution control agency, then the activity must also comply

with any applicable effluent standards or *water quality standards* promulgated by that interstate agency and as set forth in this *SPDES* general permit for such activities.

P. Oil & Hazardous Substance Liability

Coverage under this *SPDES* general permit does not affect the imposition of responsibilities upon, or the institution of any legal action against, the owner or operator under section 311 of the Clean Water Act, which shall be in conformance with regulations promulgated pursuant to section 311 governing the applicability of section 311 of the Clean Water Act to *discharges* from facilities with NPDES permits, nor shall such issuance preclude the institution of any legal action or relieve the owner or operator from any responsibilities, liabilities, or penalties to which the owner or operator is or may be subject pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. section 9601 et seq. (CERCLA).

Q. Severability

The provisions of this *SPDES* general permit are severable, and if any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

Appendix A. Acronyms and Definitions

Acronym List

BMP – Best Management Practice

CFR – Code of Federal Regulations

CGP – SPDES General Permit for Stormwater from Construction Activities, GP-0-20-001

CWA – Clean Water Act

ECL – Environmental Conservation Law

EDC – Effective Date of Coverage

EDP – Effective Date of the Permit

eNOI – Electronic Notice of Intent

EPCRA - Emergency Planning and Community Right-To-Know Act

ERP – Enforcement Response Plan

IDDE – Illicit Discharge Detection and Elimination

MCM – Minimum Control Measure

MS4 – Municipal Separate Storm Sewer System

MS4 GP – SPDES General Permit for Stormwater Discharges from the Municipal Separate Storm Sewer Systems, GP-0-24-001

MSGP – SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, GP-0-23-001

NOI – Notice of Intent

NPDES – National Pollutant Discharge Elimination System

NYCRR – New York Codes, Rules and Regulations

NYS DEC – New York State Department of Environmental Conservation

O&M – Operations and Maintenance

ORI – Outfall Reconnaissance Inventory

POC – Pollutant of Concern

RSE – Regional Stormwater Entity

SPDES – State Pollutant Discharge Elimination System

SMP – Stormwater Management Practice

SWMP – Stormwater Management Program

SWMP Plan – Stormwater Management Program Plan

SWPPP – Stormwater Pollution Prevention Plan

TMDL – Total Maximum Daily Load

USEPA – United States Environmental Protection Agency

Definitions

All definitions in this section are solely for the purposes of this permit. If a word is not defined below, use it how it is commonly defined.

Additionally Designated Areas – those areas that meet the additional designation criteria, Designation Criteria for Identifying Regulated Municipal Separate Storm Sewer Systems (*MS4s*), January 2010, revised January 2023 and found in Appendix B.

Additionally Designated Area MS4 Outfall (ADA MS4 outfall) – any point of *stormwater discharge* from pipes, ditches, and swales, as well as other points of concentrated flow, to impaired waters listed in Appendix C from an *MS4 Operator's MS4*. Areas of *sheet flow* which drain to impaired waters listed in Appendix C are not considered *ADA MS4 outfalls*.

Automatically Designated Areas – those areas served by *MS4s* that meet the automatic designation criteria, Designation Criteria for Identifying Regulated Municipal Separate Storm Sewer Systems (*MS4s*), January 2010, revised January 2023 and found in Appendix B.

Best Management Practice (BMP) – schedules of activities, practices, and prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage and leaks, sludge or waste disposal, or drainage from areas that could contribute pollutants to *stormwater discharges*.

Catch Basin(s) – a cistern, vault, chamber, or well that is part of the *MS4* and designed to capture trash, sediment, and/or debris in its *sump*.

Construction Activity(ies) – any clearing, grading, excavation, demolition or stockpiling activity that results in soil disturbance. Clearing activities can include but are not limited to logging equipment operation, the cutting and skidding of trees, stump removal and/or brush root removal. *Construction activity* does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.

Department – the New York State *Department* of Environmental Conservation as well as meaning the *Department's* designated agent.

Develop (Developed) – for *MS4 Operators* continuing coverage, *develop* means to continue to implement their current SWMP and update the SWMP to comply with the permit requirement; for newly designated *MS4 Operators*, *develop* means to create that permit requirement.

Discharge (Discharging) – any addition of any pollutant to *surface waters of the State* through an outlet or point source (6 NYCRR 750-1.2(a)(28)).

Dry Weather – prolonged dry periods (at least 48 hours after the last runoff event).

Groundwater – waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

Illicit Discharge – any *discharge* into an *MS4* that is not entirely composed of *stormwater*, except those identified in Part I.A.3. Examples of *illicit discharges* are non-permitted sanitary sewage, garage drain effluent, and waste motor oil. However, an *illicit discharge* could be any other non-permitted discharge which the *MS4 Operator* or *Department* has determined to be a substantial contributor of pollutants to the *MS4*. *Illicit discharges* can occur throughout the *MS4*, including at post-construction *SMPs*.

Industrial Activity – the eleven (11) categories of industrial activities included in the definition of “*stormwater discharges* associated with industrial activity,” as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Interconnection – any point of *stormwater discharge* from pipes, ditches, and swales, as well as other points of concentrated flow, where the *MS4 Operator's MS4* is *discharging* to another *MS4* or private storm sewer system. Areas of *sheet flow* which drain to another *MS4* or private storm sewer system are not considered *interconnections*.

Intermittent Discharge – a *discharge* which occurs over a shorter period of time (e.g., a few hours per day or a few days per year) (CWP 2004).

Larger Common Plan of Development or Sale – a contiguous area where multiple separate and distinct *construction activities* are occurring, or will occur, under one plan. The term “plan” in “larger common plan of development or sale” is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, State Environmental Quality Review Act Application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that *construction activities* may occur on a specific plot.

For discrete construction projects that are located within a *larger common plan of development or sale* that are at least 1/4 mile apart, each project can be treated as a separate plan of development or sale provided any interconnecting road, pipeline or utility project that is part of the same “common plan” is not concurrently being disturbed.

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

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

Municipal (Municipally) – a county, town, city, village, district corporation, special improvement district, sewer authority or agency thereof. Examples of other public entities that are included in this program include State University Campuses, federal and State prisons, State and federal hospitals, Dormitory Authorities, public housing authorities, school and other special districts.

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

Municipal Facility Intraconnection – any point where stormwater is conveyed from the *MS4 Operator's* municipal facility to the *MS4 Operator's* own *MS4*. This is the most down-drainage end of the *MS4* infrastructure located on the municipal facility prior to discharge to the *MS4*.

Municipal Operations (Operations) – activities conducted by the *MS4 Operator* with the potential to discharge pollutants to the *MS4* and/or *surface water of the State*.

Municipal Separate Storm Sewer System (MS4) – a conveyance or system of conveyances (including roads with drainage systems, *municipal* streets, *catch basins*, curbs, gutters, ditches, man-made channels, or storm drains):

1. owned or operated by a State, city, town, village, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, *stormwater*, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA, that *discharges to surface waters of the State*;
2. designed or used for collecting or conveying *stormwater*;
3. which is not a combined sewer; and
4. which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

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

No Exposure – all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff.

Non-traditional MS4 Operators– state, federal, county and other publicly owned properties such as state university campuses, prisons, office complexes, hospitals, military installations public housing authorities, school and other special districts.

Obvious Illicit Discharge –an *illicit discharge* from a flowing *MS4 outfall* that does not require sample collection for confirmation; this references the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Outfall Characterization.

Physical Indicator Present in the Flow – a sensory indicator present in the *discharge* from *monitoring location* including odor, color, turbidity and floatables; this references the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 4: Physical Indicators for Flowing Monitoring Locations Only.

Physical Indicator not Related to Flow – an indicator of past *discharges*, potentially *intermittent* or *transitory discharge*, including *monitoring location* damage, *monitoring location* deposits or stains, abnormal vegetation growth, poor pool quality or pipe benthic growth; this references the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 5: Physical Indicators for Both Flowing and Non-Flowing Monitoring Locations. These physical indicators can be present at both flowing and non-flowing monitoring locations.

Pollutant – dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, *municipal*, agricultural waste and ballast *discharged* into water; which may cause or might reasonably be expected to cause pollution of the waters of the State in contravention of the standards or guidance values adopted as provided in Parts 700 et seq of this Title. For the purposes of this *SPDES* general permit, relevant pollutants include, but are not limited to, nitrogen, phosphorus, chloride, silt and sediment, pathogens, herbicides/pesticides, floatables, petroleum hydrocarbons, heavy metals, and polycyclic aromatic hydrocarbons (PAHs).

Pollutant of Concern (POC) – a pollutant causing the impairment of an impaired water segment with an approved TMDL and/or listed in Appendix C, including phosphorus, silt/sediment, pathogens, nitrogen, and floatables.

Privately Owned/Operated – not owned/operated by the *MS4 Operator* or another *MS4 Operator*.

Publicly Owned/Operated – owned/operated by the *MS4 Operator*.

Qualified Inspector – a person who is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or other *Department* endorsed individual(s).

It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct

supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of *Department* endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other *Department* endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect must receive four (4) hours of training every three (3) years.

It can also mean a person that meets the *qualified professional* qualifications in addition to the *qualified inspector* qualifications.

Note: Inspections of any post-construction *SMPs* that include structural components, such as a dam for an impoundment, must be performed by a licensed Professional Engineer.

Qualified Professional – a person who is knowledgeable in the principles and practices of *stormwater* management and treatment, such as a licensed Professional Engineer, Registered Landscape Architect, or other *Department* endorsed individual(s). Individuals preparing SWPPPs that require the post-construction *SMP* component must have an understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics in order to prepare a SWPPP that conforms to the *Department's* technical standard. All components of the SWPPP that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), must be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York.

Qualifying Storm Event – a storm event with at least 0.1 inch of precipitation, providing the interval from the preceding measurable storm is at least 72 hours. The 72-hour storm interval is waived if the preceding measurable storm did not result in a *stormwater discharge* (e.g., a storm events in excess of 0.1 inches may not result in a *stormwater discharge* at some facilities), or if the *MS4 Operator* is able to document that less than a 72-hour interval is representative for local storm events during the sampling period.

Regional Stormwater Entity (RSE) – an organization made up of multiple cooperating regulated and/or nonregulated entities located in the same geographical region of the State who share resources to improve overall *stormwater* management in their area.

Retrofit – to modify or add to existing *stormwater* infrastructure for the purpose of reducing pollutant loadings.

Sheet Flow – *stormwater* runoff flowing in a thin layer over the ground surface.

Sizing Criteria – the criteria included in the CGP that are used to size post-construction *stormwater* management control practices. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), Overbank Flood (Qp), and Extreme Flood (Qf).

State Pollutant Discharge Elimination System (SPDES) – the system established pursuant to Article 17 of the ECL and 6 NYCRR Part 750 for issuance of permits authorizing *discharges* to the waters of the State.

Stormwater – that portion of precipitation that, once having fallen to the ground, is in excess of the evaporative or infiltrative capacity of soils, or the retentive capacity of surface features, which flows or will flow off the land by surface runoff to waters of the State.

Stormwater Hotspots - a land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical *stormwater* runoff, based on monitoring studies. For further detail, see Section 4.11 of the NYS SWMDM 2015.

Stormwater Management Practices (SMPs) – measures, either structural or nonstructural, that are constructed as part of new development or redevelopment projects and are intended to capture, treat, reduce and/or retain *stormwater* runoff.

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

Stormwater Management Program Plan (SWMP Plan) – is used by the *MS4 Operator* to document and detail the activities and measures that will be implemented to meet the terms and conditions of this *SPDES* general permit. The *SWMP Plan* must be updated during the permit term as the *MS4 Operator's* activities are modified to meet permit conditions. The *SWMP Plan* can be hardcopy or digital.

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

Sump – the part of the *catch basin* between the bottom interior of the *catch basin* and the invert of the deepest outlet of the *catch basin*.

Surface Water(s) of the State – must be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that

do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction.

Waters of the state are further defined in 6 NYCRR Parts 800 to 941. Storm sewers are not waters of the state unless they are classified in 6 NYCRR Parts 800 to 941. Nonetheless, a *discharge* to a storm sewer must be regulated as a *discharge* at the point where the storm sewer *discharges* to waters of the state.

Suspect Illicit Discharge – an *illicit discharge* from flowing monitoring locations with high severity (score of 3) on one or more physical indicators based on the relative severity index of physical indicators for flowing *MS4 outfalls* only; this references the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6: Overall Outfall Characterization.

Total Maximum Daily Load (TMDL) – the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. It is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL stipulates Waste Load Allocations (WLA) for point source *discharges*, Load Allocations (LA) for nonpoint sources, and a margin of safety (MOS).

Traditional Land Use Control *MS4 Operators* – a city, town, or village with land use control authority.

Traditional Non-land Use Control *MS4 Operators* – any county agency without land use control.

Transitory Discharge – a *discharge* which occurs rarely, usually in response to a singular event such as an industrial spill, ruptured tank, sewer break, transport accident or illegal dumping episode (CWP 2004).

Water Quality Standard – such measures of purity or quality for any waters in relation to their reasonable and necessary use as promulgated in 6 NYCRR Part 700 et seq.

Appendix B. Designation Criteria for Identifying Regulated Municipal Separate Storm Sewer Systems (MS4s), January 2010, revised January 2023

The universe of small *municipal* separate storm sewer systems (MS4s) is quite large. However, only a sub-set of small MS4s, referred to as “regulated” small MS4s, are covered by the Federal *stormwater* regulations. A small MS4 can be designated as a regulated MS4 through *automatic designation* by the USEPA or by meeting designation criteria developed by the NPDES permitting authority, the New York State Department of Environmental Conservation (*Department*) in New York State.

Automatic Designation Criteria Required by USEPA

The USEPA’s automatic designation criteria are based strictly on population and density. An area is *automatically designated* if the population is at least 50,000 and has an overall population density of at least 1,000 people per square mile based on the 2000 and 2010 censuses.

Additional Designation Criteria

The USEPA requires the *Department* to develop a set of criteria for *additionally designated areas*. The following criteria, using a combination of population and environmental factors, have been adopted to designate additional MS4s in NYS.

Criterion 1: *MS4s discharging* to waters for which an USEPA-approved Total Maximum Daily Load (TMDL) requires reduction of a *pollutant of concern* beyond what can be achieved with existing programs (and the area is not already covered under automatic designation).

Criterion 2: *MS4s*, contiguous to *automatically designated areas* (municipal lines), that *discharge* to sensitive waters classified as AA-Special (fresh surface waters), AA (fresh surface waters) with filtration avoidance determination or SA (saline surface waters).

Criterion 3: *Automatically designated areas* are extended to town, village, or city boundaries, but only for town, village or city implementation of minimum control measure 4 construction site stormwater runoff control and minimum control measure 5 post-construction stormwater management in development and redevelopment. This additional designation may be waived, by written request to the *Department*, where the *automatically designated area* is a small portion of the total area of the town, village or city (less than 15 %) and where there is little or no *construction activity* in the area outside of the *automatically designated area* (less than 5 disturbed acres per year).

Appendix C. List of Impaired Waters

NOTES FOR THE TABLE BELOW:

1. *MS4 Operators* must implement Part VIII.A. Pollutant Specific BMPs for Phosphorus for waterbodies with the pollutant listed as "phosphorus."
2. *MS4 Operators* must implement Part VIII.B. Pollutant Specific BMPs for Silt/Sediment for waterbodies with the pollutant listed as "silt/sediment."
3. *MS4 Operators* must implement Part VIII.C. Pollutant Specific BMPs for Pathogens for waterbodies with the pollutant listed as "pathogens" or "fecal coliform."
4. *MS4 Operators* must implement Part VIII.D. Pollutant Specific BMPs for Nitrogen for waterbodies with the pollutant listed as "nitrogen" or "ammonia."
5. *MS4 Operators* must implement Part VIII.E. Pollutant Specific BMPs for Floatables for waterbodies with the pollutant listed as "garbage & refuse," "oil/grease," or "oil & floating substances."

| County | Waterbody Inventory/Priority Waterbody List Name (WI/PWL Number) | Pollutant |
|------------|--|------------------|
| Albany | Ann Lee (Shakers) Pond, Stump Pond (1201-0096) | Phosphorus |
| Bronx | Bronx River, Lower (1702-0006) 18 | Fecal Coliform |
| Bronx | Bronx River, Lower (1702-0006) 18 | Garbage & Refuse |
| Bronx | Bronx River, Middle, and tribs (1702-0106) 18 | Fecal Coliform |
| Bronx | Bronx River, Middle, and tribs (1702-0106) 18 | Garbage & Refuse |
| Bronx | Hutchinson River, Lower, and tribs (1702 0003) 18 | Garbage & Refuse |
| Bronx | Long Island Sound, Western Portion (1702-0027) | Nitrogen |
| Bronx | Van Cortlandt Lake (1702-0008) | Phosphorus |
| Bronx | Westchester Creek (1702-0012) 18 | Garbage & Refuse |
| Broome | Minor Tribs to Lower Susquehanna (0603-0044) | Phosphorus |
| Chautauqua | Chadakoin River and tribs (0202-0018) | Phosphorus |
| Chautauqua | Lake Erie (Main Lake, South) (0105-0033) | Fecal Coliform |
| Chautauqua | Lake Erie, Dunkirk Harbor (0105-0009) | Fecal Coliform |
| Dutchess | Fallkill Creek (1301-0087) | Phosphorus |
| Dutchess | Wappingers Lake (1305-0001) | Phosphorus |
| Dutchess | Wappingers Lake (1305-0001) | Silt/Sediment |
| Erie | Delaware Park Pond (0101-0026) | Phosphorus |
| Erie | Ellicott Creek, Lower, and tribs (0102-0018) | Phosphorus |
| Erie | Ellicott Creek, Lower, and tribs (0102-0018) | Silt/Sediment |

| | | |
|----------|---|----------------------|
| Erie | Green Lake (0101-0038) | Phosphorus |
| Erie | Lake Erie (Main Lake, North) (0104-0037) | Fecal Coliform |
| Erie | Lake Erie (Northeast Shoreline) (0104-0036) | Fecal Coliform |
| Erie | Rush Creek and tribs (0104-0018) | Fecal Coliform |
| Erie | Rush Creek and tribs (0104-0018) | Phosphorus |
| Erie | Scajaquada Creek, Lower, and tribs (0101-0023) | Fecal Coliform |
| Erie | Scajaquada Creek, Lower, and tribs (0101-0023) | Oils & Floating Sub. |
| Erie | Scajaquada Creek, Lower, and tribs (0101-0023) | Phosphorus |
| Erie | Scajaquada Creek, Middle, and tribs (0101-0033) | Fecal Coliform |
| Erie | Scajaquada Creek, Middle, and tribs (0101-0033) | Oils & Floating Sub. |
| Erie | Scajaquada Creek, Middle, and tribs (0101-0033) | Phosphorus |
| Erie | Scajaquada Creek, Upper, and tribs (0101-0034) | Fecal Coliform |
| Erie | Scajaquada Creek, Upper, and tribs (0101-0034) | Phosphorus |
| Erie | South Branch Smoke Cr, Lower, and tribs (0101-0036) | Phosphorus |
| Erie | South Branch Smoke Cr, Lower, and tribs (0101-0036) | Silt/Sediment |
| Genesee | Tonawanda Cr, Middle, Main Stem (0102-0002) | Phosphorus |
| Genesee | Tonawanda Cr, Middle, Main Stem (0102-0006) | Fecal Coliform |
| Herkimer | Mohawk River, Main Stem (1201-0093) | Fecal Coliform |
| Herkimer | Mohawk River, Main Stem (1201-0093) | Oils & Floating Sub. |
| Kings | Coney Island Creek (1701-0008) 18 | Fecal Coliform |
| Kings | Coney Island Creek (1701-0008) 18 | Garbage & Refuse |
| Kings | Gowanus Canal (1701 0011) 18 | Garbage & Refuse |
| Kings | Hendrix Creek (1701-0006) 18 | Fecal Coliform |
| Kings | Hendrix Creek (1701-0006) 18 | Garbage & Refuse |
| Kings | Hendrix Creek (1701-0006) 18 | Nitrogen |
| Kings | Mill Basin and tidal tribs (1701 0178) 18 | Garbage & Refuse |
| Kings | Paerdegat Basin (1701-0363) 18 | Garbage & Refuse |
| Kings | Prospect Park Lake (1701-0196) | Phosphorus |
| Monroe | Buck Pond (0301-0017) | Phosphorus |
| Monroe | Cranberry Pond (0301-0016) | Phosphorus |

| | | |
|--------|--|----------------|
| Monroe | Long Pond (0301-0015) | Phosphorus |
| Monroe | Minor Tribs to Irondequoit Bay (0302-0038) | Fecal Coliform |
| Monroe | Minor Tribs to Irondequoit Bay (0302-0038) | Phosphorus |
| Monroe | Rochester E–bayment - East (0302-0002) | Fecal Coliform |
| Monroe | Rochester E–bayment - West (0301-0068) | Fecal Coliform |
| Monroe | Thomas Creek/White Brook and tribs (0302-0023) | Phosphorus |
| Nassau | Beaver Lake (1702-0152) | Phosphorus |
| Nassau | Camaans Pond (1701-0052) | Phosphorus |
| Nassau | Cold Spring Harbor, and tidal tribs (1702-0018) | Pathogens |
| Nassau | Dosoris Pond (1702-0024) | Fecal Coliform |
| Nassau | East Bay (1701-0202) | Fecal Coliform |
| Nassau | East Meadow Brook, Upper, and tribs (1701-0211) | Silt/Sediment |
| Nassau | East Rockaway Inlet (1701-0217) | Fecal Coliform |
| Nassau | Glen Cove Creek, Lower, and tribs (1702-0146) | Fecal Coliform |
| Nassau | Glen Cove Creek, Lower, and tribs (1702-0146) | Silt/Sediment |
| Nassau | Grant Park Pond (1701-0054) | Phosphorus |
| Nassau | Hempstead Bay (1701-0032) | Fecal Coliform |
| Nassau | Hempstead Harbor, north, and tidal tribs (1702-0022) | Pathogens |
| Nassau | Hempstead Harbor, south, & tidal tribs (1702-0263) | Fecal Coliform |
| Nassau | Hempstead Lake (1701-0015) | Phosphorus |
| Nassau | Long Island Sound, Nassau County Waters (1702-0028) | Fecal Coliform |
| Nassau | Long Island Sound, Nassau County Waters (1702-0028) | Nitrogen |
| Nassau | Manhasset Bay, and tidal tribs (1702-0021) | Fecal Coliform |
| Nassau | Manhasset Bay, and tidal tribs (1702-0141) | Fecal Coliform |
| Nassau | Massapequa Creek, Upper, and tribs (1701-0174) | Fecal Coliform |
| Nassau | Massapequa Creek, Upper, and tribs (1701-0174) | Phosphorus |
| Nassau | Middle Bay (1701-0208) | Fecal Coliform |
| Nassau | Milburn/Parsonage Creeks, Upp, and tribs (1701-0212) | Phosphorus |
| Nassau | Mill Neck Creek and tidal tribs (1702-0151) | Pathogens |
| Nassau | Oyster Bay Harbor (1702-0016) | Pathogens |
| Nassau | Reynolds Channel, east (1701-0215) | Fecal Coliform |

| | | |
|----------|---|---|
| Nassau | Seafords/Seamans Creeks, Upper, and tribs (1701-0201) | Fecal Coliform |
| Nassau | Shell Creek and Barnums Channel (1701-0213386) | Fecal Coliform |
| Nassau | South Oyster Bay (1701-0041) | Fecal Coliform |
| Nassau | Tidal Tribs to Hempstead Bay (1701-0218) | Fecal Coliform |
| Nassau | Tidal Tribs to Hempstead Bay (1701-0218) | Nitrogen |
| Nassau | Tidal Tribs to South Oyster Bay (1701-0200) | Fecal Coliform |
| Nassau | Tribs (fresh) to East Bay (1701-0204) | Fecal Coliform |
| Nassau | Tribs (fresh) to East Bay (1701-0204) | Phosphorus |
| Nassau | Tribs (fresh) to East Bay (1701-0204) | Silt/Sediment |
| Nassau | Tribs to Smith Pond/Halls Pond (1701-0221) | Phosphorus |
| Nassau | Woodmere Channel (1701-0219) | Fecal Coliform |
| Nassau | Woodmere Channel (1701-0219) | Nitrogen |
| New York | East River, Lower (1702-0011) 18 | Garbage & Refuse |
| New York | Harlem River (1702-0004) 18 | Garbage & Refuse |
| New York | Harlem Meer (1702-0103) | Phosphorus |
| New York | The Lake in Central Park (1702-0105) | Phosphorus |
| Niagara | Bergholtz Creek and tribs (0101-0004) | Fecal Coliform |
| Niagara | Bergholtz Creek and tribs (0101-0004) | Phosphorus |
| Niagara | Hyde Park Lake (0101-0030) | Phosphorus |
| Oneida | Ballou, Nail Creeks (1201-0203) | Phosphorus |
| Oneida | Mohawk River, Main Stem (1201-0010) | Fecal Coliform |
| Oneida | Mohawk River, Main Stem (1201-0094) | Fecal Coliform |
| Oneida | Utica Harbor (1201-0228) | Fecal Coliform |
| Onondaga | Bloody Brook and tribs (0702 0006) 10 | Fecal Coliform |
| Onondaga | Ley Creek and tribs (0702 0001) 10 | Fecal Coliform |
| Onondaga | Ley Creek and tribs (0702-0001) 10 | Ammonia (NH ₃) |
| Onondaga | Ley Creek and tribs (0702-0001) 10 | Phosphorus |
| Onondaga | Minor Tribs to Onondaga Lake (0702-0022) 10 | Nitrogen (NH ₃ , NO ₂) |
| Onondaga | Minor Tribs to Onondaga Lake (0702-0022) 10 | Phosphorus |
| Onondaga | Minor Tribs to Onondaga Lake (0702-0022) 10 | Fecal Coliform |
| Onondaga | Onondaga Creek, Lower (0702-0023) 10 | Ammonia (NH ₃) |
| Onondaga | Onondaga Creek, Lower (0702-0023) 10 | Fecal Coliform |

| | | |
|----------|--|------------------|
| Onondaga | Onondaga Creek, Lower (0702-0023) 10 | Phosphorus |
| Onondaga | Onondaga Creek, Middle, and tribs (0702-0004) 10 | Fecal Coliform |
| Onondaga | Onondaga Lake, Southern End (0702-0021) [10] | Fecal Coliform |
| Ontario | Great Brook and minor tribs (0704-0034) | Phosphorus 2 |
| Ontario | Great Brook and minor tribs (0704-0034) | Silt/Sediment |
| Orange | Greenwood Lake (1501-0001) | Phosphorus |
| Orange | Monhagen Brook and tribs (1306-0074) | Phosphorus |
| Orange | Orange Lake (1301-0008) [16] | Phosphorus |
| Oswego | Lake Neatahwanta (0701-0018) | Phosphorus |
| Putnam | Bog Brook Reservoir (1302-0041) | Phosphorus |
| Putnam | Boyd Corners Reservoir (1302-0045) | Phosphorus |
| Putnam | Croton Falls Reservoir (1302-0026) | Phosphorus |
| Putnam | Diverting Reservoir (1302-0046) | Phosphorus |
| Putnam | East Branch Reservoir (1302-0040) | Phosphorus |
| Putnam | Middle Branch Reservoir (1302-0009) | Phosphorus |
| Putnam | Oscawana Lake (1301-0035) | Phosphorus |
| Putnam | Palmer Lake (1302-0103) | Phosphorus |
| Putnam | West Branch Reservoir (1302-0022) | Phosphorus |
| Queens | Alley Creek/Little Neck Bay Trib (1702-0009) 18 | Fecal Coliform |
| Queens | Atlantic Ocean Coastline (1701-0014) | Fecal Coliform |
| Queens | Bergen Basin (1701-0009) 18 | Fecal Coliform |
| Queens | Bergen Basin (1701-0009) 18 | Garbage & Refuse |
| Queens | Bergen Basin (1701-0009) 18 | Nitrogen |
| Queens | East River, Upper (1702-0010) 18 | Garbage & Refuse |
| Queens | East River, Upper (1702-0032) 18 | Garbage & Refuse |
| Queens | Flushing Creek/Bay (1702 0005) 18 | Garbage & Refuse |
| Queens | Flushing Creek/Bay (1702-0005) | Nitrogen |
| Queens | Flushing Creek/Bay (1702-0005) 18 | Fecal Coliform |
| Queens | Jamaica Bay, Eastern, and tribs, Queens (1701-0005) 18 | Fecal Coliform |
| Queens | Jamaica Bay, Eastern, and tribs, Queens (1701-0005) 18 | Garbage & Refuse |
| Queens | Jamaica Bay, Eastern, and tribs, Queens (1701-0005) 18 | Nitrogen |

| | | |
|-------------|---|------------------|
| Queens | Kissena Lake (1702-0258) | Phosphorus |
| Queens | Little Neck Bay (1702-0029) | Fecal Coliform |
| Queens | Meadow Lake (1702-0030) | Phosphorus |
| Queens | Newtown Creek and tidal tribs (1702 0002) 18 | Garbage & Refuse |
| Queens | Newtown Creek and tidal tribs (1702-0002) 18 | Fecal Coliform |
| Queens | Shellbank Basin (1701-0001) 18 | Nitrogen |
| Queens | Spring Creek and tribs (1701-0361) 18 | Garbage & Refuse |
| Queens | Thurston Basin (1701-0152) 18 | Fecal Coliform |
| Queens | Thurston Basin (1701-0152) 18 | Garbage & Refuse |
| Queens | Willow Lake (1702-0031) | Phosphorus |
| Rensselaer | Nassau Lake (1310-0001) | Phosphorus |
| Richmond | Arthur Kill, Class I, and minor tribs (1701 0010) 18 | Garbage & Refuse |
| Richmond | Arthur Kill, Class SD, and minor tribs (1701-0182) 18 | Garbage & Refuse |
| Richmond | Grassmere Lake/Bradys Pond (1701-0357) | Phosphorus |
| Richmond | Kill Van Kull (1701 0184) 18 | Garbage & Refuse |
| Richmond | Newark Bay (1701 0183) 18 | Garbage & Refuse |
| Richmond | Raritan Bay, Class SA (1701-0002) | Fecal Coliform |
| Rockland | Congers Lake, Swartout Lake (1501-0019) | Phosphorus |
| Rockland | Rockland Lake (1501-0021) | Phosphorus |
| Rockland | Sparkill Creek, Lower (1301-0088) | Fecal Coliform |
| Saratoga | Ballston Lake (1101-0036) | Phosphorus |
| Saratoga | Dwaas Kill and tribs (1101-0007) | Phosphorus |
| Saratoga | Dwaas Kill and tribs (1101-0007) | Silt/Sediment |
| Saratoga | Lake Lonely (1101-0034) | Phosphorus |
| Saratoga | Tribs to Lake Lonely (1101-0001) | Fecal Coliform |
| Saratoga | Tribs to Lake Lonely (1101-0001) | Phosphorus |
| Schenectady | Collins Lake (1201-0077) | Phosphorus |
| Schenectady | Duane Lake (1311-0006) | Phosphorus |
| Schenectady | Mariaville Lake (1201-0113) | Phosphorus |
| Suffolk | Acabonack Harbor (1701-0047) | Pathogens |
| Suffolk | Agawam Lake (1701-0117) | Phosphorus |
| Suffolk | Beaverdam Creek and tribs (1701-0104) | Ammonia |
| Suffolk | Bellport Bay (1701-0320) | Pathogens |

| | | |
|---------|--|----------------|
| Suffolk | Big/Little Fresh Ponds (1701-0125) | Phosphorus |
| Suffolk | Canaan Lake (1701-0018) | Phosphorus |
| Suffolk | Canaan Lake (1701-0018) | Silt/Sediment |
| Suffolk | Centerport Harbor (1702-0229) | Pathogens |
| Suffolk | Conscience Bay and tidal tribs (1702-0091) | Pathogens |
| Suffolk | Flanders Bay, East/Center, and tribs (1701-0030) | Pathogens |
| Suffolk | Flanders Bay, West/Lower Sawmill Creek (1701-0254) | Nitrogen |
| Suffolk | Flanders Bay, West/Lower Sawmill Creek (1701-0254) | Pathogens |
| Suffolk | Flax Pond (1702-0240) | Fecal Coliform |
| Suffolk | Forge River, Lower and Cove (1701-0316) | Fecal Coliform |
| Suffolk | Fresh Pond (1701-0241) | Phosphorus |
| Suffolk | Goldsmith Inlet (1702-0026) | Pathogens |
| Suffolk | Goose Creek (1701-0236) | Pathogens |
| Suffolk | Great Cove (1701-0376) | Fecal Coliform |
| Suffolk | Great South Bay, East (1701-0039) | Nitrogen |
| Suffolk | Great South Bay, Middle (1701-0040) | Nitrogen |
| Suffolk | Great South Bay, West (1701-0173) | Nitrogen |
| Suffolk | Hashamomuck Pond (1701-0162) | Pathogens |
| Suffolk | Heady and Taylor Creeks and tribs (1701-0294) | Pathogens |
| Suffolk | Huntington Harbor (1702-0228) | Pathogens |
| Suffolk | Lake Montauk (1701-0031) | Pathogens |
| Suffolk | Lake Ronkonkoma (1701-0020) | Fecal Coliform |
| Suffolk | Lake Ronkonkoma (1701-0020) | Phosphorus |
| Suffolk | Little Sebonac Creek (1701-0253) | Pathogens |
| Suffolk | Long Island Sound, Suffolk Co, Central (1702-0265) | Fecal Coliform |
| Suffolk | Mattituck Inlet/Cr, Low, and tidal tribs (1702-0020) | Pathogens |
| Suffolk | Meetinghouse/Terrys Creeks and tribs (1701-0256) | Pathogens |
| Suffolk | Mill and Seven Ponds (1701-0113) | Phosphorus |
| Suffolk | Millers Pond (1702-0013) | Phosphorus |
| Suffolk | Moriches Bay, East (1701-0305) | Nitrogen |
| Suffolk | Moriches Bay, West (1701-0038) | Nitrogen |
| Suffolk | Mt Sinai Harbor and tidal tribs (1702-0019) | Pathogens |

| | | |
|---------|--|----------------|
| Suffolk | Mud Creek, Upper, and tribs (1701-0101) | Fecal Coliform |
| Suffolk | Narrow Bay (1701-0318) | Pathogens |
| Suffolk | Nicoll Bay (1701-0375) | Fecal Coliform |
| Suffolk | North Sea Harbor and tribs (1701-0037) | Pathogens |
| Suffolk | Northport Harbor (1702-0230) | Pathogens |
| Suffolk | Northwest Creek and tidal tribs (1701-0046) | Pathogens |
| Suffolk | Noyack Creek and tidal tribs (1701-0237) | Pathogens |
| Suffolk | Ogden Pond (1701-0302) | Pathogens |
| Suffolk | Patchogue Bay (1701-0326) | Pathogens |
| Suffolk | Peconic River, Lower, and tidal tribs (1701-0259) | Nitrogen |
| Suffolk | Peconic River, Lower, and tidal tribs (1701-0259) | Pathogens |
| Suffolk | Penniman Creek and tidal tribs (1701-0300) | Pathogens |
| Suffolk | Penny Pond, Wells and Smith Creeks (1701-0298) | Pathogens |
| Suffolk | Phillips Creek, Lower, and tidal tribs (1701-0299) | Fecal Coliform |
| Suffolk | Port Jefferson Harbor, North, and tribs (1702-0015) | Pathogens |
| Suffolk | Quantuck Bay (1701-0042) | Pathogens |
| Suffolk | Quantuck Bay (1701-0042) | Nitrogen |
| Suffolk | Quantuck Canal/Moneybogue Bay (1701-0371) | Pathogens |
| Suffolk | Quogue Canal (1701-0301) | Fecal Coliform |
| Suffolk | Reeves Bay and tidal tribs (1701-0272) | Pathogens |
| Suffolk | Richmond Creek and tidal tribs (1701-0245) | Pathogens |
| Suffolk | Sag Harbor and Sag Harbor Cove (1701-0035) | Pathogens |
| Suffolk | Sebonac Cr/Bullhead Bay and tidal tribs (1701-0051) | Pathogens |
| Suffolk | Setauket Harbor (1702-0242) | Pathogens |
| Suffolk | Shinnecock Bay and Inlet (1701 0033) | Nitrogen |
| Suffolk | Stirling Creek and Basin (1701-0049) | Pathogens |
| Suffolk | Stony Brook Harbor and West Meadow Creek (1702-0047) | Pathogens |
| Suffolk | Tidal Tribs to Gr Peconic Bay, Northshr (1701-0247) | Pathogens |
| Suffolk | Tidal Tribs to West Moriches Bay (1701-0312) | Fecal Coliform |
| Suffolk | Tidal Tribs to West Moriches Bay (1701-0312) | Nitrogen |
| Suffolk | Town/Jockey Creeks and tidal tribs (1701-0235) | Pathogens |
| Suffolk | Tuthill, Harts, Seatuck Coves (1701-0309) | Pathogens |
| Suffolk | Weesuck Creek and tidal tribs (1701-0111) | Pathogens |

| | | |
|-------------|--|----------------|
| Suffolk | West Creek and tidal tribs (1701-0246) | Fecal Coliform |
| Suffolk | Wooley Pond (1701-0048) | Pathogens |
| Tompkins | Cayuga Lake, Southern End (0705-0040) | Phosphorus |
| Tompkins | Cayuga Lake, Southern End (0705-0040) | Silt/Sediment |
| Warren | Hague Brook and tribs (1006-0006) | Silt/Sediment |
| Warren | Huddle/Finkle Brooks and tribs (1006-0003) | Silt/Sediment |
| Warren | Indian Brook and tribs (1006-0002) | Silt/Sediment |
| Warren | Lake George (1006-0016) and tribs | Silt/Sediment |
| Warren | Tribs to Lake George, East Shore (1006-0020) | Silt/Sediment |
| Warren | Tribs to Lake George, Lk. George Village (1006-0008) | Silt/Sediment |
| Wayne | Lake Ontario Shoreline, Central (0302-0044) | Fecal Coliform |
| Westchester | Amawalk Reservoir (1302-0044) | Phosphorus |
| Westchester | Bronx River, Upper, and tribs (1702-0107) | Fecal Coliform |
| Westchester | Cross River Reservoir (1302-0005) | Phosphorus |
| Westchester | Hutchinson River, Middle, and tribs (1702-0074) | Fecal Coliform |
| Westchester | Hutchinson River, Middle, and tribs (1702-0074) | Oil/Grease |
| Westchester | Lake Katonah (1302-0136) | Phosphorus |
| Westchester | Lake Lincolndale (1302-0089) | Phosphorus |
| Westchester | Lake Meahagh (1301-0053) | Phosphorus |
| Westchester | Lake Mohegan (1301-0149) | Phosphorus |
| Westchester | Lake Shenorock (1302-0083) | Phosphorus |
| Westchester | Larchmont Harbor (1702-0116) | Fecal Coliform |
| Westchester | Long Island Sound, Westchester Co Waters (1702-0001) | Fecal Coliform |
| Westchester | Long Island Sound, Westchester Co Waters (1702-0001) | Nitrogen |
| Westchester | Mamaroneck Harbor (1702-0125) | Fecal Coliform |
| Westchester | Mamaroneck River, Lower (1702-0071) | Silt/Sediment |
| Westchester | Mamaroneck River, Upp, & minor tribs (1702-0123) | Silt/Sediment |
| Westchester | Milton Harbor/Lower Blind Brook (1702-0063) | Fecal Coliform |
| Westchester | Muscoot/Upper New Croton Reservoir (1302-0042) | Phosphorus |
| Westchester | New Croton Reservoir (1302-0010) | Phosphorus |
| Westchester | New Rochelle Harbor (1702-0259) | Fecal Coliform |
| Westchester | Port Chester Harbor/Lower Byram River (1702-0260) | Fecal Coliform |

| | | |
|-------------|---|----------------|
| Westchester | Reservoir No.1/Lake Isle (1702-0075) | Phosphorus |
| Westchester | Saw Mill River (1301-0007) | Fecal Coliform |
| Westchester | Saw Mill River (1301-0007) | Phosphorus |
| Westchester | Saw Mill River, Middle, and tribs (1301-0100) | Fecal Coliform |
| Westchester | Saw Mill River, Middle, and tribs (1301-0100) | Phosphorus |
| Westchester | Sheldrake River (1702-0069) | Phosphorus |
| Westchester | Sheldrake River (1702-0069) | Silt/Sediment |
| Westchester | Silver Lake (1702-0040) | Phosphorus |
| Westchester | Teatown Lake (1302-0150) | Phosphorus |
| Westchester | Titicus Reservoir (1302-0035) | Phosphorus |
| Westchester | Truesdale Lake (1302-0054) | Phosphorus |
| Westchester | Wallace Pond (1301-0140) | Phosphorus |

Appendix D. Forms

Included in this section are the following documents, in order:

- Monitoring Locations Inspection and Sampling Field Sheet
- Construction Site Inspection Report Form
- No Exposure Certification
- Municipal Facility Assessment Form
- Storm Event Data Form
- Visual Monitoring Form

Monitoring Locations Inspection and Sampling Field Sheet

Section 1: Background Data

| | | | |
|---|-----------------|--|----------------|
| Subwatershed: | | Monitoring Location ID: | |
| Today's date: | | Time (Military): | |
| Investigators: | | Form completed by: | |
| Temperature (°F): | Rainfall (in.): | Last 24 hours: | Last 48 hours: |
| Latitude: | Longitude: | GPS Unit: | GPS LMK #: |
| Camera: | | Photo #s: | |
| Land Use in Drainage Area (Check all that apply): | | | |
| <input type="checkbox"/> Industrial <input type="checkbox"/> Ultra-Urban Residential <input type="checkbox"/> Suburban Residential <input type="checkbox"/> Commercial | | <input type="checkbox"/> Open Space <input type="checkbox"/> Institutional Other: _____ Known Industries: _____ | |
| Notes (e.g., origin, if known): | | | |

Section 2: Monitoring Location Description

| LOCATION | MATERIAL | SHAPE | DIMENSIONS (IN.) | SUBMERGED |
|--|--|---|---|---|
| <input type="checkbox"/> Closed Pipe | <input type="checkbox"/> RCP <input type="checkbox"/> CMP <input type="checkbox"/> PVC <input type="checkbox"/> HDPE <input type="checkbox"/> Steel <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Circular <input type="checkbox"/> Single <input type="checkbox"/> Elliptical <input type="checkbox"/> Double <input type="checkbox"/> Box <input type="checkbox"/> Triple <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____ | Diameter/Dimensions: _____ | In Water: <input type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Fully With Sediment: <input type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Fully |
| <input type="checkbox"/> Open drainage | <input type="checkbox"/> Concrete <input type="checkbox"/> Earthen <input type="checkbox"/> Rip-Rap <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Trapezoid <input type="checkbox"/> Parabolic <input type="checkbox"/> Other: _____ | Depth: _____ Top Width: _____ Bottom Width: _____ | |
| <input type="checkbox"/> In-Stream | (applicable when collecting samples) | | | |
| Flow Present? | <input type="checkbox"/> Yes <input type="checkbox"/> No | | <i>If No, Skip to Section 5</i> | |
| Flow Description (if present) | <input type="checkbox"/> Trickle <input type="checkbox"/> Moderate <input type="checkbox"/> Substantial | | | |

Section 3: Quantitative Characterization

| FIELD DATA FOR FLOWING MONITORING LOCATIONS | | | | |
|---|-----------------|-------------|-----------|------------------|
| PARAMETER | RESULT | UNIT | EQUIPMENT | |
| <input type="checkbox"/> Flow #1 | Volume | | Liter | Bottle |
| | Time to fill | | Sec | |
| <input type="checkbox"/> Flow #2 | Flow depth | | In | Tape measure |
| | Flow width | ____' ____" | Ft, In | Tape measure |
| | Measured length | ____' ____" | Ft, In | Tape measure |
| | Time of travel | | S | Stopwatch |
| Temperature | | | °F | Thermometer |
| pH | | | pH Units | Test strip/Probe |
| Ammonia | | | mg/L | Test strip |

Monitoring Locations Inspection and Sampling Field Sheet

Section 4: Physical Indicators for Flowing Monitoring Locations Only

Are Any Physical Indicators Present in the flow? Yes No (If No, Skip to Section 5)

| INDICATOR | CHECK if Present | DESCRIPTION | RELATIVE SEVERITY INDEX (1-3) | | |
|---|--------------------------|--|---|---|---|
| Odor | <input type="checkbox"/> | <input type="checkbox"/> Sewage <input type="checkbox"/> Rancid/sour <input type="checkbox"/> Petroleum/gas <input type="checkbox"/> Sulfide <input type="checkbox"/> Other: | <input type="checkbox"/> 1 - Faint | <input type="checkbox"/> 2 – Easily detected | <input type="checkbox"/> 3 – Noticeable from a distance |
| Color | <input type="checkbox"/> | <input type="checkbox"/> Clear <input type="checkbox"/> Brown <input type="checkbox"/> Gray <input type="checkbox"/> Yellow <input type="checkbox"/> Green <input type="checkbox"/> Orange <input type="checkbox"/> Red <input type="checkbox"/> Other: | <input type="checkbox"/> 1 – Faint colors in sample bottle | <input type="checkbox"/> 2 – Clearly visible in sample bottle | <input type="checkbox"/> 3 – Clearly visible in flow |
| Turbidity | <input type="checkbox"/> | See severity | <input type="checkbox"/> 1 – Slight cloudiness | <input type="checkbox"/> 2 - Cloudy | <input type="checkbox"/> 3 – Opaque |
| Floatables -Does Not Include Trash!! | <input type="checkbox"/> | <input type="checkbox"/> Sewage (Toilet Paper, etc.) <input type="checkbox"/> Suds <input type="checkbox"/> Petroleum (oil sheen) <input type="checkbox"/> Other: | <input type="checkbox"/> 1 – Few/slight; origin not obvious | <input type="checkbox"/> 2 - Some; indications of origin (e.g., possible suds or oil sheen) | <input type="checkbox"/> 3 - Some; origin clear (e.g., obvious oil sheen, suds, or floating sanitary materials) |

Section 5: Physical Indicators for Both Flowing and Non-Flowing Monitoring Locations

Are physical indicators that are not related to flow present? Yes No (If No, Skip to Section 6)

| INDICATOR | CHECK if Present | DESCRIPTION | COMMENTS |
|----------------------------|--------------------------|---|----------|
| Monitoring Location Damage | <input type="checkbox"/> | <input type="checkbox"/> Spalling, Cracking or Chipping <input type="checkbox"/> Peeling Paint <input type="checkbox"/> Corrosion | |
| Deposits/Stains | <input type="checkbox"/> | <input type="checkbox"/> Oily <input type="checkbox"/> Flow Line <input type="checkbox"/> Paint <input type="checkbox"/> Other: | |
| Abnormal Vegetation | <input type="checkbox"/> | <input type="checkbox"/> Excessive <input type="checkbox"/> Inhibited | |
| Poor pool quality | <input type="checkbox"/> | <input type="checkbox"/> Odors <input type="checkbox"/> Colors <input type="checkbox"/> Floatables <input type="checkbox"/> Oil Sheen <input type="checkbox"/> Suds <input type="checkbox"/> Excessive Algae <input type="checkbox"/> Other: | |
| Pipe benthic growth | <input type="checkbox"/> | <input type="checkbox"/> Brown <input type="checkbox"/> Orange <input type="checkbox"/> Green <input type="checkbox"/> Other: | |

Section 6: Overall Monitoring Location Characterization

| |
|---|
| <input type="checkbox"/> Unlikely <input type="checkbox"/> Potential (presence of two or more indicators) <input type="checkbox"/> Suspect (one or more indicators with a severity of 3) <input type="checkbox"/> Obvious |
|---|

Section 7: Data Collection


| | |
|--------------------------------|---|
| 1. Sample for the lab? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. If yes, collected from: | <input type="checkbox"/> Flow <input type="checkbox"/> Pool |
| 3. Intermittent flow trap set? | <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, type: <input type="checkbox"/> OBM <input type="checkbox"/> Caulk dam |

Section 8: Any Non-Illicit Discharge Concerns (e.g., trash or needed infrastructure repairs)?



**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER**



| | | | |
|---|---|---|------------|
|  Department of Environmental Conservation | | New York State Department of Environmental Conservation Construction Site Inspection Report for SPDES MS4 General Permit GP-0-24-001 | |
| Project Name: | | Date: | |
| Project Location: | | Weather: | |
| Permit # (if any): NYR | Contacted: <input type="checkbox"/> Yes <input type="checkbox"/> No | Entry Time: | Exit Time: |
| Name of SPDES Permittee: | Inspection Type: <input type="checkbox"/> NOT <input type="checkbox"/> Complaint <input type="checkbox"/> Compliance <input type="checkbox"/> Referral | MS4 Operator Name: MS4 Permit ID: NYR20A | |
| Phone Number(s): | | | |
| On-site Representative(s) and Company(s): | | | |

SPDES Authority

| Yes No N/A | Citation |
|--|--------------------------------|
| 1. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the project have permit coverage? | GP-0-20-001: I.A & II. B |
| 2. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is a copy of the NOI and Acknowledgment Letter available on site and accessible for viewing? | GP-0-20-001: II.D.2 |
| 3. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is a copy of the MS4 SWPPP Acceptance Form available on site and accessible for viewing? | GP-0-20-001: II.D.2 |
| 4. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is an up-to-date copy of the signed SWPPP retained at the construction site? | GP-0-20-001: II.D.2. & III.A.4 |
| 5. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is a copy of the SPDES General Permit retained at the construction site? | GP-0-20-001: II.D.2 |
| 6. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the NOI accurately report the number of acres to be disturbed? | GP-0-20-001: II.B.4 |

SWPPP Content

| Yes No N/A | Citation |
|--|------------------------|
| 7. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP describe and identify the erosion and sediment control measures to be employed? | GP-0-20-001: III.B.1.e |
| 8. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP provide an inspection schedule and maintenance requirements for the E&SC measures? | GP-0-20-001: III.B.1.i |
| 9. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP describe and identify the stormwater management practices to be employed? | GP-0-20-001: III.B.2 |
| 10. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure? | GP-0-20-001: III.A.6 |
| 11. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP identify at least one trained individual from each contractor(s) and subcontractor(s) companies? | GP-0-20-001: III.A.6 |
| 12. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP include all the necessary Contractor Certification Statements and signatures? | GP-0-20-001: III.A.6 |
| 13. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is the SWPPP signed by the permittee? | GP-0-20-001: VII.H.2 |
| 14. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is the SWPPP prepared by a qualified professional (if post-construction stormwater management required)? | GP-0-20-001: III.A.3 |
| 15. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Do the SMPs conform to the Enhanced Phosphorus Removal Standards (projects in TMDL watersheds)? | GP-0-20-001: III.B.3 |

Recordkeeping

| Yes No N/A | Citation |
|---|--------------------------------------|
| 16. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are self-inspections performed as required by the permit (weekly, or twice weekly for >5 acres disturbed)? | GP-0-20-001:IV.C.2.a. & b |
| 17. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are the self-inspections performed and signed by a qualified inspector and retained on site? | GP-0-20-001:II.C.2.,IV.C.6 & VII.H.3 |
| 18. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Do the qualified inspector's reports include the minimum reporting requirements? | GP-0-20-001: IV.C.4 |
| 19. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Do inspection reports identify corrective measures that have not been implemented or are recurring? | GP-0-20-001: IV.C.5 |



**NEW YORK STATE
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Visual Observations

| Yes No N/A | Citation |
|---|--|
| 20. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are all erosion and sediment control measures installed properly? | GP-0-20-001: VII.L |
| 21. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are all erosion and sediment control measures being maintained properly? | GP-0-20-001: IV.A.1 |
| 22. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Was written authorization issued for any disturbance greater than 5 acres? | GP-0-20-001: II.D.3 |
| 23. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Have stabilization measures been implemented in inactive areas per Permit (>5acres) or ESC Standard? | GP-0-20-001: II.D.3.b & III.B.1.f |
| 24. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are post-construction stormwater management practices constructed/installed correctly? | GP-0-20-001: III.B.2 |
| 25. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Has final site stabilization been achieved and temporary E&SC measures removed prior to NOT submittal? | GP-0-20-001: V.A.2 |
| 26. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Was there a discharge from the site on the day of inspection? | |
| 27. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is there evidence that a discharge caused or contributed to a violation of water quality standards? | ECL 17-0501, 6 NYCRR 703.2 & GP-0-20-001: I.D |

Water Quality Observations

Describe the discharge(s): location, source(s), impact on receiving water(s), etc.

Describe the quality of the receiving water(s) both upstream and downstream of the discharge:

Describe any other water quality standards or permit violations:



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DIVISION OF WATER



Additional Comments:

Photographs attached

| | |
|--|------------------------------|
| Overall Inspection Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Marginal <input type="checkbox"/> Unsatisfactory | |
| Name/Agency of Lead Inspector: | Signature of Lead Inspector: |
| Names/Agencies of Other Inspectors: | |



**Department of
Environmental
Conservation**

NO EXPOSURE CERTIFICATION

**For High Priority Municipal Facilities
in SPDES MS4 General Permit, GP-0-24-001**

The completed No Exposure Certification must be documented in the SWMP Plan.
Please do not submit this form to the Department unless requested.

I. Owner/Facility Information

Owner/Operator Name:

Mailing Address:

City/State/Zip:

Contact Name:

Phone No.:

Facility Name:

Street Address:

City/State/Zip:

County:

Latitude:

Longitude:

II. Exposure Checklist

Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future? (Please check either "Yes" or "No" in the appropriate box.) If you answer "Yes" to any of these questions (1) through (11), you are not eligible for no exposure.

YES

NO

| | | | |
|---|---|--|--|
| 1 | Using, storing or cleaning machinery or equipment, and areas where residuals from using, storing or cleaning machinery or equipment remain and are exposed to stormwater | | |
| 2 | Materials or residuals on the ground or in stormwater inlets from spills/leaks | | |
| 4 | Material handling equipment (except adequately maintained vehicles) | | |
| 5 | Materials or products during loading/unloading or transporting activities | | |
| 6 | Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to stormwater does not result in the discharge of pollutants) | | |
| 7 | Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers | | |
| 8 | Materials or products handled/stored on roads or railways owned or maintained by the discharger | | |
| 9 | Waste material (except waste in covered, non-leaking containers [e.g., dumpster]) | | |

III. Certification

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from SPDES stormwater permitting. I certify under penalty of law that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the industrial facility or site identified in this document (except as allowed under 40 CFR 122.26(g)(2)). I understand that I am obligated to submit a no exposure certification form upon request to the NPDES permitting authority or to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow the SPDES permitting authority, or MS4 Operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request.

Printed Name:

Title/Position:

Signature:

Date:



**Department of
Environmental
Conservation**

**Municipal Facility Assessment Form
For SPDES MS4 General Permit,
GP-0-24-001**

Assessments must be conducted by a person with the knowledge and skills to assess conditions and activities that could impact stormwater quality at the facility and evaluate the effectiveness of best management practices required by the SPDES MS4 General Permit (GP-0-24-001).

MS4 Permit ID:

MS4 Operator Name:

Facility Name:

Facility Type:

Date:

Weather Conditions:

Is stormwater runoff present during this assessment? Yes No

Comments:

| General | | Yes | No |
|--------------------------|---|--------------------------|--------------------------|
| 1 | Is this a high priority municipal facility? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2 | If this is a high priority municipal facility, does the facility qualify for a No Exposure Certification? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3 | If this is a high priority municipal facility, is there a completed SWPPP available? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4 | Does the facility have any MS4 outfalls? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5 | Does the facility have any interconnections? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6 | Does the facility have any municipal facility intraconnections? | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments: | | | |
| Good Housekeeping | | Yes | No |
| 7 | Are paved surfaces free of trash, sediment, and/or debris? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8 | Date the paved area was last swept or vacuumed. | <input type="checkbox"/> | <input type="checkbox"/> |
| 9 | Do outdoor waste receptacles have covers? | <input type="checkbox"/> | <input type="checkbox"/> |
| 10 | Are the waste receptacles emptied on a regular basis? | <input type="checkbox"/> | <input type="checkbox"/> |
| 11 | Are there signs of leaks, contaminants or overfilling at the waste receptacle area? | <input type="checkbox"/> | <input type="checkbox"/> |
| 12 | Are the following facility areas free of accumulated trash, sediment, debris, contaminants, and spills: | <input type="checkbox"/> | <input type="checkbox"/> |
| | - Salt storage areas | <input type="checkbox"/> | <input type="checkbox"/> |
| | - Container storage areas | <input type="checkbox"/> | <input type="checkbox"/> |
| | - Maintenance areas | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|--|----------------------------|--------------------------|--------------------------|
| | - Staging areas | <input type="checkbox"/> | <input type="checkbox"/> |
| | - Material stockpile areas | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

| <u>Vehicle and Equipment Areas</u> | | <input type="checkbox"/> <u>N/A</u> | Yes | No |
|---|---|-------------------------------------|--------------------------|--------------------------|
| 13 | Are vehicle/equipment parked indoors or under a roof? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14 | Are vehicles/equipment washed in only designated areas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15 | Are vehicles washed regularly to remove contamination and prevent them from polluting stormwater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16 | Is all wash water treated in an oil water separator prior to discharge? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 17 | Is all wash water managed so it does not enter the MS4? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments

| <u>Vehicle/Equipment Maintenance</u> | | <input type="checkbox"/> <u>N/A</u> | Yes | No |
|---|---|-------------------------------------|--------------------------|--------------------------|
| 18 | Is equipment stored under shelter or elevated and covered? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 19 | Are fluids drained over a drip pan or pad? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 20 | Are funnels or pumps used when transferring fluids? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 21 | Are waste rags and used absorbent pads disposed of properly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 22 | Are any vehicles and/or equipment leaking fluids? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 23 | Are drip pans immediately placed under leaks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 24 | Are materials, equipment, and activities located so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 25 | Are vehicles inspected daily for leaks? | | | |

Comments:

| <u>Fueling areas</u> | | <input type="checkbox"/> <u>N/A</u> | Yes | No |
|-----------------------------|---|-------------------------------------|--------------------------|--------------------------|
| 26 | Is fueling performed under a canopy or roof? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 27 | Are spill cleanup materials available at the fueling area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 28 | Are breakaway valves used on fueling hoses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 29 | Is the fueling handle lock disconnected so the operator must attend the fueling? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 30 | Is stormwater runoff from fueling area treated in an oil/water separator? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 31 | Is the fueling automatic stop inspected regularly to ensure it is working properly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 32 | Are all fuel deliveries monitored? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

| <u>Salt Storage Piles or Pile Containing Salt</u> | | <input type="checkbox"/> <u>N/A</u> | Yes | No |
|--|---|-------------------------------------|--------------------------|--------------------------|
| 33 | Is salt stored in a salt storage building or under a roof? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 34 | Are controls in place to minimize spills while adding or removing material from the pile? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 35 | Are salt spills cleaned up promptly? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 36 | Is overflow and tracked salt removed promptly from loading areas? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 37 | Is stormwater draining away from the salt pile directed to a vegetated filter area | | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments: | | | | |
| <u>Fluids Management</u> | | <input type="checkbox"/> <u>N/A</u> | Yes | No |
| 38 | Are all drums and containers of fluids stored with proper cover and containment? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 39 | Are fluids stored in appropriate containers and/or storage cabinets? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 40 | Are all fluids kept in original containers or labeled in a manner that describes the contents adequately? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 41 | Are Material Safety Data Sheets (MSDS/SDS) readily available? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 42 | Are all containers that are stored free of leaks or deposits? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 43 | Are containers of product inspected regularly? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 44 | Is used oil and antifreeze stored indoors and/or on spill containment pallets? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 45 | Is used oil and antifreeze properly disposed of or recycled? | | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments: | | | | |
| <u>Lead Acid Batteries</u> | | <input type="checkbox"/> <u>N/A</u> | Yes | No |
| 46 | Are lead-acid batteries stored indoors on spill containment pallets or in bins? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 47 | Are intact batteries stored on an acid-resistant rack or tub? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 48 | Are cracked or leaking batteries stored in labeled, closed, leak-proof containers? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 49 | Is the date each battery was placed in storage recorded? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 50 | Are batteries stacked more than 5 high? | | <input type="checkbox"/> | <input type="checkbox"/> |
| 51 | Are batteries inspected regularly for leaks? | | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments: | | | | |
| <u>Spill Prevention and Response Procedures</u> | | <input type="checkbox"/> <u>N/A</u> | Yes | No |
| 52 | Are vehicles inspected daily for leaks? | | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|--|--|-------------------------------------|--------------------------|
| 53 | Is spill control equipment and absorbents readily available? | <input type="checkbox"/> | <input type="checkbox"/> |
| 54 | Are emergency phone numbers posted in conspicuous areas? | <input type="checkbox"/> | <input type="checkbox"/> |
| 55 | Are spills contained and cleaned up immediately? | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments: | | | |
| <u>General Material Storage Areas</u> | | <input type="checkbox"/> <u>N/A</u> | |
| 56 | Are leaking or damaged materials stored inside a building or another type of storm resistance shelter? | <input type="checkbox"/> | <input type="checkbox"/> |
| 57 | Are all material stockpiles within containment structures (e.g., concrete barriers, earthen berms) or stored in a manner that does not allow discharge of impacted stormwater? | <input type="checkbox"/> | <input type="checkbox"/> |
| 58 | Are used fuel tanks and other scrap metal and parts drained of fluids and stored under cover? | <input type="checkbox"/> | <input type="checkbox"/> |
| 59 | Are outdoor containers covered? | <input type="checkbox"/> | <input type="checkbox"/> |
| 60 | Are piles of spoils, asphalt, debris, etc. stored under a roof or cover? | <input type="checkbox"/> | <input type="checkbox"/> |
| 61 | Are spills of material or debris cleaned up promptly? | <input type="checkbox"/> | <input type="checkbox"/> |
| 62 | Are used tire storage piles placed away from storm drains or conveyances? | <input type="checkbox"/> | <input type="checkbox"/> |
| 63 | Are tires recycled frequently to keep the number of stored tires manageable? | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments: | | | |
| <u>Stormwater Management</u> | | Yes | No |
| 64 | Are employees trained on the municipal facility procedures? | <input type="checkbox"/> | <input type="checkbox"/> |
| 66 | Are BMPs and treatment structures working as designed? | <input type="checkbox"/> | <input type="checkbox"/> |
| 67 | Are BMPs and treatment structures free from debris buildup or overgrown vegetation that may impair function? | <input type="checkbox"/> | <input type="checkbox"/> |
| 68 | Catch basins should be cleaned in accordance with the timeframes listed in Part VI.F.3.c.iii. / Part VII.F.3.c.iii, depending on the MS4 Operator type. Based on this, do any catch basins need to be cleaned? | <input type="checkbox"/> | <input type="checkbox"/> |
| 69 | Are berms, curbing or other methods used to divert and direct discharges adequate and in good condition? | <input type="checkbox"/> | <input type="checkbox"/> |
| 70 | Are rooftop drains directed to areas away from pavement? | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments: | | | |
| <u>Erosion and Sediment Controls</u> | | Yes | No |
| 71 | Are soil stabilization measures (e.g., seed and mulch, rolled erosion control products) considered in areas that have the potential for significant soil erosion? | <input type="checkbox"/> | <input type="checkbox"/> |
| 72 | Are natural buffers maintained around surface waters? | <input type="checkbox"/> | <input type="checkbox"/> |
| 73 | Are flow velocity dissipation devices in place at monitoring locations and channel outlets (rock riprap, stone check dams, concrete baffles)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 74 | Do controls conform to the NYS Standards and Specifications for Erosion and Sediment Control (2016), or equivalent? | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

Corrective Actions and Comment

Describe Inspection findings and if necessary, the corrective actions taken

| |
|--|
| |
|--|

| | | | |
|---------------------|--|-------|--|
| Inspector Signature | | Date: | |
|---------------------|--|-------|--|



Department of Environmental Conservation

Storm Event Data Form for SPDES MS4 General Permit, GP-0-24-001

Do not submit this form to the Department; keep this form with the municipal facility's SWPPP and in the MS4 Operator's SWMP Plan.

Permit Number:

N Y R 2 0 A

Facility Name:

Contact First Name:

Contact Last Name:

Contact Phone:

Contact Email:

Storm Event Date:

Storm Duration (in hours):

Rainfall Measurement from Storm Event (in inches):

Date of Last Measurable Storm Event:

Duration Between Storm Event Sampled and End of Previous Measurable Storm (in hours):

Certification

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

Facility Operator First Name (please print or type)

Facility Operator Last Name (please print or type)

Date

Signature

If yes, describe

5. Is there something floating on the surface of the sample? Yes No

If yes, describe

6. Is there something suspended in the water column of the sample? Yes No

If yes, describe

7. Is there something settled on the bottom of the sample?..... Yes No

If yes, describe

8. Is there foam or material forming on the top of the sample surface?..... Yes No

If yes, describe

Detail any concerns, corrective actions taken and any other indicators of pollution present in the sample:

Works Cited

- Center for Watershed Protection, Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance, October 2004 (CWP 2004)
- New York State Department of Environmental Conservation, Maintenance Guidance: Stormwater Management Practices, March 31, 2017 (NYS DEC Maintenance Guidance 2017)
- New York State Department of Environmental Conservation, Model Local Law to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems, April 2006 (NYS DEC Model IDDE Local Law 2006)
- New York State Department of Environmental Conservation, Sample Local Law for Stormwater Management and Erosion & Sediment Control, March 2006 (NYS DEC Sample SM and E&SC Local Law 2006)
- New York State, Standards and Specifications for Erosion & Sediment Control, November 2016 (NYS E&SC 2016)
- New York State, Stormwater Management Design Manual, January 2015 (NYS SWMDM 2015)
- SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, GP-0-23-001 (MSGP)
- SPDES General Permit for Stormwater from Construction Activities, GP-0-20-001 (CGP)
- SPDES General Permit for Stormwater Discharges from the Municipal Separate Storm Sewer Systems, GP-0-24-001 (MS4 GP)
- United States Department of Transportation Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013 (USDOT 2013)

APPENDIX B

BLANK MS4 ANNUAL REPORT

MS4 Annual Report Cover Page

MCC form for period ending March 9,

Provide SPDES ID of each permitted MS4 included in this report.

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| | | | | | | | | | |
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MS4 Municipal Compliance Certification (MCC) Form

MCC form for period ending March 9,

Name of MS4

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| SPDES ID | | | | | | | | | |
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Section 3 - Partner Information

Did your MS4 work with partners/coalition to complete some or all permit requirements during this reporting period? Yes No

If Yes, complete information below.

Submit a separate sheet for each partner. Information provided in other formats will not be accepted. If your MS4 cooperated with a coalition, submit one sheet with the name of the coalition. It is not necessary to include a separate sheet for each MS4 in the coalition.

If No, proceed to Section 4 - Certification Statement.

| |
|------------------------|
| Partner/Coalition Name |
|------------------------|

| | |
|---------------------------------|----------------------------------|
| Partner/Coalition Name (con't.) | SPDES Partner ID - If applicable |
| <input type="text"/> | <input type="text"/> |

| |
|---------|
| Address |
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| | | |
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| City | State | Zip |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

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| eMail |
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| | |
|---|---|
| Phone (<input type="text"/>) <input type="text"/> - <input type="text"/> | Legally Binding Agreement in accordance with GP-0-08-002 Part IV.G.? <input type="radio"/> Yes <input type="radio"/> No |
|---|---|

What tasks/responsibilities are shared with this partner (e.g. MM1 School Programs or Multiple Tasks)?

- MM1
- MM2
- MM3
- MM4
- MM5
- MM6

Additional tasks/responsibilities

- *Watershed Improvement Strategy Best Management Practices* required for MS4s in impaired watersheds included in GP-0-08-002 Part IX.

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9,

Name of MS4

SPDES ID
N Y R 2 0 A

Section 4 - Certification Statement

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, 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."

This form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in GP-0-08-002 Part VI.J.

First Name MI Last Name

Title (Clearly print title of individual signing report)

Signature

Date / /

The annual report form and any attachments can be sent to the DEC Central Office clicking the Submit Form link below, or by sending it directly to: MS4compliance@dec.ny.gov. All submissions must include the SPDES ID in the title and must be complete before hitting the Submit Form link below:

Submit Form

If unable to submit electronically, hardcopy submissions can be sent to:

Bureau of Water Compliance
Division of Water
4th Floor
625 Broadway
Albany, New York 12233-3505

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID
N Y R 2 0

Minimum Control Measure 1. Public Education and Outreach

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. Targeted Public Education and Outreach Best Management Practices

Check all topics that were included in Education and Outreach during this reporting period:

- Construction Sites
- General Stormwater Management Information
- Household Hazardous Waste Disposal
- Illicit Discharge Detection and Elimination
- Infrastructure Maintenance
- Smart Growth
- Storm Drain Marking
- Green Infrastructure/Better Site Design/Low Impact Development
- Other:
- Pesticide and Fertilizer Application
- Pet Waste Management
- Recycling
- Riparian Corridor Protection/Restoration
- Trash Management
- Vehicle Washing
- Water Conservation
- Wetland Protection
- None

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Other

2. Specific audiences targeted during this reporting period:

- Public Employees
- Residential
- Businesses
- Restaurants
- Other:
- Contractors
- Developers
- General Public
- Industries
- Agricultural

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Other

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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3. What strategies did your MS4/Coalition use to achieve education and outreach goals during this reporting period? Check all that apply:

- | | | | | | | | |
|--|---------------------|--|--|--|--|--|--|
| <input type="checkbox"/> Construction Site Operators Trained | # Trained | <table border="1" style="border-collapse: collapse; width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td></tr></table> | | | | | |
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| <input type="checkbox"/> Direct Mailings | # Mailings | <table border="1" style="border-collapse: collapse; width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td></tr></table> | | | | | |
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| <input type="checkbox"/> Kiosks or Other Displays | # Locations | <table border="1" style="border-collapse: collapse; width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td></tr></table> | | | | | |
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| <input type="checkbox"/> Mailing List | # In List | <table border="1" style="border-collapse: collapse; width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td></tr></table> | | | | | |
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| <input type="checkbox"/> Newspaper Ads or Articles | # Days Run | <table border="1" style="border-collapse: collapse; width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td></tr></table> | | | | | |
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| <input type="checkbox"/> Public Events/Presentations | # Attendees | <table border="1" style="border-collapse: collapse; width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td></tr></table> | | | | | |
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| <input type="checkbox"/> School Program | # Attendees | <table border="1" style="border-collapse: collapse; width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td></tr></table> | | | | | |
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| <input type="checkbox"/> TV Spot/Program | # Days Run | <table border="1" style="border-collapse: collapse; width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td></tr></table> | | | | | |
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| <input type="checkbox"/> Printed Materials: | Total # Distributed | <table border="1" style="border-collapse: collapse; width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td></tr></table> | | | | | |
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Locations (e.g. libraries, town offices, kiosks)

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MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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MS4 Annual Report Form

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4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

| |
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B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

| |
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C. How many times was this observation measured or evaluated in this reporting period?

| | | | | |
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this Measurable Goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

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MS4 Annual Report Form

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Name of MS4/Coalition

SPDES ID

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Minimum Control Measure 2. Public Involvement/Participation

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. What opportunities were provided for public participation in implementation, development, evaluation and improvement of the Stormwater Management Program (SWMP) Plan during this reporting period? Check all that apply:

- Cleanup Events # Events
- Comments on SWMP Received # Comments
- Community Hotlines Phone # () -
Phone # () -
Phone # () -
Phone # () -
Phone # () -
Phone # () -
- Community Meetings # Attendees
- Plantings Sq. Ft.
- Storm Drain Markings # Drains
- Stakeholder Meetings # Attendees
- Volunteer Monitoring # Events
- Other:

2. Was public notice of availability of this annual report and Stormwater Management Program (SWMP) Plan provided? Yes No

- List-Serve # In List
- Newspaper Advertising # Days Run
- TV/Radio Notices # Days Run
- Other:
- Web Page URL: Enter URL(s) on the following two pages.

MS4 Annual Report Form

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Name of MS4/Coalition

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3. Where can the public access copies of this annual report, Stormwater Management Program SWMP) Plan and submit comments on those documents?

Enter address/contact info and select radio button to indicate which document is available and whether comments may be submitted at that location. Submit additional pages as needed.

- MS4/Coalition Office Annual Report SWMP Plan Comments

Department

Address

City Zip -

Phone () -

- Library Annual Report SWMP Plan Comments

Address

City Zip -

Phone () -

- Other Annual Report SWMP Plan Comments

Address

City Zip -

Phone () -

- Web Page URL: Annual Report SWMP Plan Comments

Please provide specific address of page where report can be accessed - not home page.

- eMail Comments

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

N Y R 2 0

4.a. If this report was made available on the internet, what date was it posted?

Leave blank if this report was not posted on the internet.

/ /

4.b. For how many days was/will this report be posted?

If submitting a report for single MS4, answer 5.a.. If submitting a joint report, answer 5.b..

5.a. Was an Annual Report public meeting held in this reporting period?

Yes No

If Yes, what was the date of the meeting?

/ /

If No, is one planned?

Yes No

5.b. Was an Annual Report public meeting held for all MS4s contributing to this report during this reporting period?

Yes No

If No, is one planned for each?

Yes No

6. Were comments received during this reporting period?

Yes No

If Yes, attach comments, responses and changes made to SWMP in response to comments to this report.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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7. Evaluating Progress Toward Measurable Goals MCM 2

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

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B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

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C. How many times was this observation measured or evaluated in this reporting period?

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| | | | | |
|--|--|--|--|--|

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

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MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID
N Y R 2 0

Minimum Control Measure 3. Illicit Discharge Detection and Elimination

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. Enter the number and approx. percent of outfalls mapped: # %

2. How many of these outfalls have been screened for dry weather discharges during this reporting period (outfall reconnaissance inventory)?

3.a. What types of generating sites/sewersheds were targeted for inspection during this reporting period?

- Auto Recyclers
- Building Maintenance
- Churches
- Commercial Carwashes
- Commercial Laundry/Dry Cleaners
- Construction Vehicle Washouts
- Cross-Connections
- Distribution Centers
- Food Processing Facilities
- Garbage Truck Washouts
- Hospitals
- Improper RV Waste Disposal
- Industrial Process Water
- Other:
- Landscaping (Irrigation)
- Marinas
- Metal Plateing Operations
- Outdoor Fluid Storage
- Parking Lot Maintenance
- Printing
- Residential Carwashing
- Restaurants
- Schools and Universities
- Septic Maintenance
- Swimming Pools
- Vehicle Fueling
- Vehicle Maint./Repair Shops
- None

Sewersheds:

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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12. Evaluating Progress Toward Measurable Goals MCM 3

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

C. How many times was this observation measured or evaluated in this reporting period?

| | | | |
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| | | | |
|--|--|--|--|

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

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Minimum Control Measures 4 and 5.
Construction Site and Post-Construction Control

The information in this section is being reported (check one):

- On behalf of an individual MS4
 On behalf of a coalition

How many MS4s contributed to this report?

1a. Has each MS4 contributing to this report adopted a law, ordinance or other regulatory mechanism that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities? Yes No

1b. Has each Town, City and/or Village contributing to this report documented that the law is equivalent to a NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control through either an attorney certification or using the NYSDEC Gap Analysis Workbook? Yes No NT

If Yes, Towns, Cities and Villages provide date of equivalent NYS Sample Local Law.

09/2004 03/2006 NT

2. Does your MS4/Coalition have a SWPPP review procedure in place? Yes No

3. How many Construction Stormwater Pollution Prevention Plans (SWPPPs) have been reviewed in this reporting period?

4. Does your MS4/Coalition have a mechanism for receipt and consideration of public comments related to construction SWPPPs? Yes No NT

If Yes, how many public comments were received during this reporting period?

5. Does your MS4/Coalition provide education and training for contractors about the local SWPPP process? Yes No

6. Identify which of the following types of enforcement actions you used during the reporting period for construction activities, indicate the number of actions, or note those for which you do not have authority:

- Notices of Violation #

| | | | | | |
|--|--|--|--|--|--|
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 No Authority
- Stop Work Orders #

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 No Authority
- Criminal Actions #

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 No Authority
- Termination of Contracts #

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 No Authority
- Administrative Fines #

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 No Authority
- Civil Penalties #

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 No Authority
- Administrative Orders #

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 No Authority
- Enforcement Actions or Sanctions #

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 No Authority
- Other #

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 No Authority

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

| | | | | | | | | | |
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| N | Y | R | 2 | 0 | | | | | |
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Minimum Control Measure 4. Construction Site Stormwater Runoff Control

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. **How many construction projects have been authorized for disturbances of one acre or more during this reporting period?**

 2. **How many construction projects disturbing at least one acre were active in your jurisdiction during this reporting period?**

 3. **What percent of active construction sites were inspected during this reporting period?** NT %

 4. **What percent of active construction sites were inspected more than once?** NT %

 5. **Do all inspectors working on behalf of the MS4s contributing to this report use the NYS Construction Stormwater Inspection Manual?** Yes No NT

 6. **Does your MS4/Coalition provide public access to Stormwater Pollution Prevention Plans (SWPPPs) of construction projects that are subject to MS4 review and approval?** Yes No NT
- If your MS4 is Non-Traditional, are SWPPPs of construction projects made available for public review?** Yes No

If Yes, use the following page to identify location(s) where SWPPPs can be accessed.

MS4 Annual Report Form

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID
N Y R 2 0

6. con't.:

Submit additional pages as needed.

MS4/Coalition Office

Department

Address

City

Zip

-

Phone

() -

Library

Address

City

Zip

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Phone

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Other

Address

City

Zip

-

Phone

() -

Web Page URL(s): Please provide specific address where SWPPPs can be accessed - not home page.

URL

URL

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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Name of MS4/Coalition

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| N | Y | R | 2 | 0 | | | | | |
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7. Evaluating Progress Toward Measurable Goals MCM 4

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

C. How many times was this observation measured or evaluated in this reporting period?

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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Minimum Control Measure 5. Post-Construction Stormwater Management

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. How many and what type of post-construction stormwater management practices has your MS4/Coalition inventoried, inspected and maintained in this reporting period?

| | # Inventoried | # Inspections | # Times Maintained |
|---|--|--|--|
| <input type="radio"/> Alternative Practices | | | |
| <input type="radio"/> Filter Systems | | | |
| <input type="radio"/> Infiltration Basins | | | |
| <input type="radio"/> Open Channels | | | |
| <input type="radio"/> Ponds | | | |
| <input type="radio"/> Wetlands | | | |
| <input type="radio"/> Other | | | |

2. Do you use an electronic tool (e.g. GIS, database, spreadsheet) to track post-construction BMPs, inspections and maintenance? Yes No

3. What types of non-structural practices have been used to implement Low Impact Development/Better Site Design/Green Infrastructure principles?

- Building Codes Municipal Comprehensive Plans
- Overlay Districts Open Space Preservation Program
- Zoning Local Law or Ordinance
- None Land Use Regulation/Zoning
- Watershed Plans Other Comprehensive Plan

Other:

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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4a. Are the MS4s contributing to this report involved in a regional/watershed wide planning effort?

Yes No

4b. Does the MS4 have a banking and credit system for stormwater management practices?

Yes No

4c. Do the SWMP Plans for each MS4 contributing to this report include a protocol for evaluation and approval of banking and credit of alternative siting of a stormwater management practice?

Yes No

4d. How many stormwater management practices have been implemented as part of this system in this reporting period?

| | | |
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| | | |
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5. What percent of municipal officials/MS4 staff responsible for program implementation attended training on Low Impace Development (LID), Better Site Design (BSD) and other Green Infrastructure principles in this reporting period?

| | | | |
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MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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6. Evaluating Progress Toward Measurable Goals MCM 5

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

| |
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B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

| |
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C. How many times was this observation measured or evaluated in this reporting period?

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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

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MS4 Annual Report Form

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

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| N | Y | R | 2 | 0 | | | | |
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Minimum Control Measure 6. Stormwater Management for Municipal Operations

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. Choose/list each municipal operation/facility that contributes or may potentially contribute Pollutants of Concern to the MS4 system. For each operation/facility indicate whether the operation/facility has been addressed in the MS4's/Coalition's Stormwater Management Program(SWMP) Plan and whether a self-assessment has been performed during the reporting period. A self-assessment is performed to: 1) determine the sources of pollutants potentially generated by the permittee's operations and facilities; 2) evaluate the effectiveness of existing programs and 3) identify the municipal operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it's not done already.

| <u>Operation/Activity/Facility</u> | <u>Addressed in SWMP?</u> | | <u>Self-Assessment Operation/Activity/Facility performed within the past 3 years?</u> | |
|---|---------------------------|--------------------------|---|--------------------------|
| | <input type="radio"/> Yes | <input type="radio"/> No | <input type="radio"/> Yes | <input type="radio"/> No |
| Street Maintenance..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Bridge Maintenance..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Winter Road Maintenance..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Salt Storage..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Solid Waste Management..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| New Municipal Construction and Land Disturbance.. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Right of Way Maintenance..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Marine Operations..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Hydrologic Habitat Modification..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Parks and Open Space..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Municipal Building..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Stormwater System Maintenance..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vehicle and Fleet Maintenance..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other..... | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

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| N | Y | R | 2 | 0 | | | | | |
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2. Provide the following information about municipal operations good housekeeping programs:

- Parking Lots Swept (Number of acres X Number of times swept) # Acres
 - Streets Swept (Number of miles X Number of times swept) # Miles
 - Catch Basins Inspected and Cleaned Where Necessary #
 - Post Construction Control Stormwater Management Practices Inspected and Cleaned Where Necessary #
 - Phosphorus Applied In Chemical Fertilizer # Lbs.
 - Nitrogen Applied In Chemical Fertilizer # Lbs.
 - Pesticide/Herbicide Applied # Acres .
- (Number of acres to which pesticide/herbicide was applied X Number of times applied to the nearest tenth.)

3. How many stormwater management trainings have been provided to municipal employees during this reporting period?

4. What was the date of the last training? / /

5. How many municipal employees have been trained in this reporting period?

6. What percent of municipal employees in relevant positions and departments receive stormwater management training? %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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| N | Y | R | 2 | 0 | | | | | |
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7. Evaluating Progress Toward Measurable Goals MCM 6

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

| |
|--|
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B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

| |
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C. How many times was this observation measured or evaluated in this reporting period?

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| | | | | |
|--|--|--|--|--|

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

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MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

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| N | Y | R | 2 | 0 | | | | | |
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Additional Watershed Improvement Strategy Best Management Practices

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

MS4s must answer the questions or check NA as indicated in the table below.

| MS4 Description | Answer | Check NA | (POC) |
|---------------------------------|--------------------------|------------------------|------------------------|
| NYC EOH Watershed | - | - | - |
| Traditional Land Use | 1,2,3,4,5,6,7a-d,8a,8b,9 | 10,11,12 | Phosphorus |
| Traditional Non-Land Use | 1,2,3,4,7a-d,8a,8b,9 | 5,10,11,12 | Phosphorus |
| Non-Traditional | 1,2,77a-d,8a,8b,9 | 3,4,5,10,11,12 | Phosphorus |
| Onondaga Lake Watershed | - | - | - |
| Traditional Land Use | 1,6,7a-d,8a,9 | 2,3,4,5,8b,10,11,12 | Phosphorus |
| Traditional Non-Land Use | 1,6,7a-d,8a,9 | 2,3,4,5,8b,10,11,12 | Phosphorus |
| Non-Traditional | 1,6,7a-d,8a,9 | 2,3,4,5,8b,10,11,12 | Phosphorus |
| Greenwood Lake Watershed | - | - | - |
| Traditional Land Use | 1,4,6,7a-d,8a,9 | 2,3,5,8b,10,11,12 | Phosphorus |
| Traditional Non-Land Use | 1,4,6,7a-d,8a,9 | 2,3,5,8b,10,11,12 | Phosphorus |
| Non-Traditional | 1,4,6,7a-d,8a,9 | 2,3,5,8b,10,11,12 | Phosphorus |
| Oyster Bay | - | - | - |
| Traditional Land Use | 1,4,7a-d,9,10,11,12 | 2,3,5,6,8a,8b | Pathogens |
| Traditional Non-Land Use | 1,4,7a-d,9,10,11,12 | 2,3,5,6,8a,8b | Pathogens |
| Non-Traditional | 1,4,7a-d,9 | 2,3,4,5,8a,8b,10,11,12 | Pathogens |
| Peconic Estuary | - | - | - |
| Traditional Land Use | 1,4,7a-d,8a,9,10,11,12 | 2,3,5,6,8b | Pathogens and Nitrogen |
| Traditional Non-Land Use | 1,4,7a-d,8a,9,10,11,12 | 2,3,5,6,8b | Pathogens and Nitrogen |
| Non-Traditional | 1,4,7a-d,8a,9 | 2,3,4,5,8b,10,11,12 | Pathogens and Nitrogen |
| Oscawana Lake Watershed | - | - | - |
| Traditional Land Use | 1,4,6,7a-d,8a,9 | 2,3,5,8b,10,11,12 | Phosphorus |
| Traditional Non-Land Use | 1,4,6,7a-d,8a,9 | 2,3,5,8b,10,11,12 | Phosphorus |
| Non-Traditional | 1,4,6,7a-d,8a,9 | 2,3,5,8b,10,11,12 | Phosphorus |
| LI 27 Embayments | - | - | - |
| Traditional Land Use | 1,2,3,4,7a-d,9,10,11,12 | 5,6,8a,8b | Pathogens |
| Traditional Non-Land Use | 1,2,3,4,7a-d,9,10,11,12 | 5,6,8a,8b | Pathogens |
| Non-Traditional | 1,2,3,4,7a-d,9 | 5,6,8a,8b,10,11,12 | Pathogens |

1. Does your MS4/Coalition have an education program addressing impacts of phosphorus/nitrogen/pathogens on waterbodies? Yes No N/A

2. Has 100% of the MS4/Coalition conveyance system been mapped in GIS? Yes No N/A

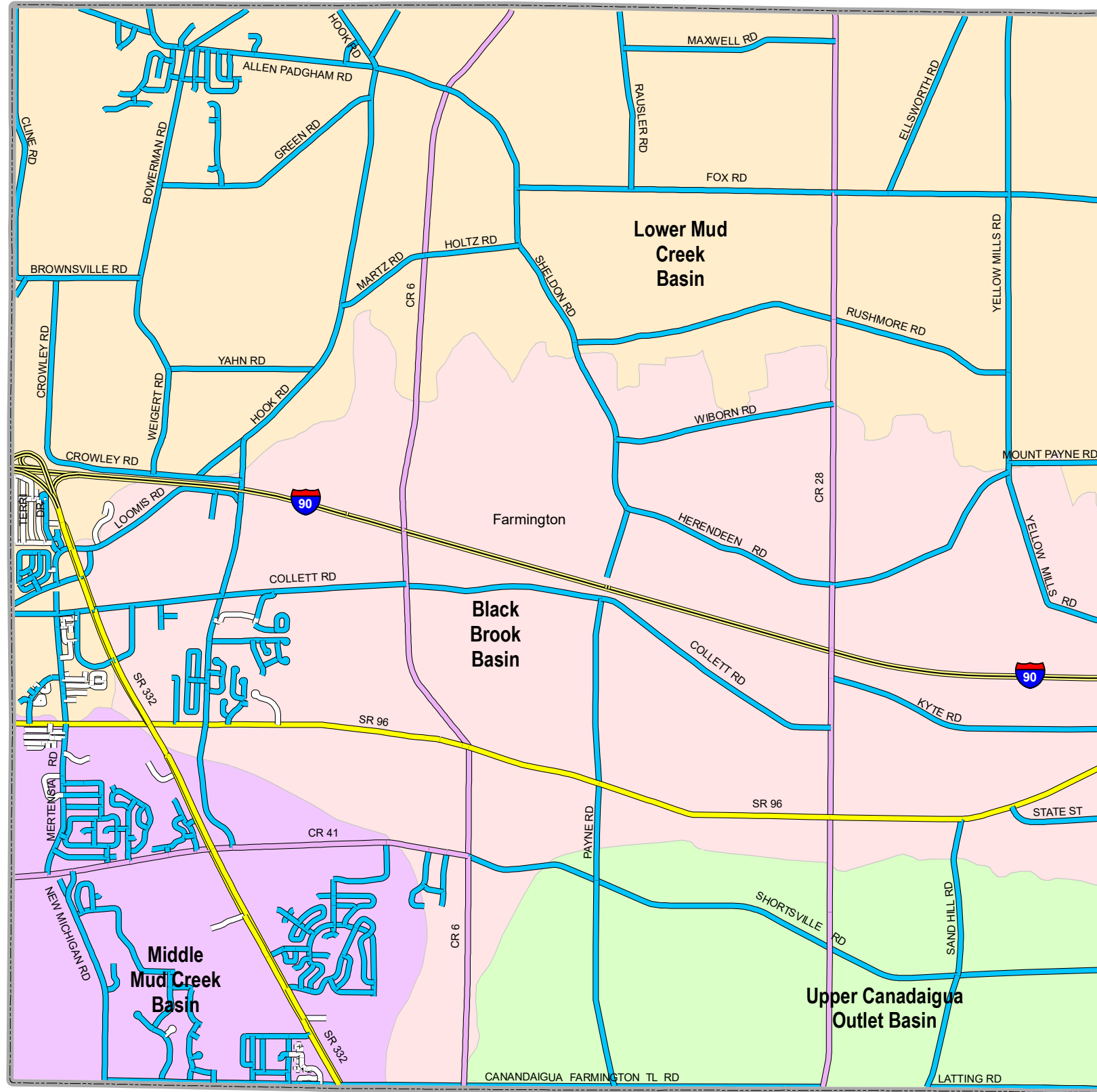
If N/A, go to question 3.

If No, estimate what percentage of the conveyance system has been mapped so far. %

Estimate what percentage was mapped in this reporting period. %

APPENDIX C

MAPS



Legend

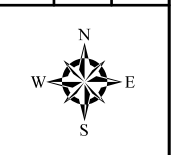
Drainage Basin

- Black Brook Basin
- Lower Mud Creek Basin
- Middle Mud Creek Basin
- Upper Canadaigua Outlet Basin

Roadway Jurisdiction

- Town Road
- County Road
- NYS Highway
- NYS Thruway
- Private Road
- Municipal Boundary

| |
|--------------------------|
| TOWN OF FARMINGTON |
| ONTARIO COUNTY, NEW YORK |
| DRAINAGE BASINS |

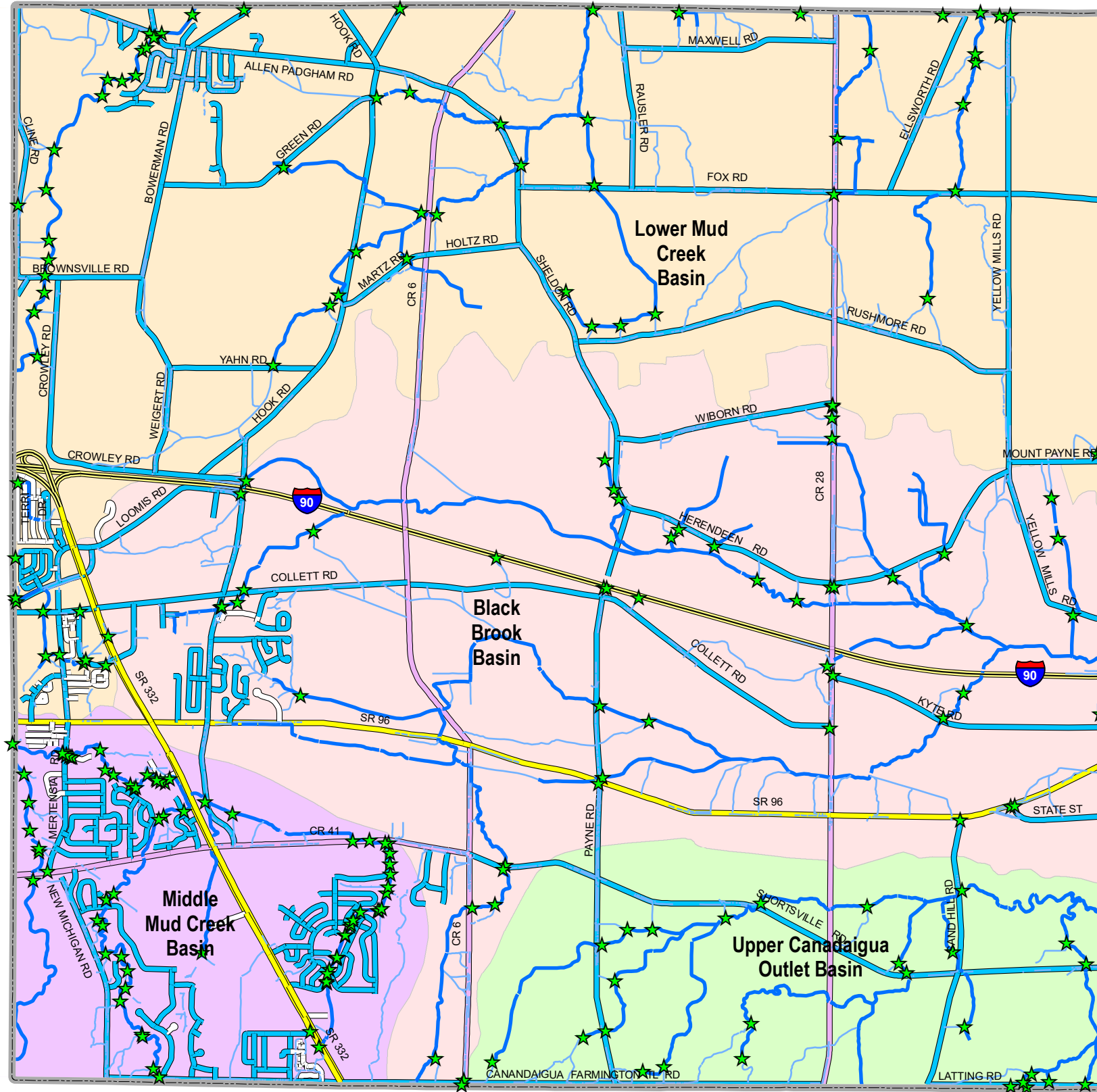


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| Drawn By: | TJV |
| Scale: | 1" = 4,000' |
| Date: | MAR 2019 |

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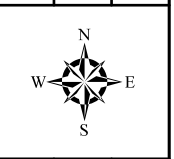
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|-------------|------------|
| PROJECT NO. | 0610.13000 |
| SHEET NO. | 1 of 1 |



Legend

- ★ Outfall Location
- ~ PWL Waterbody
- ~ Other Waterbody
- Drainage Basin
 - Black Brook Basin
 - Lower Mud Creek Basin
 - Middle Mud Creek Basin
 - Upper Canadaigua Outlet Basin
- Roadway Jurisdiction
 - Town Road
 - County Road
 - NYS Highway
 - NYS Thruway
 - Private Road
 - Municipal Boundary

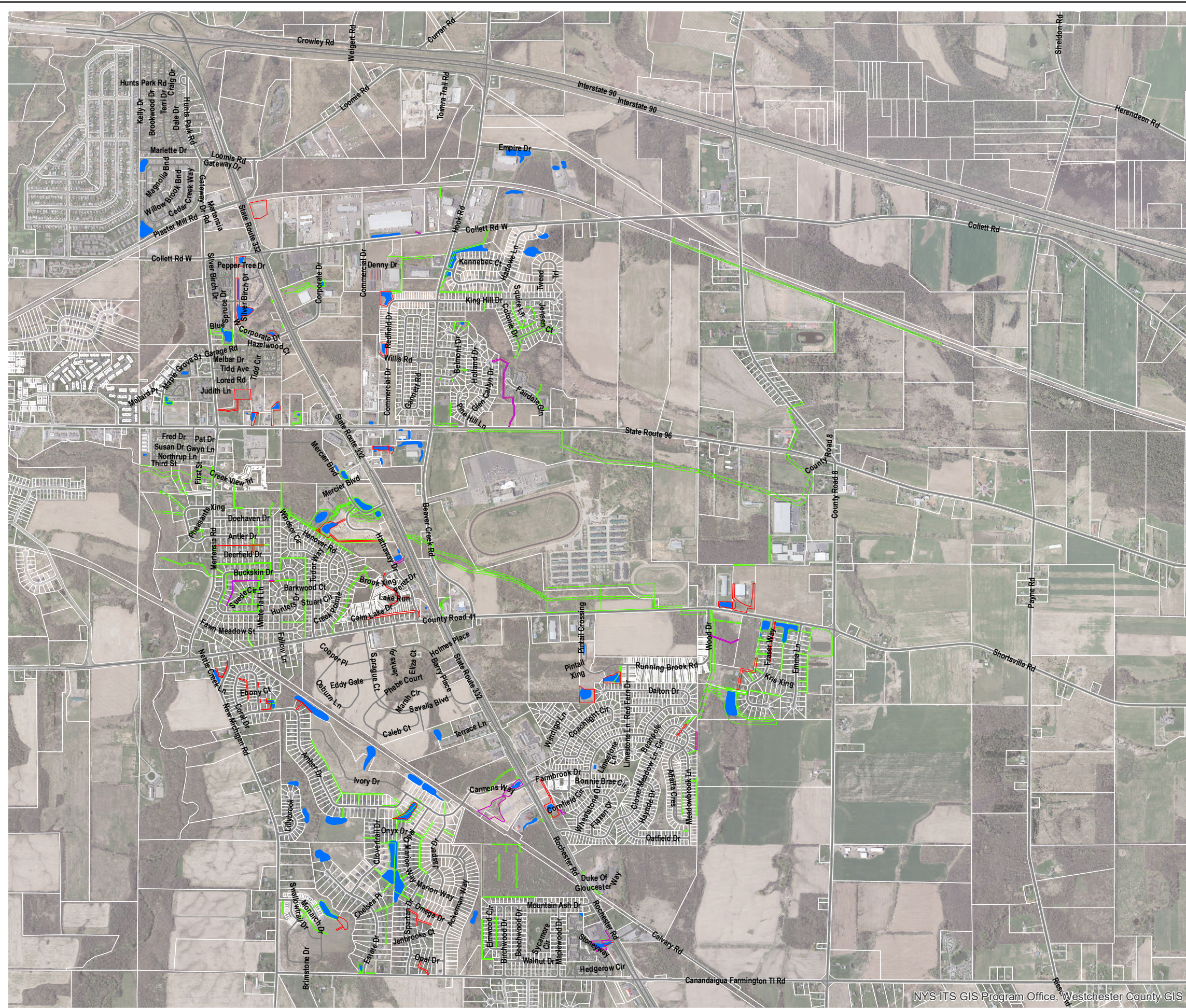
TOWN OF FARMINGTON
ONTARIO COUNTY, NEW YORK



Drawn By: TJV
Scale: 1" = 4,000'
Date: MAR 2019

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0610.13000
SHEET NO.
1 of 1



- ⊕ Stormwater and Drainage Easement
- ⊕ Stormwater Easement
- ⊕ Drainage Easement
- ⊕ Stormwater Management Facility

| | |
|--|----------------------------|
| TOWN OF FARMINGTON MS4 REPORT | |
| TOWN OF FARMINGTON, ONTARIO COUNTY, NY | |
| SWMF SW QUADRANT | |
| | |
| Drawn By: | TUV |
| Scale: | 1" = 2,000' @ 11" x 17" |
| Date: | APR 2021 |
| | |
| <small>Engineering, Architecture, Surveying, D.P.C. 145 Culver Road, Suite 160, Rochester, New York 14620 585-381-9250 FAX 585-381-1008 www.mrbgroup.com</small> | |
| PROJECT NO. | |
| 0610.13000 | |
| SHEET NO. | |
| 1 of 1 | |

FILE PATH LOCATION: N:\0610.13000.00\GIS\Office\GISData\Farmington_SWMF_11x17_L.mxd

APPENDIX D

LIST OF CURRENT STORMWATER MANAGEMENT FACILITIES

| SWMF ID | SWMF Name | Facility Type | Latitude | Longitude | Street# | Street | TAN | Owner | Operator | Category | Year Installed | SMA? | Last Inspected | Last Maintained |
|---------|-----------------------------------|--------------------|----------|-----------|---------|----------------|----------------|-------------------------------|----------|----------|--------------------|------|----------------|-----------------|
| | Hathaway's Corners SWMF A | Wet Pond | - | - | - | NYS Route 332 | | Town of Farmington | Town | TT | Under construction | | | |
| | Hathaway's Corners SWMF C | Wet Pond | | | | NYS Route 332 | | Town of Farmington | Town | TT | Under construction | | | |
| | Home Power Systems | Wet Pond | 42.9824 | -77.3572 | 1127 | Corporate Dr E | 29.00-1-84.111 | Swetman Properties, LLC | Owner | PP | 2013? | Y | | |
| 1035 | ALDI | Dry Pond | 42.9718 | -77.3554 | 1302 | NYS Route 332 | 29.00-1-20.120 | Aldi Inc. | Owner | PP | | Y | | |
| | G & A Dev & Construction Corp | Wet Pond | 42.9717 | -77.3555 | 1298 | NYS Route 332 | 29.00-1-20.110 | G & A Dev & Construction Corp | Owner | PP | | | | |
| 1004 | Redfield Grove Phase 1 | Wet Pond | 42.9816 | -77.3523 | | Redfield Drive | 29.07-4-73.000 | DiFelice Lands, LLC | Owner | PP | 2018 | Y | | |
| | Redfield Grove Phase 2 | Infiltration Basin | | | | Redfield Drive | | DiFelice Lands, LLC | Owner | PP | Under construction | | | |
| | Town Highway Garage | Wet Pond | 42.9896 | -77.3427 | 985 | Hook Rd | 17.00-2-15.210 | Town of Farmington | Town | TT | | | | |
| | Town Highway Garage | Wet Pond | 42.9896 | -77.3427 | 985 | Hook Rd | 17.00-2-15.210 | Town of Farmington | Town | TT | | | | |
| 1000 | COLLETT WOODS PHASE III | Wet Pond | 42.9807 | -77.3631 | | Corporate Dr W | 029.00-1-9.111 | | Owner | PP | | | | |
| 1001 | COLLETT WOODS PHASE III | Infiltration Basin | 42.9835 | -77.3633 | | Corporate Dr W | 029.00-1-9.111 | | Owner | PP | | | | |
| 1002 | COLLETT WOODS PHASE III | Infiltration Basin | 42.9820 | -77.3635 | | Corporate Dr W | 029.00-1-9.111 | | Owner | PP | | | | |
| 1003 | COLLETT WOODS PHASE III | Infiltration Basin | 42.9795 | -77.3609 | | Corporate Dr W | 029.00-1-9.111 | | Owner | PP | | | | |
| 1005 | MONARCH MANOR SECTION 1 | | 42.9478 | -77.3564 | | | | | | PP | | | | |
| 1006 | AUBURN MEADOWS SECTION 6 | | 42.9532 | -77.3504 | | | | | | PP | | | | |
| 1007 | AUBURN MEADOWS SECTION 6 | | 42.9547 | -77.3493 | | | | | | PP | | | | |
| 1008 | AUBURN MEADOWS SECTION 2S | | 42.9491 | -77.3511 | | | | | | PP | | | | |
| 1009 | AUBURN MEADOWS SECTION 3S | | 42.9530 | -77.3580 | | | | | | PP | | | | |
| 1010 | AUBURN MEADOWS SECTION 3S | | 42.9547 | -77.3589 | | | | | | PP | | | | |
| 1011 | AUBURN MEADOWS SECTION 3N | | 42.9588 | -77.3575 | | | | | | PP | | | | |
| 1012 | AUBURN MEADOWS SECTION 2N | | 42.9591 | -77.3607 | | | | | | PP | | | | |
| 1013 | AUBURN MEADOWS SECTION 1 | | 42.9606 | -77.3648 | | | | | | PP | | | | |
| 1014 | ESTATES AT BEAVER CREEK SECTION 1 | | 42.9446 | -77.3538 | | | | | | PP | | | | |
| 1015 | ESTATES AT BEAVER CREEK SECTION 1 | | 42.9497 | -77.3517 | | | | | | PP | | | | |
| 1016 | ESTATES AT BEAVER CREEK SECTION 1 | | 42.9509 | -77.3514 | | | | | | PP | | | | |
| 1017 | PHILLIPS LANDING SECTION 2 | | 42.9593 | -77.3262 | | | | | | PP | | | | |
| 1018 | PHILLIPS LANDING SECTION 1 | | 42.9636 | -77.3237 | | | | | | PP | | | | |
| 1019 | PHILLIPS LANDING SECTION 1 | | 42.9634 | -77.3221 | | | | | | PP | | | | |
| 1020 | ESTATES AT BEAVER CREEK SECTION 3 | | 42.9508 | -77.3568 | | | | | | PP | | | | |
| 1021 | SERVICE STEEL | Wet Pond | 42.9648 | -77.3267 | 5636 | County Rd 41 | 42.00-1-54.200 | Service Steel | Owner | PP | 2015 | Y | | |
| 1022 | BURGER KING | Bioretention | 42.9721 | -77.3560 | | | | | | PP | | | | |
| 1023 | DOLLAR GENERAL | | 42.9743 | -77.3512 | | | | | | PP | | | | |
| 1024 | DOLLAR GENERAL | | 42.9740 | -77.3505 | | | | | | PP | | | | |
| 1025 | DOLLAR GENERAL | Stormwater planter | 42.9738 | -77.3510 | | | | | | PP | | | | |
| 1026 | HICKORY RISE SECTION 2 | | 42.9839 | -77.3466 | | | | | | PP | | | | |
| 1027 | HICKORY RISE SECTION 2 | | 42.9841 | -77.3415 | | | | | | PP | | | | |
| 1028 | HICKORY RISE SECTION 2 | | 42.9850 | -77.3405 | | | | | | PP | | | | |
| 1029 | COLLETT WOODS PHASE II | Bioretention | 42.9797 | -77.3646 | | | | | | PP | | | | |
| 1030 | COLLETT WOODS PHASE II | SWMF | 42.9794 | -77.3642 | | | | | | PP | | | | |
| 1031 | FARMINGTON GARDENS PHASE I | | 42.9694 | -77.3571 | | | | | | PP | | | | |
| 1032 | FARMINGTON GARDENS PHASE I | | 42.9701 | -77.3540 | | | | | | PP | | | | |
| 1033 | FARMINGTON GARDENS PHASE II | | 42.9689 | -77.3565 | | | | | | PP | | | | |
| 1034 | FARMINGTON GARDENS PHASE II | | 42.9696 | -77.3528 | | | | | | PP | | | | |
| | | | | | | | | | | PP | | | | |
| 1036 | SARATOGA CROSSING SECTION 1 | | 42.9852 | -77.3705 | | | | | | PP | | | | |
| 1037 | SARATOGA CROSSING SECTION 2 | | 42.9887 | -77.3707 | | | | | | PP | | | | |
| 1038 | STONEWOOD PHASE 1 | | 43.0203 | -77.3481 | | | | | | PP | | | | |
| 1039 | STONE HEDGE PHASE 2 | | 42.9477 | -77.3373 | | | | | | PP | | | | |
| 1040 | RICHARD HANNON | | 42.9728 | -77.3704 | | | | | | PP | | | | |
| 1041 | ENGELBRECHT | | 42.9460 | -77.3358 | | | | | | PP | | | | |
| 1042 | ALLOWAY ESTATES SECTION 1 | | 42.9757 | -77.3687 | | | | | | PP | | | | |
| 1043 | ALLOWAY ESTATES SECTION 2 | | 42.9773 | -77.3674 | | | | | | PP | | | | |
| 1044 | FINGER LAKES ATHLETIC CENTER | | 42.9755 | -77.3605 | | | | | | PP | | | | |
| 1045 | FINGER LAKES ATHLETIC CENTER | | 42.9750 | -77.3623 | | | | | | PP | | | | |
| 1046 | STURN DDS | | 42.9535 | -77.3397 | | | | | | PP | | | | |

APPENDIX E

MCM 3 SOPs AND RELATED DOCUMENTS

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 3 Illicit Discharge Detection & Elimination (IDDE)

1. Dry Weather Inspections

Objectives of Dry Weather Inspections

A dry weather period is a time interval during which less than 0.1 inch of rain is observed across a minimum of 72 hours. Unlike wet weather sampling, dry weather inspections are not intended to capture a “first flush” of storm water discharge, rather they are intended to identify any/all discharges from a storm water outfall during a period without recorded rainfall. The objective of inspections during a dry weather period is to characterize observed discharges and facilitate detection of illicit discharges.

Inspection Frequency

All outfalls considered high priority shall be inspected on a yearly basis. At least 20% of the **low priority** outfalls shall be inspected annually on a rolling basis. This is in addition to the annual inspection of all high priority outfalls.

Visual Condition Assessment

Dry weather inspections shall be conducted at every known outfall, in accordance with the *General Permit*. It is important that any outfalls that have markers of occasional discharges, including staining, abnormal vegetation growth, biological growth on pipe surfaces, or structural damage, shall be re-inspected within 30 days of *initial* inspection. For any visual observation of pollution in a storm water outfall discharge, an investigation into the pollution source should be conducted.

Tips for identifying Illicit Discharges:

- Cloudiness is often an indicator of suspended solids such as dust, ash, powdered chemicals and ground up materials.
- Wherever dry weather flows occur, the inspector shall look for indicators of illicit discharges, such as odor, turbidity, color, litter, etc.
- Foam is a sign of vehicle washing activities or other illicit discharges.
- Oil sheen can be a result of a leak or spill.
- Color or odor may be an indication of raw materials, chemicals, or sewage.

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 3

Illicit Discharge Detection & Elimination (IDDE)

- Excessive sediment is often a sign of disturbed earth or other unpaved areas lacking adequate erosion control measures.
- Sanitary waste and optical enhancers (fluorescent dyes added to laundry detergent and some toilet paper) are indicators of illicit discharge.
- Orange staining is an indicator of high mineral concentrations.
- Both bacteria and petroleum can create a sheen on the water surface. The source of the sheen can be differentiated by disturbing it, such as with a pole. A sheen caused by oil will remain intact and move in a swirl pattern; a sheen caused by bacteria will separate and appear “blocky”. Bacterial sheen is **not** a pollutant **but should be noted**.

Recording Inspections & Data

Related *SOP 4. IDDE Incident Tracking Sheet* and *GIS form Outfall Reconnaissance Inventory / Sample Collection Field Sheet* are tools that shall be used to document observations related to the both quantitative and qualitative characteristics of any/all flows conveyed by the structure during a dry period.

Suspected illicit discharges will be tracked regardless of how they are identified (inspection, public complaint, etc.). Reports shall be given to the SMO upon completion of inspection and suspected illicit discharges shall promptly be investigated.

❖ Related SOP: *IDDE Incident Tracking Sheet*

❖ GIS Form: *Outfall Reconnaissance Inventory / Sample Collection Field Sheet*

If the presence of an illicit discharge is confirmed, but its source is unidentified, additional procedures to determine the source of the illicit discharge shall be completed. Additional steps and methods for taking action to trace, document, and eliminate the illicit discharge are described in subsequent IDDE SOPs.

Town of Farmington Watershed Stormwater Management
Standard Operating Procedures

SWMP Plan – MCM 3
Illicit Discharge Detection & Elimination (IDDE)

2. Tracking Illicit Discharges

A. Identifying and Tracking Illicit Discharges

1. Obtain storm drain mapping for the area of the reported illicit discharge. Refer to GIS database.
2. Review and consider information collected when illicit discharge was initially identified. For example, the time of day and the weather conditions for the previous 72 hours. Also consider and review past reports and investigations of similar illicit discharges in the area.
3. Document current conditions at the location of the observed illicit discharge point, including odors, water appearance, estimated flow, presence of floatables, and other pertinent information. Photograph relevant evidence.
4. Move upstream from the point of observation to identify the source of the discharge, using the system mapping to determine infrastructure, tributary pipes, and drainage areas that contribute. At each point, survey the general area and surrounding properties to identify potential sources of the illicit discharge. Document observations at each point on *SOP 4. IDDE Incident Tracking Sheet*, the GIS form *Outfall Reconnaissance Inventory / Sample Collection Field Sheet*, and also with photographs.
5. Continue this process until the illicit discharge is no longer observed, which will define the boundaries of the likely source. For example, if the illicit discharge is present in a catch basin but not the next upstream catch basin, the source of the illicit discharge is between these two structures.
6. If the source of the illicit discharge could not be determined by this survey, further investigative measures should be taken using dye testing, smoke testing, or closed-circuit television inspection (CCTV) to locate the illicit discharge.

B. Further Tracking Illicit Discharges

- ❖ Dye Testing:

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 3

Illicit Discharge Detection & Elimination (IDDE)

Dye testing is used to confirm a suspected illicit connection to a storm drain system. Prior to testing, permission to access the site should be obtained. Dye is discharged into the suspected fixture, and nearby storm drain structures and sanitary sewer manholes observed for presence of the dye. Each fixture, such as sinks, toilets, and sump pumps, should be tested separately. A third-party contractor may be required to perform this testing activity.

❖ Smoke Testing:

Smoke testing is a useful method of locating the source of illicit discharges when there is no obvious potential source. Smoke testing is an appropriate tracing technique for short sections of pipe and for pipes with small diameters. Smoke added to the storm drain system will emerge in connected locations. A third-party contractor may be required to perform this testing activity.

❖ Closed Circuit Television Inspection (CCTV):

Televised video inspection can be used to locate illicit connections and infiltration from sanitary sewers. In CCTV, cameras are used to record the interior of the storm drain pipes. They can be manually pushed with a stiff cable or guided remotely on treads or wheels. A third-party contractor may be required to perform this testing activity.

If the source is located, follow steps for removing the illicit discharge. Document repairs, new sanitary sewer connections, and other corrective actions required to accomplish this objective. If the source still cannot be located, add the pipe segment to a future inspection program.

C. Public Illicit Discharge Reports

Reports by residents and other users of a water body can be effective tools in identifying the presence of illicit discharges. Many communities have set up phone hotlines for this purpose, or have provided guidance to local police departments and dispatch centers to manage data reported in this manner.

Town employees and the general public will receive education (See MCM 1) to help identify the signs of illicit discharges and should be informed how to report such incidents.

When a call is received about a suspected illicit discharge, related SOP 4. *IDDE Incident Tracking Sheet* as well as the GIS form *Outfall Reconnaissance Inventory / Sample Collection Field Sheet* shall be used to document appropriate information.

Potential illicit discharges reported by citizens should be reviewed on an annual basis to locate patterns of illicit discharges, identify high-priority catchments, and evaluate the call-in inspection program.

Town of Farmington Watershed Stormwater Management
Standard Operating Procedures

SWMP Plan – MCM 3
Illicit Discharge Detection & Elimination (IDDE)

3. Sampling

The Town may either use in-house services to conduct sampling, or contract this portion of the inspection to a certified laboratory. If the sampling is conducted by Town employees, sampling shall be done with field test kits and field instrumentation that is sensitive enough to detect the parameter below the action level. Standard procedures and parameters, as defined by the General Permit, are as follows:

- Do not eat, drink or smoke during sample collection and processing.
- Do not collect or process samples near a running vehicle
- Do not park vehicles in the immediate sample collection area, including both running and non-running vehicles.
- Always wear clean, powder-free nitrile gloves when handling sample containers and lids.
- Never touch the inside surface of a sample container or lid, even with gloved hands.
- Never allow the inner surface of a sample container or lid to be contacted by any material other than the sample water.
- Collect samples while facing upstream and so as not to disturb water or sediments in the outfall pipe or ditch.
- Do not overfill sample containers, and do not dump out any liquid in them. Liquids are often added to sample containers intentionally by the analytical laboratory as a preservative or for pH adjustment.
- Slowly lower the bottle into the water to avoid bottom disturbance and stirring up sediment.
- Do not allow any object or material to fall into or contact the collected water sample.
- Do not allow rainwater to drip from rain gear or other surfaces into sample containers.
- Replace and tighten sample container lids immediately after sample collection.
- Accurately label the sample with the time and location.

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 3

Illicit Discharge Detection & Elimination (IDDE)

- Document on the related SOP 4. *IDDE Incident Tracking Sheet* as well as the GIS form that analytical samples were collected, specify parameters, and note the sample time on the Inspection Survey. This creates a reference point for samples.
- Upon completion of successful sample collection, the samples may be sent or delivered to an appropriate laboratory for analytical testing. Quality control and assurance are important to ensuring accurate analytical test results. Sample preservation is required to prevent contaminate degradation between sampling and analysis, and holding time should be minimized. Prompt laboratory analysis allows the laboratory to review the data and if analytical problems are found, re-analyze the affected samples within the holding times.
- Chain of custody forms are designed to provide sample submittal information and document transfers of sample custody. The forms are typically provided by the laboratory and must be completed by the field sampling personnel for each sample submitted to the lab for analysis. The document must be signed by both the person releasing the sample and the person receiving the sample every time the sample changes hands. The sampling personnel shall keep one copy of the form and send the remaining copies to the laboratory with the samples. Custody seals, which are dated, signed and affixed to the sample container, may be used if the samples are shipped in a cooler via courier or commercial overnight shipping.

Town of Farmington Watershed Stormwater Management
Standard Operating Procedures

SWMP Plan – MCM 3
Illicit Discharge Detection & Elimination (IDDE)

4. IDDE Incident Tracking Sheet

1. Tracking identification number: _____
2. Outfall ID: _____
3. Date illicit discharge was detected: _____
4. How was illicit discharge detected? _____
5. Date source was identified: _____
6. Source of illicit discharge: _____
7. Date illicit discharge was eliminated: _____
8. Method of elimination: _____
9. Enforcement actions taken: _____
10. Additional notes:

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 3

Illicit Discharge Detection & Elimination (IDDE)

5. Catch Basin Inspection and Cleaning

Introduction

Catch basins help minimize flooding and protect water quality by removing trash, sediment, decaying debris, and other solids from storm water runoff. These materials are retained in a sump below the invert of the outlet pipe. Catch basin cleaning reduces foul odors, prevents clogs in the storm drain system, and reduces the loading of suspended solids, nutrients, and bacteria to receiving waters. During regular cleaning and inspection procedures, data can be gathered related to the condition of the physical basin structure; its frame and grate, and the quality of storm water conveyed by the structure. Observations such as the following can indicate sources of pollution within the storm drain system:

- Oil sheen
- Discoloration
- Trash and debris

Both bacteria and petroleum can create a sheen on the water surface. The source of the sheen can be differentiated by disturbing it, such as with a pole. A sheen caused by oil will remain intact and move in a swirl pattern; a sheen caused by bacteria will separate and appear “blocky”. Bacterial sheen is not a pollutant but should be noted.

Observations such as the following can indicate a potential connection of a sanitary sewer to the storm drain system, which is an illicit discharge.

- Indications of sanitary sewage, including fecal matter or sewage odors
- Foaming, such as from detergent
- Optical enhancers, fluorescent dye added to laundry detergent

Each catch basin should be cleaned and inspected at least annually. Catch basins in high-use areas may require more frequent cleaning. Performing street sweeping on an appropriate schedule will reduce the amount of sediment, debris, and organic matter entering the catch basins, which will in turn reduce the frequency with which structures need to be cleaned.

Cleaning Procedure

Catch basin inspection cleaning procedures should address both the grate opening and the basin’s sump. Document any and all observations about the condition of the catch basin structure and water quality on the related GIS form *Outfall Reconnaissance Inventory / Sample Collection Field Sheet*.

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 3 Illicit Discharge Detection & Elimination (IDDE)

Catch basin inspection and cleaning procedures include the following:

1. Work upstream to downstream.
2. Clean sediment and trash off grate.
3. Visually inspect the outside of the grate.
4. Visually inspect the inside of the catch basin to determine cleaning needs.
5. Inspect catch basin for structural integrity.
6. Determine the most appropriate equipment and method for cleaning each catch basin.
 - a. Manually use a shovel to remove accumulated sediments, or
 - b. Use a bucket loader to remove accumulated sediments, or
 - c. Use a high pressure washer to clean any remaining material out of catch basin while capturing the slurry with a vacuum.
 - d. If necessary, after the catch basin is clean, use the rodder of the vacuum truck to clean downstream pipe and pull back sediment that might have entered downstream pipe.
7. If contamination is suspected, chemical analysis will be required to determine if the materials. Chemical analysis required will depend on suspected contaminants. Note the identification number of the catch basin on the sample label, and note sample collection on the GIS form *Outfall Reconnaissance Inventory / Sample Collection Field Sheet*.
8. Properly dispose of collected sediments. See following section for guidance.
9. If fluids collected during catch basin cleaning are not being handled and disposed of by a third party, dispose of these fluids to a sanitary sewer system, with permission of the system operator.
10. If illicit discharges are observed or suspected, notify the SMO as soon as possible.
11. At the end of each day, document location and number of catch basins cleaned, amount of waste collected, and disposal method for all screenings.

Town of Farmington Watershed Stormwater Management
Standard Operating Procedures

SWMP Plan – MCM 3
Illicit Discharge Detection & Elimination (IDDE)

12. Report additional maintenance or repair needs to the appropriate Department.

Disposal of Screenings

Catch basin cleanings from stormwater-only drainage systems may be disposed at any landfill that is permitted by NYS DEC to accept solid waste. NYS DEC does not routinely require stormwater-only catch basin cleanings to be tested before disposal, unless there is evidence that they have been contaminated by a spill or some other means.

Screenings may need to be placed in a drying bed to allow water to evaporate before proper disposal. In this case, ensure that the screenings are managed to prevent pollution.

OUTFALL RECONNAISSANCE INVENTORY/ SAMPLE COLLECTION FIELD SHEET

Section 1: Background Data

| | | | |
|---|-----------------|--|----------------|
| Subwatershed: | | Outfall ID: | |
| Today's date: | | Time (Military): | |
| Investigators: | | Form completed by: | |
| Temperature (°F): | Rainfall (in.): | Last 24 hours: | Last 48 hours: |
| Latitude: | Longitude: | GPS Unit: | GPS LMK #: |
| Camera: | | Photo #s: | |
| Land Use in Drainage Area (Check all that apply): | | | |
| <input type="checkbox"/> Industrial | | <input type="checkbox"/> Open Space | |
| <input type="checkbox"/> Ultra-Urban Residential | | <input type="checkbox"/> Institutional | |
| <input type="checkbox"/> Suburban Residential | | Other: _____ | |
| <input type="checkbox"/> Commercial | | Known Industries: _____ | |
| Notes (e.g., origin of outfall, if known): | | | |

Section 2: Outfall Description

| LOCATION | MATERIAL | SHAPE | DIMENSIONS (IN.) | SUBMERGED |
|--|--|---|---|---|
| <input type="checkbox"/> Closed Pipe | <input type="checkbox"/> RCP <input type="checkbox"/> CMP <input type="checkbox"/> PVC <input type="checkbox"/> HDPE <input type="checkbox"/> Steel <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Circular <input type="checkbox"/> Single <input type="checkbox"/> Elliptical <input type="checkbox"/> Double <input type="checkbox"/> Box <input type="checkbox"/> Triple <input type="checkbox"/> Other: _____ | Diameter/Dimensions: _____ | In Water: <input type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Fully With Sediment: <input type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Fully |
| <input type="checkbox"/> Open drainage | <input type="checkbox"/> Concrete <input type="checkbox"/> Earthen <input type="checkbox"/> rip-rap <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Trapezoid <input type="checkbox"/> Parabolic <input type="checkbox"/> Other: _____ | Depth: _____ Top Width: _____ Bottom Width: _____ | |
| <input type="checkbox"/> In-Stream | (applicable when collecting samples) | | | |
| Flow Present? | <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If No, Skip to Section 5</i> | | | |
| Flow Description (If present) | <input type="checkbox"/> Trickle <input type="checkbox"/> Moderate <input type="checkbox"/> Substantial | | | |

Section 3: Quantitative Characterization

| FIELD DATA FOR FLOWING OUTFALLS | | | | |
|----------------------------------|-----------------|----------------|------------------|--------------|
| PARAMETER | RESULT | UNIT | EQUIPMENT | |
| <input type="checkbox"/> Flow #1 | Volume | | Liter | Bottle |
| | Time to fill | | Sec | |
| <input type="checkbox"/> Flow #2 | Flow depth | | In | Tape measure |
| | Flow width | _____ ' _____" | Ft, In | Tape measure |
| | Measured length | _____ ' _____" | Ft, In | Tape measure |
| | Time of travel | | S | Stop watch |
| Temperature | | °F | Thermometer | |
| pH | | pH Units | Test strip/Probe | |
| Ammonia | | mg/L | Test strip | |

Outfall Reconnaissance Inventory Field Sheet

Section 4: Physical Indicators for Flowing Outfalls Only

Are Any Physical Indicators Present in the flow? Yes No (If No, Skip to Section 5)

| INDICATOR | CHECK if Present | DESCRIPTION | RELATIVE SEVERITY INDEX (1-3) | | |
|---|--------------------------|--|---|---|---|
| Odor | <input type="checkbox"/> | <input type="checkbox"/> Sewage <input type="checkbox"/> Rancid/sour <input type="checkbox"/> Petroleum/gas <input type="checkbox"/> Sulfide <input type="checkbox"/> Other: | <input type="checkbox"/> 1 – Faint | <input type="checkbox"/> 2 – Easily detected | <input type="checkbox"/> 3 – Noticeable from a distance |
| Color | <input type="checkbox"/> | <input type="checkbox"/> Clear <input type="checkbox"/> Brown <input type="checkbox"/> Gray <input type="checkbox"/> Yellow <input type="checkbox"/> Green <input type="checkbox"/> Orange <input type="checkbox"/> Red <input type="checkbox"/> Other: | <input type="checkbox"/> 1 – Faint colors in sample bottle | <input type="checkbox"/> 2 – Clearly visible in sample bottle | <input type="checkbox"/> 3 – Clearly visible in outfall flow |
| Turbidity | <input type="checkbox"/> | See severity | <input type="checkbox"/> 1 – Slight cloudiness | <input type="checkbox"/> 2 – Cloudy | <input type="checkbox"/> 3 – Opaque |
| Floatables -Does Not Include Trash!! | <input type="checkbox"/> | <input type="checkbox"/> Sewage (Toilet Paper, etc.) <input type="checkbox"/> Suds <input type="checkbox"/> Petroleum (oil sheen) <input type="checkbox"/> Other: | <input type="checkbox"/> 1 – Few/slight; origin not obvious | <input type="checkbox"/> 2 – Some; indications of origin (e.g., possible suds or oil sheen) | <input type="checkbox"/> 3 – Some; origin clear (e.g., obvious oil sheen, suds, or floating sanitary materials) |

Section 5: Physical Indicators for Both Flowing and Non-Flowing Outfalls

Are physical indicators that are not related to flow present? Yes No (If No, Skip to Section 6)

| INDICATOR | CHECK if Present | DESCRIPTION | COMMENTS |
|---------------------|-------------------------------------|---|----------|
| Outfall Damage | <input type="checkbox"/> | <input type="checkbox"/> Spalling, Cracking or Chipping <input type="checkbox"/> Peeling Paint <input type="checkbox"/> Corrosion | |
| Deposits/Stains | <input type="checkbox"/> | <input type="checkbox"/> Oily <input type="checkbox"/> Flow Line <input type="checkbox"/> Paint <input type="checkbox"/> Other: | |
| Abnormal Vegetation | <input type="checkbox"/> | <input type="checkbox"/> Excessive <input type="checkbox"/> Inhibited | |
| Poor pool quality | <input type="checkbox"/> | <input type="checkbox"/> Odors <input type="checkbox"/> Colors <input type="checkbox"/> Floatables <input type="checkbox"/> Oil Sheen <input type="checkbox"/> Suds <input type="checkbox"/> Excessive Algae <input type="checkbox"/> Other: | |
| Pipe benthic growth | <input checked="" type="checkbox"/> | <input type="checkbox"/> Brown <input type="checkbox"/> Orange <input checked="" type="checkbox"/> Green <input type="checkbox"/> Other: | |

Section 6: Overall Outfall Characterization

Unlikely
 Potential (presence of two or more indicators)
 Suspect (one or more indicators with a severity of 3)
 Obvious

Section 7: Data Collection

| | | |
|--------------------------------|-------------------------------|--|
| 1. Sample for the lab? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. If yes, collected from: | <input type="checkbox"/> Flow | <input type="checkbox"/> Pool |
| 3. Intermittent flow trap set? | <input type="checkbox"/> Yes | <input type="checkbox"/> No If Yes, type: <input type="checkbox"/> OBM <input type="checkbox"/> Caulk dam |

Section 8: Any Non-Illicit Discharge Concerns (e.g., trash or needed infrastructure repairs)?

Section 9: Corrective Actions

Corrective Action Taken

Date Completed:

Completed By:

Photos:

Description:

APPENDIX F

MCM 4 SOPs AND RELATED DOCUMENTS

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4 Construction Site Runoff Control

1. Controlling Erosion and Sediment through Design and Planning

Erosion and sedimentation from land-disturbing human activities can be a significant source of stormwater pollution. This document is a general guide to the Design and Planning phase for reducing or eliminating pollutant loading from such activities.

Prevention of erosion and sedimentation is preferable to installing treatment devices. Consistent application and implementation of the following guidelines during the design and review phases can prevent erosion and sedimentation:

1. Avoid sensitive areas, steep slopes, and highly erodible soils to the maximum extent possible when developing site plans.
2. Identify potential problem areas before the site plan is finalized and approved.
3. Plan to use sediment barriers along contour lines, with a focus on areas where short-circuiting (i.e., flow around the barrier) may occur.
4. Use berms at the top of a steep slope to divert runoff away from the slope's edge.
5. Design trapezoidal or parabolic vegetated drainage channels, not triangular.
6. Use vegetated channels with riprap check dams, instead of impervious pavement or concrete, to reduce the water velocity of the conveyance system.
7. Design a check dam or sediment forebay with level spreader at the exit of outfalls to reduce water velocity of the discharge and collect sediment.
8. Use turf reinforcement matting to stabilize vegetated channels, encourage vegetation establishment, and withstand flow velocities without scouring the base of the channel.
9. Plan open channels to follow land contours so natural drainage is not disrupted.
10. Use organic matting for temporary slope stabilization and synthetic matting for permanent stabilization.
11. Provide a stable channel, flume, or slope drain where it is necessary to carry water down slopes.
12. The plans are to incorporate a detailed sequence of construction outlining each step/ phase of construction. If necessary, a phasing plan is to be provided.

**Town of Farmington Watershed Stormwater Management
Standard Operating Procedures**

SWMP Plan – MCM 4
Construction Site Runoff Control

- 13. The erosion and sediment control plans and design are to be in compliance with the latest version of the NYS Standards and Specifications for Erosion and Sediment Control “Blue Book” requirements.
- 14. The erosion and sediment control plans are to identify the proposed SWPPP mailbox location.
- 15. All disturbed and dormant areas are to be stabilized with seed and mulch within seven (7) days from the last time they were worked within.

Date Adopted _____

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4
Construction Site Runoff Control

1.A Design and Planning Checklist

This checklist should be completed for EACH project:

Proposed project name: _____

Proposed project description: _____

- All guidelines from *1. Controlling Erosion and Sediment through Design and Planning* have been followed and completed.
- Safety measures, such as berms, sediment barriers, drainage channels, check dams, flumes, etc. have been implemented into the project design.
- The proposed SWPPP mailbox location has been identified.
- The erosion and sediment control plans and design are in compliance with the latest version of the NYS Standards and Speciation's for Erosion and Sediment Control "Blue Book" requirements.
- The Town Planning Board, Town Engineer, Stormwater Management Officer, have all reviewed plans and design for compliance with stormwater management BMPs.

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4
Construction Site Runoff Control

2. E&SC Pre-Construction Procedures & Requirements

A pre-construction meeting is required and scheduled through the Town Development Office prior to the start of construction and prior to the issuance of permits. The Developer, his Contractor and Design Engineer shall meet with all utility representatives, Town Department Heads, Town Engineer and project observers to discuss the overall project, its impacts and schedules. A project construction sequence shall be presented in writing and discussed at this meeting.

The following are **required** to be completed **prior** to having a preconstruction meeting:

1. The Site/Sub Plans are to have final Site/Sub Plan Approval and are to be signed by Planning Board Chairman.
2. A final SWPPP is to be completed and the MS4 Acceptance Form signed by the Town MS4 Official.
3. All utility companies are to have received a copy of the signed Final Site Plans for review.
4. All agency approvals and/or permits are to be received and forwarded to the Town Development Office.
5. A Letter of Credit, Bond, or other Surety accepted by the Town Board.
6. All easements, agreements, and districts approved by the Town Construction Inspector and sent to the Town Attorney for review and approval.

The following are **required** to be completed **at** the preconstruction meeting prior to issuance of a building permit:

1. The NYSDEC Notice of Intent (NOI) Acknowledgement Letter is to be provided.
2. Owner and Contractor Certification Forms are to be signed and inserted into the Project SWPPP.
3. A copy of all Erosion and Sediment Control Training Certificates for those Construction Site Operators identified to be onsite are to be provided and inserted within the project SWPPP.

TOWN OF FARMINGTON

1000 County Road #8
Farmington, NY 14425
(315) 986-8100

APPENDIX: **G - 10.0**

DATE: 2024

SCALE: N.T.S.

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PRE-CONSTRUCTION CHECKLIST FORM

RE: _____ PB# _____ - _____
(PROJECT NAME)

Prior to the Town Development Office / CEO scheduling a Pre-Construction Meeting for this application, the Applicant is required to ensure all items below have been completed and filed with the Town Development Office and Town Clerk.

- Final Subdivision / Site Plans approved and signed, copies and PDF of signed Plans and SWPPP provided to the Town and Town Engineer: date signed _____
- Final SWPPP approved and MS4 acceptance form signed by Town MS4 Official: date signed _____
- NOI and MS4 SWPPP Acceptance Form submitted to NYSDEC. NYSDEC acknowledgement letter provided to Town Development Office: date _____
- Town of Farmington 5-Acre Waiver requested and form completed. Submitted to Town Development Office / CEO and approved. date _____
- Town of Farmington Stormwater Maintenance Agreement completed and forwarded to Town Development Office / CEO, Town Construction Inspector, and Town Engineer: date _____
- The Easement Package as outlined within the Town of Farmington Site Design and Development Criteria Manual (section 5.07) provided to the Town Construction Inspector and approved. The Easement Package was forwarded to the Town Attorney for review and approval by the Construction Inspector: date _____
- All agency approvals and/or permits required have been forwarded to the Town Development Office
- A Surety Estimate was approved by the Construction Inspector and Town Engineer and forwarded to the Town for processing. The Estimate was recommended at the _____ Planning Board meeting and approved at the _____ Town Board meeting. The Surety was provided to the Town Clerk on _____.

Applicant

Date

Town Development Office / CEO

Date

Preconstruction Meeting scheduled for _____

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4
Construction Site Runoff Control

3. Controlling Erosion and Sediment on Construction Sites

During the construction phase, it is important to inspect active sites regularly to ensure that practices are consistent with approved site plans and the site's Stormwater Pollution Prevention Plan (SWPPP) and/or any other regulatory requirements, as required by the municipality's legal authority. The following guidelines (at a minimum) apply. See also related document *Stormwater Site Observation Report* for full inspection checklist and report.

1. The project SWPPP and NYSDEC NOI Acknowledgement Letter has been received and are located onsite in a mark mailbox at an approved location.
2. All construction site operators are required to have received Erosion and Sediment Control Training prior to working on site. **See related document 'Construction Site Inventory and Training Log' Excel spreadsheet** for actively updated log of all active construction sites. This log also keeps record of each site operator, their Erosion and Sediment Control Training status, and training certificate identification numbers.
3. A copy of all Erosion and Sediment Control Training Certificates for those Construction Site Operators identified to be onsite are to be provided and inserted within the project SWPPP.
4. In the approved project SWPPP, the contractor shall clearly identify the party responsible for maintaining erosion and sediment control devices by complete the Owner and Contractor Certification Forms.
5. Erosion and sediment control features including stabilized construction entrance and perimeter silt fencing are to be installed before initiating activities that remove vegetated cover or otherwise disturb the site. These shall be installed consistent with the approved site plans and with manufacturer's instructions.
6. Erosion and sediment control measures shall be inspected by the contractor regularly, and maintained as needed to ensure proper function.
7. A SWPPP inspection of the project site, stormwater facilities, and erosion and sediment control measures shall be completed by a Certified Professional in Erosion and Sediment Control (CPESC), a licensed Professional Engineer, or a Certified Erosion and Sediment Control Trained individual identified by the owner of the permit.
8. All SWPPP Inspections are to be completed using the Town of Farmington's *Stormwater Site Observation Report* form in compliance with the NYS General Permit requirements and shall be completed once per week (every 7 days) for as long as the project is over 1-acre of disturbance and twice a week when the project is over 5-acres of disturbance.

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4 Construction Site Runoff Control

9. A 5-acre waiver is required when the project proposed to disturb more than 5-acres at one time. Prior to this disturbance taking place, a waiver from the Town of Farmington is required to be provided. The request and the 5-acre waiver is to be inserted into the project SWPPP and kept onsite.
10. An inspection by the Town of Farmington should be completed of active construction sites every month, at a minimum, to check the status of erosion and sedimentation controls.
11. Existing vegetation should be maintained on site as long as possible. The limits of disturbance boundary identified on the approved plans should be altered in the field unless authorized by the Town of Farmington.
12. Construction should proceed progressively and as per the approved sequence of construction on the site in order to minimize exposed soil, and disturbed areas should be restored as soon as possible after work has been completed.
13. Stockpiles shall be stabilized by seeding or mulching if they are to remain for more than two weeks.
14. Disturbed areas shall be protected from stormwater runoff by using protective Best Management Practices (BMPs).
15. Clean water shall be diverted away from disturbed areas on construction sites to prevent erosion and sedimentation.
16. Sediment traps and sediment barriers should be cleaned out regularly to reduce clogging and maintain design function.
17. Vegetated and wooded buffers shall be protected.
18. Vegetation shall be allowed to establish before introducing flows to channels.
19. Soils shall be stabilized by mulching and/or seeding when they would be exposed for more than one week during the dry season or more than two days during the rainy season.
20. Regular light watering shall be used for dust control, as this is more effective than infrequent heavy watering.
21. Excessive soil compaction with heavy machinery shall be avoided, to the extent possible.
22. Construction activities during months with higher runoff rates shall be limited, to the extent possible.

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4
Construction Site Runoff Control

Related documents:

Construction Site Inventory and Training Log – Excel Spreadsheet

4. Stormwater Site Observation Report - Form

TOWN OF FARMINGTON

1000 County Road #8
Farmington, NY 14425
(315) 986-8100

APPENDIX: **ST - 10.0**

DATE: 2024

SCALE: N.T.S.

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STORMWATER SITE OBSERVATION REPORT

(SPDES General Permit for Stormwater Discharges from Construction Activity)

Project: _____ Permit#: _____

Date: _____ Time: _____ Weather: _____ Soil Conditions: Wet Dry

Contractor: _____ Email: _____ Reviewed On Site: Yes No

Owner/Operator: _____ Email: _____ Mailbox and SWPPP Updated

Inspection Frequency: Twice a Week Weekly Monthly Follow-up Other: _____

Approximate Area Opened: _____ AC ± Has a 5-Acre Waiver Been Issued: Yes No NA

- Are the adjacent properties negatively impacted by the proposed construction? Yes No NA
- At the discharge points of the site, are there traces of turbidity or sedimentation leaving the site? Yes No NA
- At the natural surface waterbodies located within or immediately adjacent to the project, is there evidence of impacts from the project construction? Yes No NA
- Are the public roads and site access roads being kept clean of mud and debris? Yes No NA
- Is construction site litter and debris being properly managed? Yes No NA
- Have all necessary erosion and sediment control measures been installed? Yes No NA
- Are the installed erosion and sediment control measures functioning properly? Yes No NA
- Are additional erosion control measures needed? Yes No NA
- Are there areas disturbed that should be stabilized? Yes No NA
- Are soil stockpiles in appropriate locations, properly stabilized, and/or protected? Yes No NA
- Have temporary stabilization measures, no longer needed, been removed? Yes No NA
- In regard to stormwater management, is the Contractor generally following the approved plans and sequence of construction? Yes No NA
- Have deficiencies been identified with the constructed post-construction stormwater practices? Yes No NA
- Is the concrete washout area being properly maintained and utilized? Yes No NA

Comments: _____

Required attachments: Sketch of Current Site Conditions Site Photographs

Are corrective actions required within 24 hours? Yes No

Signature:

SWT#

Date:

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4
Construction Site Runoff Control

5. Violation Procedures

In the case that any violations are found during a stormwater site inspection, the Town of Farmington shall refer to the Town Code, as well as the Stormwater Inspection Flow Chart when following Violation Procedures. As stated in the Town Code, *Chapter 138 Stormwater Management and Erosion and Sediment Control*, contains the following provisions:

§ 138-11 Administration and enforcement.

A.

Construction inspection.

(1)

Erosion and sediment control inspection.

(a)

The Town of Farmington Stormwater Management Program Coordinator may require such inspections as necessary to determine compliance with this chapter and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this chapter and the stormwater pollution prevention plan (SWPPP) as approved. To obtain inspections, the applicant shall notify the Town of Farmington CEO at least 48 hours before any of the following:

[1]

Start of construction;

[2]

Installation of sediment and erosion control measures;

[3]

Completion of site clearing;

[4]

Completion of rough grading;

[5]

Completion of final grading;

[6]

Close of the construction season;

[7]

Completion of final landscaping; and

[8]

Successful establishment of landscaping in public areas.

(b)

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4 Construction Site Runoff Control

If any violations are found, the applicant and developer shall be notified, in writing, by the Stormwater Management Program Coordinator of the nature of the violation and the required corrective actions. No further work shall be conducted, except for site stabilization, until any violations are corrected and all work previously completed has received approval by the Stormwater Management Program Coordinator.

(2)

Stormwater management practice inspections. The Town of Farmington Stormwater Management Program Coordinator is responsible for conducting inspections of stormwater management practices (SMPs). All applicants are required to submit as-built plans to the Stormwater Management Program Coordinator for any stormwater management practices located on site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a New York State licensed professional engineer.

(3)

Inspection of stormwater facilities after project completion. Inspection programs shall be established on any reasonable basis, including but not limited to routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher-than-typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher-than-usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the SPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include but are not limited to reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater management practices.

(4)

Submission of reports. The Town of Farmington Stormwater Management Program Coordinator may require monitoring and reporting from entities subject to this chapter as are necessary to determine compliance with this chapter.

(5)

Right-of-entry for inspection. When any new stormwater management facility is installed on private property, or when any new connection is made between private property and the public stormwater system, the landowner shall grant to the Town of Farmington the right to enter the property, at reasonable times and in a reasonable manner, for the purpose of inspection as specified in Subsection **A(3)** above.

B.

Performance guarantee.

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4 Construction Site Runoff Control

(1)

Construction completion guarantee. In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Town of Farmington in its approval of the stormwater pollution prevention plan (SWPPP), the Town of Farmington may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable letter of credit from an appropriate financial or surety institution that guarantees satisfactory completion of the project and names the Town of Farmington as the beneficiary. The security shall be in an amount to be determined by the Town of Farmington, based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Town of Farmington, provided that such period shall not be less than one year from the date of final acceptance or such other certification that the facilities have been constructed in accordance with the approved plans and specifications and that a one-year inspection has been conducted and the facilities have been found to be acceptable to the Town of Farmington. Per-annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability. Release of the performance bond, cash escrow, or irrevocable letter of credit shall be accomplished in the manner set forth in § **144-32** of the Town Code, entitled "Town of Farmington Subdivision and Development of Land Regulations."

(2)

Maintenance guarantee. Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Town of Farmington with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction, and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Town of Farmington may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

(3)

Recordkeeping. The Town of Farmington may require entities subject to this chapter to maintain records demonstrating compliance with this chapter.

§ 138-12 Enforcement; penalties for offenses.

A.

Notice of violation. When the Town of Farmington determines that a land development activity is not being carried out in accordance with the requirements of this chapter, the Code Enforcement Officer may issue a written notice of violation to the landowner. The notice of violation shall contain:

(1)

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4 Construction Site Runoff Control

The name and address of the landowner, developer or applicant;

(2)

The address, when available, or a description of the building, structure or land upon which the violation is occurring;

(3)

A statement specifying the nature of the violation;

(4)

A description of the remedial measures necessary to bring the land development activity into compliance with the provisions of this chapter and a time schedule for the completion of such remedial action;

(5)

A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and

(6)

A statement that the determination of violation may be appealed to the Town Board by filing a written notice of appeal within 15 days of service of notice of violation.

B.

Stop-work order. The Code Enforcement Officer may issue a stop-work order for violations of this chapter. Persons receiving a stop-work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Town of Farmington confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop-work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures provided for in New York Town Law.

C.

Violations. Any land development activity that is commenced or is conducted contrary to the provisions of this chapter may be restrained by injunction or otherwise abated in a manner provided by law.

§ 138-13 Withholding of certificate of occupancy or compliance.

If any building or land development activity is installed or conducted in violation of this chapter, the Code Enforcement Officer may prevent the issuance of said building or use of said land.

§ 138-14 Restoration of lands.

Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town of Farmington may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

**Town of Farmington Watershed Stormwater Management
Standard Operating Procedures**

SWMP Plan – MCM 4
Construction Site Runoff Control

6. Training Expiration Notification

To: (Contractor / Subcontractor) _____

From: Town of Farmington, Development Office

Re: (Project Name and Location) _____

The Town of Farmington is notifying you that based upon our records, your *NYSDEC Erosion and Sediment Control* training certification will be expiring on _____. Please be sure to have renewed your certification and provided us with a copy of your renewed training ID card by this date so that you may continue working as on site as scheduled.

If you have any questions or concerns or would like clarification or discussion of this information, please contact _____ at _____ .

c. File

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 4
Construction Site Runoff Control

7. Project Closeout Procedures & Requirements

1. Final Inspection

Prior to authorizing the Notice of Termination (NOT), a final inspection is to be completed by the Town of Farmington with the contractor to ensure that all of the construction is completed per the approved plans, the site is fully stabilized, and all post-construction control measures are operational.

2. Easements & Agreements

All easement and right-of-way descriptions, maps, deed(s), and stormwater maintenance agreements are to be provided to the Town of Farmington, reviewed, and approved by Town Staff and accepted by the Town Board.

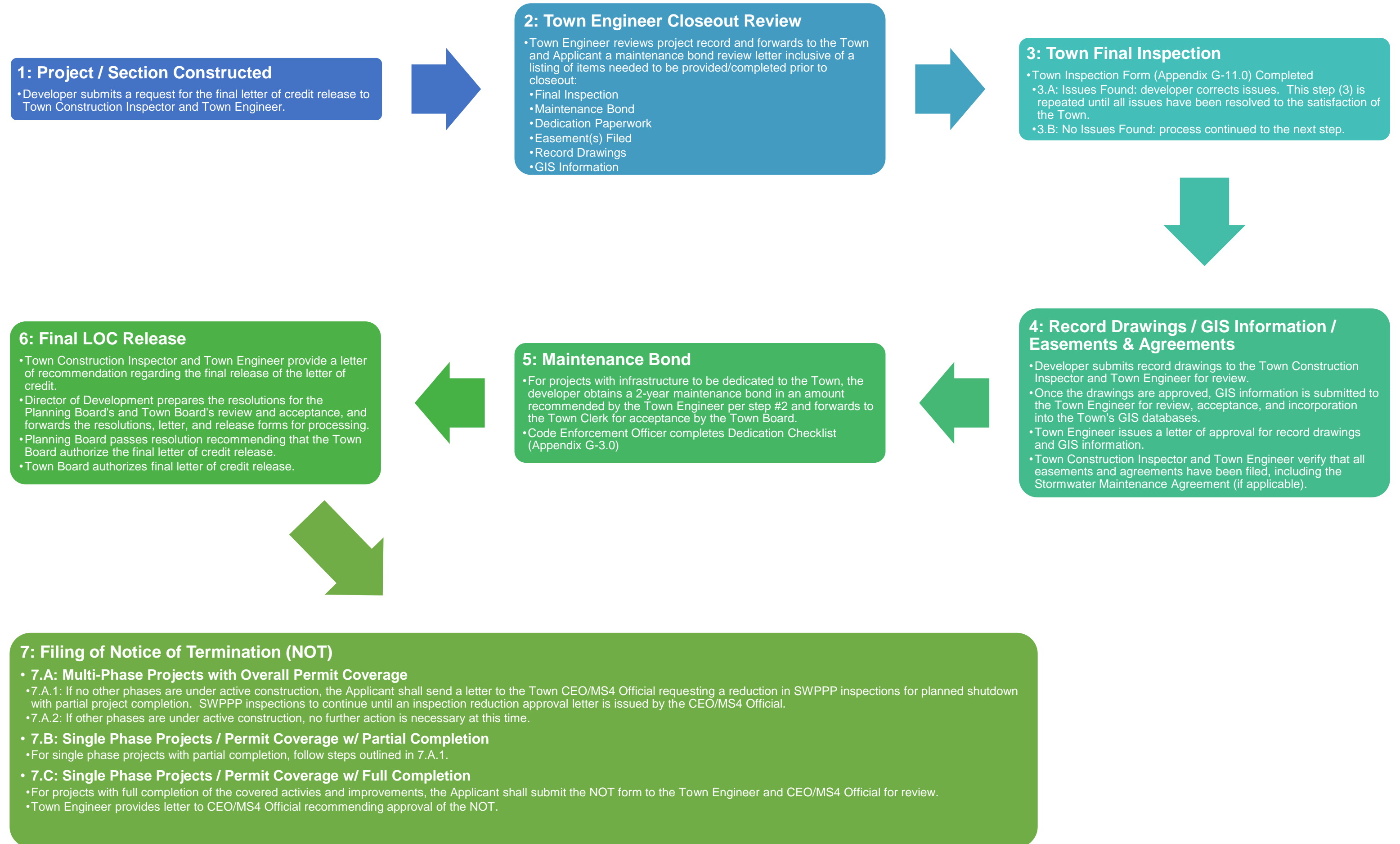
3. Record Drawing Requirements

The Record Drawings and the digital information (GIS) in the approved format acceptable to the Town of Farmington is to be provided for review and approval. All stormwater management facilities are to be surveyed and in compliance with the approved plans.

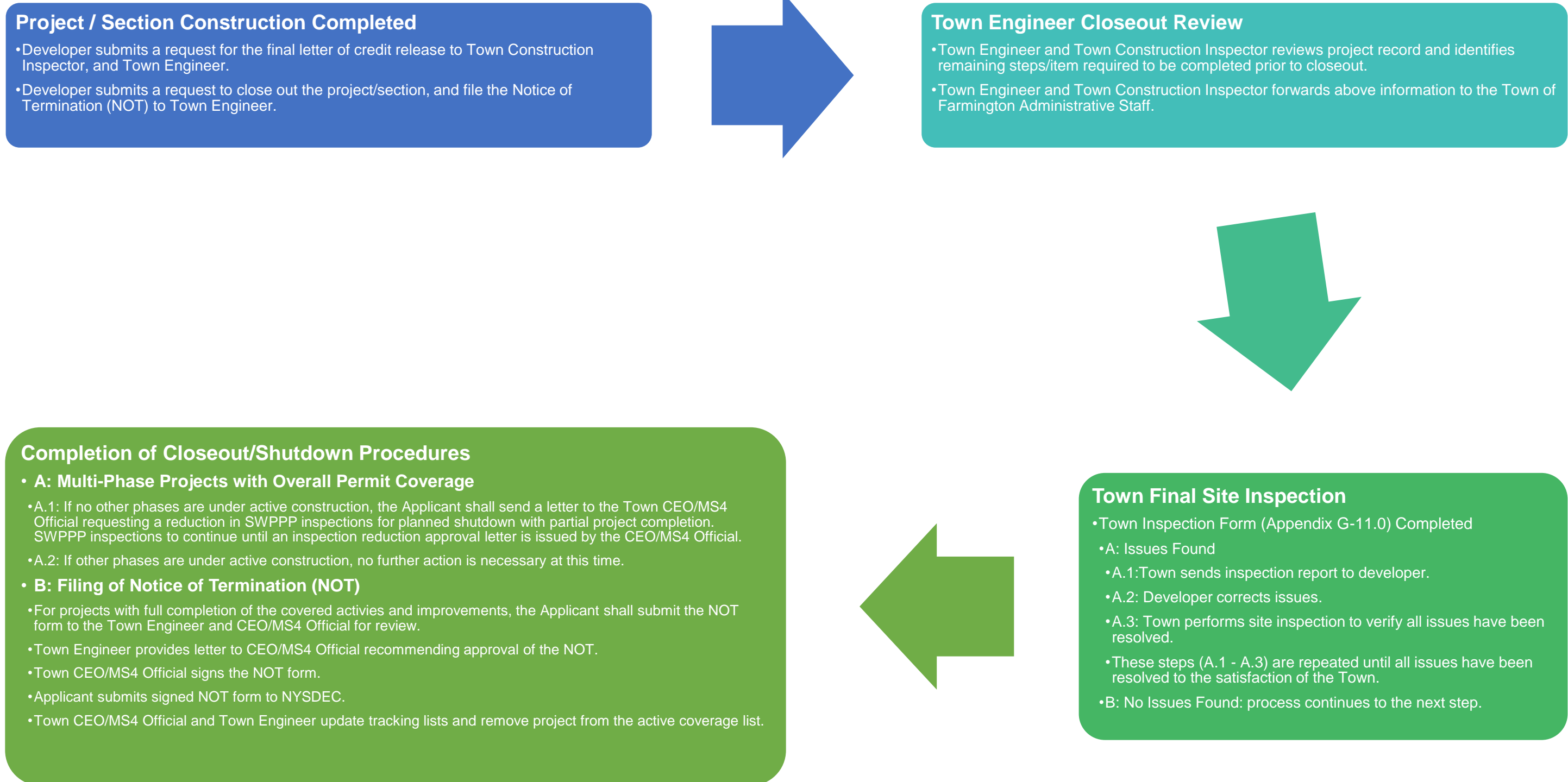
4. Notice of Termination (NOT)

The Notice of Termination (NOT) is to be completed by the owner of the permit and forwarded to the Town of Farmington for approval. Prior to submission to the NYSDEC, the NOT is to be signed and approved by the Town MS4 Official.

Town of Farmington Project Closeout Flow Chart



N.O.T. Closeout Flow Chart



TOWN OF FARMINGTON

1000 County Road #8
Farmington, NY 14425
(315) 986-8100

APPENDIX: **G - 11.0**

DATE: 2024

SCALE: N.T.S.

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TOWN OF FARMINGTON



FINAL INSPECTION FORM

PB# _____ - _____

- No deficiencies were found during this final inspection.
- Deficiencies were found during the final inspection.

Notes: _____

Pictures Attached

Department Head's Signature

Date

FINAL INSPECTION FORM

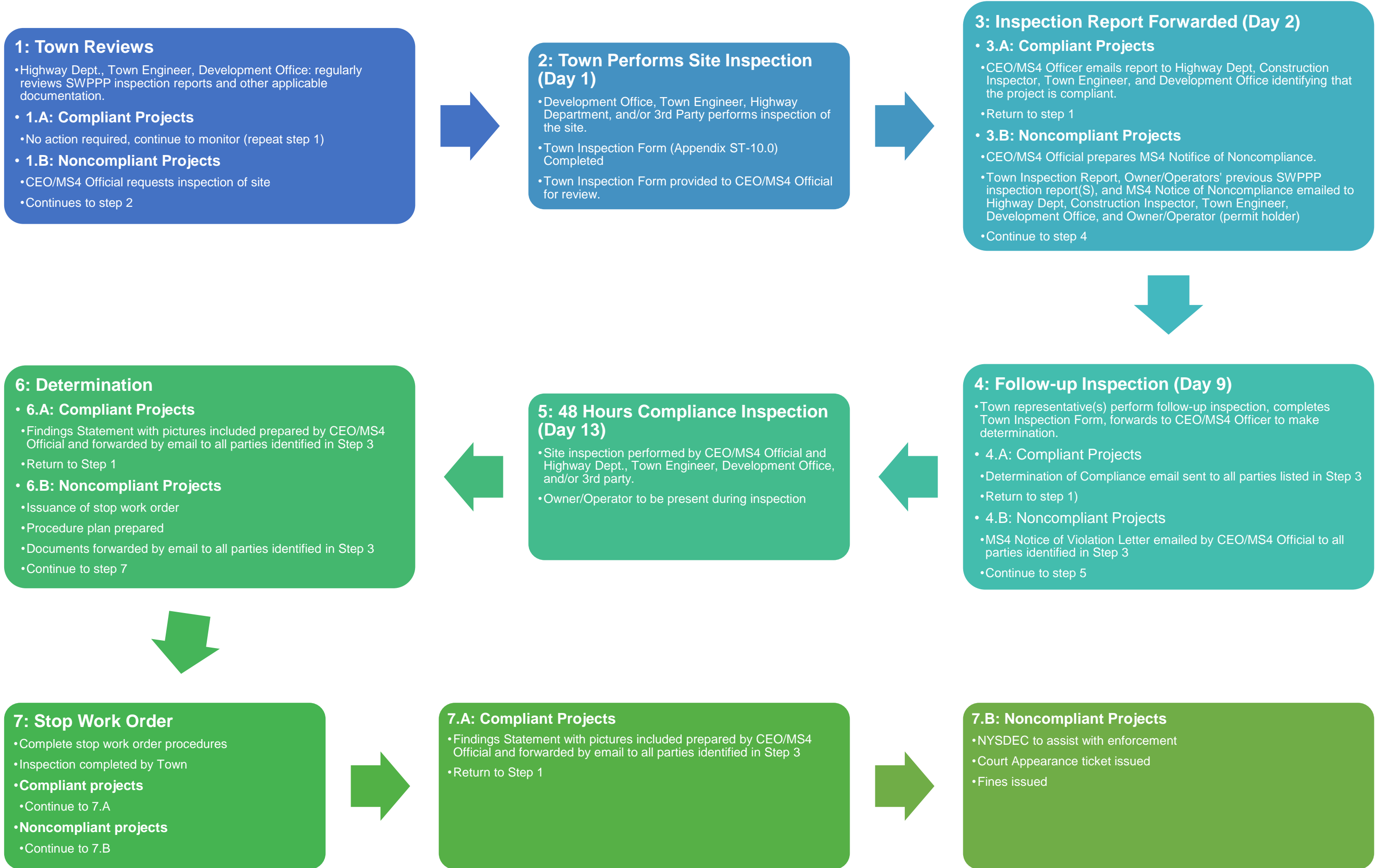
**Town of Farmington Watershed Stormwater Management
Standard Operating Procedures**

SWMP Plan – MCM 4
Construction Site Runoff Control

8. Stormwater Public Complaint Form

| | | | |
|--|--|----------------------------|--|
| Date Recorded: | | | |
| Date of Occurrence: | | Time of Occurrence: | |
| Location of Occurrence: | | | |
| Project Name (if applicable): | | | |
| | | | |
| Name of Resident: | | | |
| Resident Address: | | | |
| Resident Phone No.: | | Resident Email: | |
| | | | |
| Complaint Description: | | | |
| | | | |
| Follow-Up Action Required? <i>Circle One:</i> | | Yes or No | |
| If Yes, Follow-Up Action Description: <i>(Example; Violation, Fine, Stop Work Order, etc.)</i> | | | |
| | | | |
| Town Employee Signature: | | | |
| | | | |

MS4 Compliance Inspection Flow Chart





TOWN OF FARMINGTON
Development Office
1000 County Road 8
Farmington, NY 14425
(315) 986-8100 ex. 3

MS4 INSPECTION REDUCTION APPROVAL

DATE: _____
TO: _____ (Owner/Operator)
Project Name:
Site Address:

Tax Map Number:
Permit No.: NYR

Dear _____ (Owner/Operator),

The Town of Farmington MS4 Official has received your letter of request to reduce inspection frequency, as supported by the Farmington Stormwater Site Observation Report (ST-10.0) dated _____, _____, site photos, and the active, disturbed area map dated _____, _____.

Upon review of the above mentioned materials, the Town of Farmington, the MS4 agency having jurisdiction, hereby authorizes the request for:

- a reduction in frequency of qualified inspector site inspections requirements from at least ___ inspection(s) every _____ days to at least ___ inspection(s) every _____ days.
- discontinuation of site inspections by the qualified inspector as part of construction shutdown with partial project completion including achieving final stabilization of all disturbed areas and construction of all required post-construction stormwater management practices required for the completed portion of the project.

This authorization of qualified inspector site inspection frequency reduction is subject to the following requirements:

- Authorization from the Town MS4 Official is required prior to disturbing more than 5 acres of land at any one time.
- Authorization from the Town MS4 Official is required prior to commencing any soil disturbance activities.
 - Soil disturbance activities must resume prior to _____, _____ (2 years from the date of construction shutdown). If activities have not resumed by this date, a final inspection shall be performed and a Notice of Termination (NOT) form shall be submitted to the Town MS4 Official for review and MS4 approval. The approved NOT form shall then be submitted to NYSDEC by the owner/operator.
- See notes section below for additional requirements.

All inquiries regarding this notice shall be directed to the Town of Farmington MS4 Official at 315-986-8100.

MS4 OFFICIAL

DATE

Notes: _____

Attachments:

•

C: Town Highway Department, Town Construction Inspector, Town Engineer, Town Development Office,
Director of Planning & Development



TOWN OF FARMINGTON
Development Office
1000 County Road 8
Farmington, NY 14425
(315) 986-8100 ex. 3

MS4 NOTICE OF NONCOMPLIANCE

Date:

To: _____
(Owner/Operator listed on NOI)

Project Name:

Project Address:

Tax Map Number:

PLEASE TAKE NOTICE, that **VIOLATIONS** have been identified to the Town's MS4 Program Regulations (e.g. soil erosion, sediment control, and/ or stormwater) located at the above project address.

The Town of Farmington MS4 Stormwater Management Program Coordinator and/or a representative from the Town of Farmington Highway Department performed an inspection of the project site on _____, 20____, and noted the specific violations documented in the attached Town of Farmington Stormwater Site Observation Report. These violations are required to be addressed.

The effect of this inspection is that you are hereby found to be in violation of the following:

New York State SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), New York State SPDES General Permit for Stormwater Discharges from Construction Activity, AND/OR Chapter 138 of the Town of Farmington Town Code.

Required Corrective Action:

The violations identified within the attached Town of Farmington Stormwater Site Observation Report dated _____, 20____ are to be fully addressed in writing WITHIN 7 CALENDAR DAYS. The **Owner/ Operator** is to have a qualified inspector perform a SWPPP inspection of the project site and complete the Town of Farmington Stormwater Site Observation Report. The report, including pictures depicting how the violations were resolved and a plan showing the locations of the violations, is to be provided to the Town of Farmington MS4 Stormwater Management Program Coordinator and all parties identified below in this Notice of Noncompliance. All inquiries shall be directed to the Town of Farmington MS4 Stormwater Management Program Coordinator, at 315-986-8100 ext. 3.

Failure to comply with these MS4 Program requirements will lead to the issuance of an MS4 Notice of Violation

Daniel Delpriore,
Code Enforcement Officer
MS4/SWPPP Officer
National Stormwater Inspector #10058
Town of Farmington MS4 Stormwater Management Program Coordinator
ddelpriore@farmingtonny.org

Attachments:

- Town of Farmington Stormwater Site Observation Report (Appendix ST-10.0)

C: Supervisor's Office
Development Office
Town Engineer
Highway Department



TOWN OF FARMINGTON
Development Office
1000 County Road 8
Farmington, NY 14425
(315) 986-8100 ex. 3

MS4 NOTICE OF VIOLATION & ORDER TO REMEDY

Date:

To: _____
(Owner/Operator listed on NOI)

Project Name:

Project Address:

Violation No.:

Tax Map Number:

Please take notice, that there exists MS4 violations (e.g. soil erosion, sediment control, and/ or stormwater) located on the above cited Project Address.

The Town's MS4 Stormwater Management Program Coordinator noted:

The Town of Farmington MS4 Stormwater Management Program Coordinator and/or a representative from the Town of Farmington Highway Department performed an inspection of the project site on _____, 20____, and completed the Town of Farmington Stormwater Site Observation Report (attached) and forwarded the Town of Farmington MS4 Notice of Noncompliance letter to you, the Owner/Operator, on _____, 20____, which identified the above listed violations that were to be corrected within 7-days. At this time, these violations **have not** been corrected.

The effect of which you are hereby found to be in violation of the following:

New York State SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), New York State SPDES General Permit for Stormwater Discharges from Construction Activity, AND/OR the provisions contained in Chapter 138 of the Town of Farmington Town Code

YOU ARE HEREBY ORDERED AND DIRECTED to comply with the requirements as cited above and to remedy these violations identified on the enclosed Town of Farmington Stormwater Site Observation Report (Appendix ST-10.0) dated _____, 20____.

On _____, _____, 20____, at____:____, the Town of Farmington MS4 Stormwater Management Program Coordinator and a representative from the Town of Farmington Highway Department will complete an inspection of the project site to confirm compliance. You, the Owner/Operator, are required to be present for the duration of this inspection.

All inquiries about this Notice shall be directed to the Town of Farmington MS4 Stormwater Management Program Coordinator.

Daniel Delpriore,
Code Enforcement Officer
MS4/SWPPP Officer
National Stormwater Inspector #10058
Town of Farmington MS4 Stormwater Management Program Coordinator
ddelpriore@farmingtonny.org

Failure to comply will result in the issuance of a stop work order, and may lead to the issuance of a court appearance order and fines.

Attachments:

- Town of Farmington Stormwater Site Observation Report (Appendix ST-10.0)
- Notice of Noncompliance Letter & Email from MS4 Stormwater Management Program Coordinator

C: Supervisor's Office, Development Office, Town Engineer, Highway Department

APPENDIX G

MCM 5 SOPs AND RELATED DOCUMENTS

Town of Farmington Watershed Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 5
Post Construction Stormwater Management

1. Controlling E&S Through BMP Maintenance

Many construction phase BMPs can be integrated into the final site design, but ongoing inspection and maintenance are required to ensure long-term function of any permanent BMP. The following guidelines summarize the requirements for long-term maintenance of permanent BMPs:


1. Responsibility for maintaining erosion and sediment control devices shall be clearly identified.
2. Erosion and sediment control devices shall be inspected following heavy rainfall events to ensure they are working properly.
3. Erosion control blankets shall be utilized when seeding slopes.
4. Vegetated and wooded buffers shall be protected, and left undisturbed to the extent possible.
5. Runoff shall not be diverted into a sensitive area unless this has been specifically approved.
6. Sedimentation basins shall be cleaned out once sediment reaches 50% of the basin's design capacity.
7. Snow shall not be plowed into, or stored within, retention basins, rain gardens, or other BMPs.
8. Easements and service routes shall be maintained, to enable maintenance equipment to access BMPs for regular cleaning.

Bioretention Stormwater Management Practices Level 1 Inspection Checklist

| | | | | |
|--|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |




BR Drainage Area

Look for areas that are uphill from the Bioretention cell.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
|  <input type="checkbox"/> Bare soil, erosion of the ground (rills washing out the dirt) | <input type="checkbox"/> Seed and mulch areas of bare soil to establish vegetation. <input type="checkbox"/> Fill in erosion areas with soil, compact, and seed and straw to establish vegetation. <input type="checkbox"/> If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. <input type="checkbox"/> Other: |



BR Drainage Area

Look for areas that are uphill from the Bioretention cell.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
|  | <input type="checkbox"/> Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths. |
|  <input type="checkbox"/> Piles of grass clippings, mulch, dirt, salt, or other materials | <input type="checkbox"/> Remove or cover piles of grass clippings, mulch, dirt, etc. <input type="checkbox"/> Other: |
|  <input type="checkbox"/> Open containers of oil, grease, paint, or other substances | <input type="checkbox"/> Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous. <input type="checkbox"/> Other: |

BR Inlets

Stand in the Bioretention cell itself and look for all the places where water flows in. Often there will be multiple points of inflow to the practice.

| Problem (Check if Present) | Follow-Up Actions |
|---|---|
| <div style="text-align: center;">  </div> <p><input type="checkbox"/> Inlets collect grit and debris or grass/weeds. Some water may not be getting into the Bioretention cell. The objective is to have a clear pathway for water to flow into the cell.</p> | <ul style="list-style-type: none"> <input type="checkbox"/> Use a flat shovel to remove grit and debris (especially at curb inlets or openings). Parking lots generate fine grit that will accumulate at these spots. <input type="checkbox"/> Pull out clumps of growing grass or weeds and scoop out the soil or grit that the plants are growing in. <input type="checkbox"/> Remove any grass clippings, leaves, sticks, and other debris that is collecting at inlets. <input type="checkbox"/> For pipes and ditches, remove sediment and debris that is partially blocking the pipe or ditch opening where it enters the Bioretention cell. <input type="checkbox"/> Dispose of all material properly where it will not re-enter the Bioretention cell. <input type="checkbox"/> Other: <div style="background-color: #f0f0f0; padding: 5px; margin-top: 10px;"> <input type="checkbox"/> Kick-Out to Level 2 Inspection: Inlets are blocked to the extent that most of the water does not seem to be entering the Bioretention cell. </div> |
| <div style="text-align: center;">  </div> <p><input type="checkbox"/> Some or all of the inlets are eroding so that rills, gullies, and other erosion is present, or there is bare dirt that is washing into the Bioretention cell.</p> | <ul style="list-style-type: none"> <input type="checkbox"/> For small areas of erosion, smooth out the eroded part and apply rock or stone (e.g., river cobble) to prevent further erosion. Usually, filter fabric is placed under the rock or stone. <input type="checkbox"/> In some cases, reseeding and applying erosion-control matting can be used to prevent further erosion. Some of these materials may be available at a garden center, but it may be best to consult a landscape contractor. <input type="checkbox"/> Other: <div style="background-color: #f0f0f0; padding: 5px; margin-top: 10px;"> <input type="checkbox"/> Kick-Out to Level 2 Inspection: Erosion is occurring at most of the inlets, and it looks like there is too much water that is concentrating at these points. The inlet design may have to be modified. </div> |

BR Ponding Area

Examine the entire Bioretention surface and side slopes

Problem (Check if Present)

Follow-Up Actions



Mulch (if used) needs to be replaced or replenished. The mulch layer had decomposed or is less than 1-inch thick.

- Add new mulch to a total depth (including any existing mulch that is left) of 2 to 3 inches. The mulch should be shredded hardwood mulch that is less likely to float away during rainstorms.
- Avoid adding too much mulch so that inlets are obstructed or certain areas become higher than the rest of the Bioretention surface.
- Other:





Minor areas of sediment, grit, trash, or other debris are accumulating on the bottom.

- Use a shovel to scoop out minor areas of sediment or grit, especially in the spring after winter sanding materials may wash in and accumulate. Dispose of the material where it cannot re-enter the Bioretention cell .
- If removing the material creates a hole or low area, fill with soil mix that matches original mix and cover with mulch so that the Bioretention surface area is as flat as possible.
- Remove trash, vegetative debris, and other undesirable materials.
- Other:

- Kick-Out to Level 2 Inspection: Sediment has accumulated more than 2-inches deep and covers 25% or more of the Bioretention surface.
- Kick-Out to Level 2 Inspection: The Bioretention cell is too densely vegetated to assess sediment accumulation or ponding; see BR-4, Vegetation.


BR Ponding Area

Examine the entire Bioretention surface and side slopes

| Problem (Check if Present) | Follow-Up Actions |
|---|---|
| <div style="text-align: right; margin-bottom: 10px;">  </div> <p><input type="checkbox"/> There is erosion in the bottom or on the side slopes. Water seems to be carving out rills as it flows across the Bioretention surface or on the slopes, or sinkholes are forming in certain areas.</p> <p><input type="checkbox"/> Source: Stormwater Maintenance, LLC.</p> | <p><input type="checkbox"/> Try filling the eroded areas with clean topsoil or sand, and cover with mulch.</p> <p><input type="checkbox"/> If the problem recurs, you may have to use stone (e.g., river cobble) to fill in problem areas.</p> <p><input type="checkbox"/> If the erosion is on a side slope, fill with clay that can be compacted and seed and mulch the area.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: The problem persists or the erosion is more than 3-inches deep and seems to be an issue with how water enters and moves through the Bioretention cell.</p> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: The problem does not seem to be caused by flowing water, but a collapse or sinking of the surface (e.g., "sinkhole") due to some underground problem.</p> |
| <div style="text-align: right; margin-bottom: 10px;">  </div> <p><input type="checkbox"/> The bottom of the Bioretention cell is not flat, and the water pools at one end, along an edge, or in certain pockets. The whole bottom is not uniformly covered with water. See design plan to verify that bioretention surface is intended to be flat. Check during or immediately after a rainstorm.</p> | <p><input type="checkbox"/> If the problem is minor (just small, isolated areas are not covered with water), try raking the surface OR adding mulch to low spots to create a more level surface. You may need to remove and replace plantings in order to properly even off the surface.</p> <p><input type="checkbox"/> Check the surface with a string and bubble level to get the surface as flat as possible.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Ponding water is isolated to less than half of the Bioretention surface area, and there seem to be elevation differences of more than a couple of inches across the surface.</p> |


BR Ponding Area

Examine the entire Bioretention surface and side slopes

| Problem (Check if Present) | Follow-Up Actions |
|--|---|
|  <p><input type="checkbox"/> Water stands on the surface more than 72 hours after a rainstorm and /or wetland-type vegetation is present. The Bioretention cell does not appear to be draining properly.</p> | <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: This is generally a serious problem, and it will be necessary to activate a Level 2 Inspection.</p> |


BR Vegetation

Examine all Bioretention cell vegetation.

| Problem (Check if Present) | Follow-Up Actions |
|---|--|
|  <p><input type="checkbox"/> Vegetation requires regular maintenance—pulling weeds, removing dead and diseased plants, replacing mulch around plants, adding plants to fill in areas that are not well vegetated, etc.</p> | <p><input type="checkbox"/> If you can identify which plants are weeds or not intended to be part of the planting plan, eliminate these, preferably by hand pulling.</p> <p><input type="checkbox"/> If weeds are widespread, check with the local stormwater authority and/or Extension Office about proper use of herbicides for areas connected with the flow of water.</p> <p><input type="checkbox"/> Even vegetation that is intended to be present can become large, overgrown, and/or crowd out surrounding plants. Prune and thin accordingly.</p> <p><input type="checkbox"/> If weeds or invasive plants have overtaken the whole Bioretention cell, bush-hog the entire area before seedheads form in the spring. It will be necessary to remove the root mat manually or with appropriate herbicides, as noted above.</p> <p><input type="checkbox"/> Re-plant with species that are aesthetically pleasing and seem to be doing well in the Bioretention cell.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: You are unsure of the original planting design, or the vegetation maintenance task is beyond your capabilities of time, expertise, or resources. If you are unsure of the health of the vegetation (e.g. salt damage, invasives, which plants are undesirable) or the appropriate season to conduct vegetation management, consult a landscape professional before undertaking any cutting, pruning, mowing, or brush hogging.</p> |


BR Vegetation

Examine all Bioretention cell vegetation.

| Problem (Check if Present) | Follow-Up Actions |
|---|---|
|  <p><input type="checkbox"/> Vegetation is too thin, is not healthy, and there are many spots that are not well vegetated.</p> | <p><input type="checkbox"/> The original plants are likely not suited for the actual conditions within the Bioretention cell . If you are knowledgeable about plants, select and plant more appropriate vegetation (preferably native plants) so that almost the entire surface area will be covered by the end of the second growing season.</p> <p><input type="checkbox"/> Other:</p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: For all but small practices (e.g., rain gardens), this task will likely require a landscape design professional or horticulturalist.</p> |

BR Outlets

Examine outlets that release water out of the Bioretention cell.

| Problem (Check if Present) | Follow-Up Actions |
|--|---|
| <p><input type="checkbox"/> Erosion at outlet</p> | <p><input type="checkbox"/> Add stone to reduce the impact from the water flowing out of the outlet pipe or weir during storms.</p> <p><input type="checkbox"/> Other:</p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Rills have formed and erosion problem becomes more severe.</p> |
|  <p><input type="checkbox"/> Outlet obstructed with mulch, sediment, debris, trash, etc.</p> | <p><input type="checkbox"/> Remove the debris and dispose of it where it cannot re-enter the Bioretention cell .</p> <p><input type="checkbox"/> Other:</p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Outlet is completely clogged or obstructed; there is too much material to remove by hand or with simple hand tools.</p> |

Additional Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Bioretention Stormwater Management Practices Level 2 Inspection Checklist

| | | | | |
|---|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

Level 2 Inspection: BIORETENTION
NOTE: Key Source for this Information (CSN, 2013)

| Recommended Repairs | Triggers for Level 3 Inspection |
|--|--|
| Observed Condition: Water Stands on Surface for More than 72 Hours after Storm | |
| <p><input type="checkbox"/> Condition 1: Small pockets of standing water</p> <p>Use a soil probe or auger to examine the soil profile. If isolated areas have accumulated grit, fines, or vegetative debris or have bad soil media, try scraping off top 3 inches of media and replacing with clean material. Also check to see that surface is level and water is not ponding selectively in certain areas.</p> <p><input type="checkbox"/> Condition 2: Standing water is widespread or covers entire surface</p> <p>Requires diagnosis and resolution of problem:</p> <ul style="list-style-type: none"> • Clogged underdrain? • Filter fabric between soil media and underdrain stone? • Need to install underdrain if not present? • Too much sediment/grit washing in from drainage area? • Too much ponding depth? • Improper soil media? | <ul style="list-style-type: none"> • Soil media is clogged and problem is not evident from Level 2 inspection. • Level 2 inspection identifies problem, but it cannot be resolved easily or is associated with the original design of the practice. <p><input type="checkbox"/> Level 3 inspection necessary</p> |
| Observed Condition: Vegetation is sparse or out of control | |
| <p><input type="checkbox"/> Condition 1: Original design planting plan seems good but has not been maintained, so there are many invasives and/or dead plants</p> <p>Will require some horticultural experience to restore vegetation to intended condition by weeding, pruning, removing plants, and adding new plants.</p> <p><input type="checkbox"/> Condition 2: Original design planting plan is unknown or cannot be actualized</p> <p>A landscape architect or horticulturalist will be needed to redo the planting plan. Will likely require analysis of soil pH, moisture, organic content, sun/shade, and other conditions to make sure plants match conditions. Plan should include invasive plant management and maintenance plan to include mulching, watering, disease intervention, periodic thinning/pruning, etc.</p> | <ul style="list-style-type: none"> • Vegetation deviates significantly from original planting plan; Bioretention has been neglected and suffered from deferred maintenance. • Owner/responsible party does not know how to maintain the practice. <p><input type="checkbox"/> Level 3 inspection necessary</p> |
| Observed Condition: Bioretention does not conform to original design plan in surface area or storage | |
| <p><input type="checkbox"/> Condition 1: Level 2 Inspection reveals that practice is too small based on design dimension, does not have adequate storage (e.g., ponding depth) based on the plan, and/or does not treat the drainage area runoff as indicated on the plan</p> <p>Small areas of deviation can be corrected by the property owner or responsible party, but it is likely that a Qualified Professional will have to revisit the design and attempt a redesign that meets original objectives or that can be resubmitted to the municipality for approval.</p> | <ul style="list-style-type: none"> • More than a 25% departure from the approved plan in surface area, storage, or drainage area; sometimes less than this threshold at the discretion of the Level 2 inspector. <p><input type="checkbox"/> Level 3 inspection necessary</p> |

Level 2 Inspection: BIORETENTION
NOTE: Key Source for this Information (CSN, 2013)

| Recommended Repairs | Triggers for Level 3 Inspection |
|---|---|
| Observed Condition: Severe erosion of filter bed, inlets, or around outlets | |
| <p><input type="checkbox"/> Condition 1: Erosion at inlets</p> <p>The lining (e.g., grass, matting, stone, rock) may not be adequate for the actual flow velocities coming through the inlets. First line of defense is to try a more non-erosive lining and/or to extend the lining further down to where inlet slopes meet the Bioretention surface. If problem persists, analysis by a Qualified Professional is warranted.</p> <p><input type="checkbox"/> Condition 2: Erosion of Bioretention filter bed</p> <p>This is often caused by “preferential flow paths” through and along the Bioretention surface. The source of flow should be analyzed and methods employed to dissipate energy and disperse the flow (e.g., check dams, rock splash pads).</p> <p><input type="checkbox"/> Condition 3: Erosion on side slopes</p> <p>Again, the issue is likely linked with unanticipated flow paths down the side slopes (probably overland flow that concentrates as it hits the edge of the slope). For small or isolated areas, try filling, compacting, and re-establishing healthy ground cover vegetation. If the problem is more widespread, further analysis is required to determine how to redirect the flow.</p> | <ul style="list-style-type: none"> • Erosion (rills, gullies) is more than 12 inches deep at inlets or the filter bed or more than 3 inches deep on side slopes. • If the issue is not caused by moving water but some sort of subsurface defect. This may manifest as a sinkhole or linear depression and be associated with problems with the underdrain stone or pipe or underlying soil. <p><input type="checkbox"/> Level 3 inspection necessary</p> |
| Observed Condition: Significant sediment accumulation, indicating an uncontrolled source of sediment | |
| <p><input type="checkbox"/> Condition 1: Isolated areas of sediment accumulation, generally less than 3-inches deep</p> <p>Sediment source may be from a one-time or isolated event. Remove accumulated sediment and top 2 to 3 inches of Bioretention soil media; replace with clean material. Check drainage area for any ongoing sources of sediment.</p> <p><input type="checkbox"/> Condition 2: Majority of the surface is caked with “hard pan” (thin layer of clogging material) or accumulated sediment that is 3-inches deep or more</p> <p>This can be caused by an improper construction sequence (drainage area not fully stabilized prior to installation of Bioretention soil media) or another chronic source of sediment in the drainage area. Augering several holes down through the media can indicate how severe the problem is; often the damage is confined to the first several inches of soil media. Removing and replacing this top layer (or to the depth where sediment incursion is seen in auger holes) can be adequate, as long as the problem does not recur.</p> | <ul style="list-style-type: none"> • More than 2 inches of accumulated sediment cover 25% or more of the Bioretention surface area. • “Hard pan” of thin, crusty layer covers majority of Bioretention surface area and seems to be impeding flow of water down through the soil media. • New sources of sediment seem to be accumulating with each significant rainfall event. <p><input type="checkbox"/> Level 3 inspection necessary</p> |

Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Disconnection & Sheetflow Stormwater Management Practices Level 1 Inspection Checklist

| | | | | |
|---|--|--|--|---|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

Table 2.4.1 D&S Drainage Area

Visually inspect any surfaces in the drainage area.


| Problem (Check if Present) | Follow-Up Actions |
|---|---|
|  <div style="margin-left: 100px;"> <input type="checkbox"/> Changes in flow; more runoff; runoff bypassing the practice </div> | <input type="checkbox"/> For rooftop areas, make sure downspouts are still disconnected and conveying water into the treatment area. <input type="checkbox"/> Look for and remove any "dams" of sediment and grass clippings that prevent water from entering the treatment area as sheet flow. <input type="checkbox"/> Other: |

Table 2.4.1 D&S Drainage Area

Visually inspect any surfaces in the drainage area.




| Problem (Check if Present) | Follow-Up Actions |
|---|---|
|  | <input type="checkbox"/> Kick-Out to Level 2 Inspection: Changes to drainage area size or amount of runoff due to construction, tillage, etc. |
|  | <input type="checkbox"/> For parking lots in the drainage area—sediment, grass clippings, or other debris has accumulated at pavement edge. <input type="checkbox"/> For small, isolated amounts of debris, sweep up by hand and dispose properly so that it will not be exposed to runoff. <input type="checkbox"/> Other: |
|  | <input type="checkbox"/> For parking lots in the drainage area—dips or damage at pavement edge caused flow to concentrate. <input type="checkbox"/> Kick-Out to Level 2 Inspection: This will likely require special expertise to diagnose and fix pavement edge. |

Table 2.4.2 D&S Level Spreader/Energy Dissipator

Inspect the energy dissipator closely, during a rain event if possible.



| Problem (Check if Present) | Follow-Up Actions |
|--|--|
|  <p><input type="checkbox"/> Debris and/or sediment accumulated behind or around the level spreader.</p> | <p><input type="checkbox"/> Remove debris and sediment by hand and ensure that the area behind the level spreader is relatively flat. Too much debris and sediment can cause runoff to bypass the level spreader structure.</p> <p><input type="checkbox"/> Other:</p> |
|  <p><input type="checkbox"/> Sinking, cracking, sloughing, or other structural problem makes the energy dissipator no longer level.</p> | <p><input type="checkbox"/> For stone/gravel spreaders, add new material or rake out as needed to make it even.</p> <p><input type="checkbox"/> Other:</p> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Structural issues that cannot be easily fixed by hand</p> |

Table 2.4.3 D&S Treatment Area

Examine where flow enters the treatment area as well as the whole flow path. Look for signs of concentrated flow.



| Problem (Check if Present) | Follow-Up Actions |
|--|---|
| <p><input type="checkbox"/> Trash and/or debris in the treatment area</p> | <p><input type="checkbox"/> Collect trash/debris and dispose of properly.</p> |
|  <p><input type="checkbox"/> Grass filter strip has grown very tall, to the point that runoff cannot easily enter or is getting concentrated.</p> | <p><input type="checkbox"/> Mow filter strip twice a year or more frequently in a residential yard.</p> |

Table 2.4.3 D&S Treatment Area

Examine where flow enters the treatment area as well as the whole flow path. Look for signs of concentrated flow.

| Problem (Check if Present) | Follow-Up Actions |
|---|---|
| <input type="checkbox"/> Sparse vegetation or bare spots | <input type="checkbox"/> For grassy areas, add topsoil (as needed), grass seed, mulch, and water during the growing season to re-establish consistent vegetation cover. <input type="checkbox"/> Other: |
|  <input type="checkbox"/> Rills or gullies are forming in treatment area where flow has become concentrated | <input type="checkbox"/> For minor rills, fill in with soil, compact, and add seed and straw to establish vegetation. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 Inspection: Rills are more than 2" to 3" deep and require more than just hand raking and re-seeding. |

Additional Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Disconnection & Sheetflow Stormwater Management Practices Level 2 Inspection Checklist

| | | | | |
|---|--|--|--|---|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

Level 2 Inspection – DISCONNECTION AND SHEETFLOW

| Recommended Repairs | Triggers for Level 3 Inspection |
|--|---|
| Observed Condition: Significant sediment on pavement that drains to disconnection area (e.g., grass strip) | |
| <p><input type="checkbox"/> Condition 1: Sediment on parking lot is widespread</p> <p>Enlist a mechanical sweeper or vacuum sweeper to remove sediment across entire pavement surface. Pay special attention to downhill edges of pavement where more sediment may have accumulated.</p> | <ul style="list-style-type: none"> • Sediment accumulation is so serious that it cannot be sufficiently removed with mechanical sweeper. May indicate a high sediment load from uphill in the drainage area that needs to be mitigated. <p><input type="checkbox"/> Level 3 inspection necessary</p> |
| Observed Condition: Pavement edge deteriorating | |
| <p><input type="checkbox"/> Condition 1: Dips or damage at pavement edge causing runoff to concentrate</p> <p>Determine whether the damaged edge is causing significant enough concentration of runoff to warrant repair or regrading of the pavement.</p> | <ul style="list-style-type: none"> • Edge must be patched or re-paved to make secure and level. • Parking lot not draining properly to the energy dissipator and treatment area. <p><input type="checkbox"/> Level 3 inspection necessary</p> |
| Observed Condition: Level spreader/energy dissipator | |
| <p><input type="checkbox"/> Condition 1: Level spreader sinking or uneven</p> <p>If basic equipment can be used, prop up and secure any section of level spreader that is sinking. Regrade soil all around level spreader and add stone as necessary to prevent erosion and bypassing.</p> <p><input type="checkbox"/> Condition 2: Level spreader is broken</p> <p>These repairs can be simple for small, residential-scale practices, such as at a downspout. Ensure the level spreader is level across, keyed in to soil at the edges, and made of durable material that can withstand the flow of water running across it.</p> <p>Larger or more complicated level spreaders (e.g., concrete) will likely require specialized skill and equipment.</p> | <ul style="list-style-type: none"> • Level spreader requires specialized equipment, regrading, or large amount of material to make level again. • Level spreader needs to be re-designed and replaced. <p><input type="checkbox"/> Level 3 inspection necessary</p> |

Level 2 Inspection – DISCONNECTION AND SHEETFLOW

Recommended Repairs

Triggers for Level 3 Inspection

Observed Condition: Erosion in treatment area

- Condition 1: Rills from concentrated flow

Inspect energy dissipator to see whether it needs to be improved to better spread out incoming flow. Regrade flow path to ensure that it is relatively flat (if minor). If major re-grading is needed, the treatment area may need to be redesigned and fixed with specialized equipment.

- Major rills and gullies
- Treatment area needs to be re-designed and major grading needed.

- Level 3 inspection necessary

Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Green Roof Stormwater Management Practices Level 1 Inspection Checklist

| | | | | |
|---|--|--|--|---|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |


GR Vegetation and Surface

Visually inspect the surface and vegetation of the practice.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
| <input type="checkbox"/> Wilting or nutrient-deprived vegetation; bare areas developing on the roof | <input type="checkbox"/> Water or irrigate. <input type="checkbox"/> Prune or remove dead or dying vegetation. <input type="checkbox"/> Other: |

GR Vegetation and Surface

Visually inspect the surface and vegetation of the practice.

| Problem (Check if Present) | Follow-Up Actions |
|---|--|
| | <input type="checkbox"/> Kick-Out to Level 2 Inspection: Greater than 20% plant dieoff or wilting, even after rainy periods. May require new vegetation or indicate a problem with the soil medium. <input type="checkbox"/> Kick-Out to Level 2 Inspection: Yellowing vegetation may indicate a need for fertilizer, but do not fertilize unless explicitly included in the management plan or with a Level 2 Inspection. <input type="checkbox"/> Kick-Out to Level 2 Inspection: Bare areas with no vegetation growing. These may become weed problems in the future. |
|  <input type="checkbox"/> Weeds or moss | <input type="checkbox"/> Remove weeds by hand. <input type="checkbox"/> Apply lime to kill moss. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 Inspection: Weeds cover more than 25% of the surface, or the original planting plan has been compromised. |
| <input type="checkbox"/> Ponding between storm events | <input type="checkbox"/> Kick-Out to Level 2 Inspection: Surface ponding more than 24 hours after a storm event presents a hazard and needs to be addressed immediately. |

GR Overflows and Drains

Review the specific maintenance plan for this practice to determine where inspection ports are. Remove the cover and inspect the port.

| Problem (Check if Present) | Follow-Up Actions |
|---|---|
| <input type="checkbox"/> Inspection port for roof drainage (can be clogged with debris) | <input type="checkbox"/> Remove debris by hand or flush through with a hose. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 Inspection: Debris cannot be removed, or it appears that debris has accumulated in the underdrains. |
| <input type="checkbox"/> Damage to other roof drainage structures (e.g., roof scuppers) | <input type="checkbox"/> Call contractor or individual in charge of regular building maintenance. This is a building maintenance issue. <input type="checkbox"/> Other: |

Additional Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Green Roof Stormwater Management Practices Level 2 Inspection Checklist

| | | | | |
|---|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

Level 2 Inspection: GREEN ROOF

| Recommended Repairs and Required Skills | Triggers for Level 3 Inspection |
|--|--|
| Observed Condition: Unhealthy or Dying Vegetation | |
| <p><input type="checkbox"/> Condition 1: Large number of plants dying from wilt</p> <p>If this is a one-time occurrence, review weather and landscaping records to see whether the die off seems reasonable. If so, deeply water immediately, and plant reinforcements in the spring.</p> <p><input type="checkbox"/> Condition 2: Vegetation is dying and yellowing</p> <p>For yellowing vegetation, consider testing the media for pH, nutrient levels, and other factors that may affect growth. Problems identified would go to a Level 3 inspector (see note to right).</p> | <ul style="list-style-type: none"> More than 25% die off Plants are unhealthy for a prolonged period of time or need to be replanted repeatedly, indicating that a new planting plan may be necessary, or the planting medium is not functioning properly. pH or other media constituents are not conducive to plant growth, and the media needs to be amended (e.g., lime, fertilizer). This should be handled by a green roof vendor or green roof plant specialist. <p style="text-align: center;"><input type="checkbox"/> Level 3 inspection necessary</p> |
| Observed Condition: Ponding Between Storm Events or Debris Accumulation | |
| <p><input type="checkbox"/> Condition 1: Further inspection shows debris is clogging the outflow drainpipe</p> <p>Remove debris by hand and revisit within 24 hours to see whether this action fixed the problem.</p> <p><input type="checkbox"/> Condition 2: Debris has backed up to include the underdrain</p> <p>Attempt to remove by hand or flush out with a hose.</p> | <ul style="list-style-type: none"> Ponding continues even after debris has been removed. This may indicate a problem with either the media or the underdrain system. <p style="text-align: center;"><input type="checkbox"/> Level 3 inspection necessary</p> |
| Observed Condition: Structural Damage to Overflows | |
| <p><input type="checkbox"/> Condition: If the damage is minor, repair damage directly, per original design drawings</p> | <ul style="list-style-type: none"> Most instances of structural damage will need to be referred to the designer or a qualified green roof vendor. <p style="text-align: center;"><input type="checkbox"/> Level 3 inspection necessary</p> |
| Observed Condition: Roof is Leaking or indication that the membrane has a leak | |
| <p><input type="checkbox"/> Condition: Roof is leaking</p> | <ul style="list-style-type: none"> Any leaks in the membrane trigger a Level 3 inspection or an inspection by the original installer or designer. <p style="text-align: center;"><input type="checkbox"/> Level 3 inspection necessary</p> |

Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____


Infiltration Stormwater Management Practices

Level 1 Inspection Checklist

| | | | | |
|--|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |




IN Drainage Area

Look for both pervious and impervious areas that are uphill from the Infiltration cell.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
|  | <input type="checkbox"/> Bare soil, erosion of the ground (rills washing out the dirt) |
| | <input type="checkbox"/> Seed and straw areas of bare soil to establish vegetation. <input type="checkbox"/> Fill in erosion areas with soil, compact, and seed and straw to get vegetation established. <input type="checkbox"/> If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. <input type="checkbox"/> Other: |

IN Drainage Area

Look for both pervious and impervious areas that are uphill from the Infiltration cell.

| Problem (Check if Present) | | Follow-Up Actions |
|---|--|--|
|  | | <input type="checkbox"/> Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths. |
| <input type="checkbox"/> For Dry Wells: Leaves, sticks, or other debris in gutters and downspouts | | <input type="checkbox"/> Remove all debris by hand. <input type="checkbox"/> Other: |
|  | <input type="checkbox"/> Piles of grass clippings, mulch, dirt, salt, or other materials | <input type="checkbox"/> Remove or cover piles of grass clippings, mulch, dirt, etc. <input type="checkbox"/> Other: |
|  | <input type="checkbox"/> Open containers of oil, grease, paint, or other substances | <input type="checkbox"/> Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous. <input type="checkbox"/> Other: |

IN Inlets

Look for all the places where water flows into the Infiltration practice.

Problem (Check if Present)



- Inlets are collecting grit and debris or grass/weeds are growing. Some water may not be getting into the Infiltration practice.

Follow-Up Actions

- Use a flat shovel to remove grit and debris (especially at curb inlets or openings). Parking lots generate fine grit that will accumulate at these spots.
- Pull out clumps of growing grass or weeds and scoop out the soil or grit that the plants are growing in.
- Remove any grass clippings, leaves, sticks, and other debris that is collecting at inlets.
- For pipes and ditches, remove sediment and debris that is partially blocking the pipe or ditch opening where it enters the Infiltration practice.
- Dispose of all material properly in an area where it will not re-enter the practice.
- Other:

- Kick-Out to Level 2 Inspection: Inlets are blocked to the extent that most of the water does not seem to be entering the Infiltration practice.

- Some or all of the inlets are eroding so that rills, gullies, and other erosion is present, or there is bare dirt that is washing into the Infiltration practice.

- For small areas of erosion, smooth out the eroded part and apply rock or stone (e.g., river cobble) to prevent further erosion. Usually, filter fabric is placed under the rock or stone.
- In some cases, reseeding and applying erosion-control matting can be used to prevent further erosion. Some of these materials may be available at a garden center, but it may be best to consult a landscape contractor.
- Other:

- Kick-Out to Level 2 Inspection: Erosion is occurring at most of the inlets and it looks like there is too much water that is concentrating at these points. The inlet design may have to be modified.

IN Infiltration Area

Examine the surface of the infiltration area and the observation well. Note: The following Problem and Follow-Up Actions apply to infiltration practice pretreatment areas also.

Problem (Check if Present)

Follow-Up Actions



For grass-covered Infiltration practices: grass has grown very tall,

Photo credit: Stormwater Maintenance, LLC

- Mow infiltration area at least twice per year.
- Other:



For grass-covered Infiltration practices: sparse vegetation cover or bare spots

- Add topsoil (as needed), grass seed, straw, and water during the growing season to re-establish consistent grass coverage.
- Other:

Kick-Out to Level 2 Inspection: Sparse vegetation cover can be a sign that the infiltration area is not infiltrating at the proper rate and water is standing too long after a storm. The surface may be saturated or squishy, and the conditions do not enable grass to grow. This situation should be evaluated by a Level 2 Inspection and likely corrected by a qualified contractor.



Minor areas of sediment, grit, trash, or other debris are accumulating on the surface.

- Use a shovel to scoop out minor areas of sediment or grit, especially in the spring after winter sanding materials may wash in and accumulate. Dispose of the material where it cannot re-enter the Infiltration practice.
- If removing the material creates a hole or low area, rake the surface smooth and level.
- Remove trash, debris, and other undesirable materials.
- Other:

Kick-Out to Level 2 Inspection: Sediment has accumulated more than 2-inches deep and covers 25% or more of the surface of the Infiltration area.


IN Infiltration Area

Examine the surface of the infiltration area and the observation well. Note: The following Problem and Follow-Up Actions apply to infiltration practice pretreatment areas also.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
| <div style="display: flex; align-items: flex-start;">  <div style="margin-left: 10px;"> <input type="checkbox"/> There is erosion on the surface; water seems to be carving out rills as it flows across the surface of the Infiltration area or sinkholes are forming in certain areas. </div> </div> | <div style="margin-bottom: 10px;"> <input type="checkbox"/> For minor areas of erosion, try filling the eroded areas with clean topsoil, sand, or stone (whatever the existing cover is). </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> If the problem recurs, you may have to use larger stone (e.g., river cobble) to fill in problem areas. </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Other: </div> <hr/> <div style="background-color: #f0f0f0; padding: 5px;"> <input type="checkbox"/> Kick-Out to Level 2 Inspection: The problem persists or the erosion is more than 3-inches deep and seems to be an issue with how water enters and moves through the infiltration area. </div> <div style="background-color: #f0f0f0; padding: 5px;"> <input type="checkbox"/> Kick-Out to Level 2 Inspection: The problem does not seem to be caused by flowing water but a collapse or sinking of the surface (e.g., "sinkhole") due to some underground problem. </div> |
| <div style="display: flex; align-items: flex-start;">  <div style="margin-left: 10px;"> <input type="checkbox"/> Observation well is damaged or cap is missing </div> </div> | <div style="background-color: #f0f0f0; padding: 5px;"> <input type="checkbox"/> Kick-Out to Level 2 Inspection: Requires replacing pipes or caps. </div> |


IN Infiltration Area

Examine the surface of the infiltration area and the observation well. Note: The following Problem and Follow-Up Actions apply to infiltration practice pretreatment areas also.

| Problem (Check if Present) | Follow-Up Actions |
|--|---|
|  <p><input type="checkbox"/> Water still visible in the observation well more than 72 hours after a rain storm. The Infiltration practice does not appear to be draining properly.</p> | <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: This is generally a serious problem, and it will be necessary to activate a Level 2 Inspection.</p> |

IN Outlets

Locate and inspect all outlets.

| Problem (Check if Present) | Follow-Up Actions |
|---|---|
|  <p><input type="checkbox"/> Outlet obstructed with sediment, debris, trash, etc.</p> | <p><input type="checkbox"/> Remove the debris and dispose of it where it cannot re-enter the infiltration area.</p> <p><input type="checkbox"/> Other:</p> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Outlet is completely obstructed; there is too much material to remove by hand or with simple hand tools.</p> |
| <p><input type="checkbox"/> Rills or gullies are forming at outlet.</p> | <p><input type="checkbox"/> For minor rills, fill in with soil, compact, and seed and straw to establish vegetation.</p> <p><input type="checkbox"/> Other:</p> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Rills are more than 2" to 3" deep and require more than just hand raking and re-seeding.</p> |

Additional Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Infiltration Stormwater Management Practices Level 2 Inspection Checklist

| | | | | |
|---|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

Level 2 Inspection: INFILTRATION

Recommended Repairs

Triggers for Level 3 Inspection

Observed Condition: Water Stands on Surface for More than 72 Hours after Storm

Condition 1: Small pockets of standing water

For infiltration basins with soil, use a soil probe or auger to examine the soil profile. For gravel infiltration trenches or basins, use a shovel to dig into the gravel layer where the problem is occurring. If isolated areas have accumulated grit, fine silt, or vegetative debris or have bad soil or clogged gravel, try removing and replacing with clean material. If the practice is supposed to have grass cover, it will likely be necessary to replant once the problem is resolved.

Condition 2: Standing water is widespread or covers entire surface

Look in the observation well (if it exists) and use a tape measure to estimate the depth of water standing in the soil or gravel. Requires diagnosis and resolution of problem:

- Too much sediment/grit washing in from drainage area?
- Too much ponding depth?
- Improper infiltration media?
- Underlying soil not suitable for infiltration?

As above, the resolution will likely require replanting and re-establishment of good grass cover if this is part of the design.

- Infiltration media is clogged and problem cannot be diagnosed from Level 2 inspection.
- Level 2 inspection identifies problem, but it cannot be resolved easily or it is associated with the original design of the practice.

Level 3 Inspection necessary

Observed Condition: Severe erosion of infiltration bed, inlets, or around outlets

Condition 1: Erosion at inlets

The lining (e.g., grass, matting, stone, rock) may not be adequate for the actual flow velocities coming through the inlets. First line of defense is to try a less erosive lining and/or extending the lining further down to where inlet slopes meet the infiltration surface. If problem persists, analysis by a Qualified Professional is warranted.

Condition 2: Erosion of infiltration bed

This is often caused by “preferential flow paths” along the surface. The source of flow should be analyzed and methods employed to dissipate energy and disperse the flow (e.g., check dams, rock splash pads).

- Erosion (rills, gullies) is more than 12 inches deep
- The issue is not caused by moving water but some sort of subsurface defect, which may manifest as a sinkhole or linear depression and be associated with problems with the underlying stone or soil.

Level 3 Inspection necessary

Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____


Date: _____

Permeable Pavement Stormwater Management Practices Level 1 Inspection Checklist

| | | | | | |
|---|--|--|--|----------------------------------|---------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | | |
| | Latitude | | Longitude | | |
| Party Responsible for Maintenance | System Type | | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | | |
| Inspection Date | | | Inspection Time | | |
| Inspector | | | | | |
| Date of Last Inspection | | | | | |




PP Drainage Area

Look for areas that are uphill from the Permeable pavement.

| Problem (Check if Present) | | Follow-Up Actions |
|--|--|--|
|  | <input type="checkbox"/> Bare soil, erosion of the ground (rills washing out the dirt) | <input type="checkbox"/> Seed and straw areas of bare soil to establish vegetation. <input type="checkbox"/> Fill in erosion areas with soil, compact, and seed and straw to establish vegetation. <input type="checkbox"/> If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. <input type="checkbox"/> Other: |

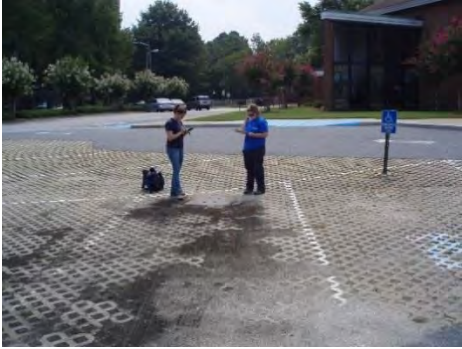



PP Drainage Area

Look for areas that are uphill from the Permeable pavement.

| Problem (Check if Present) | | Follow-Up Actions |
|--|--|--|
|  | | <input type="checkbox"/> Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths. |
|  | <input type="checkbox"/> Piles of grass clippings, mulch, dirt, salt, or other materials | <input type="checkbox"/> Remove or cover piles of grass clippings, mulch, dirt, etc. <input type="checkbox"/> Other: |
|  | <input type="checkbox"/> Open containers of oil, grease, paint, or other substances | <input type="checkbox"/> Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous. <input type="checkbox"/> Other: |

PP Surface

Examine the entire permeable pavement surface.

| Problem (Check if Present) | Follow-Up Actions |
|---|--|
|  <p><input type="checkbox"/> Dirt and grit accumulating on pavement surface</p> | <p><input type="checkbox"/> For small areas (e.g., driveways, patios), try a leaf blower or sweep the area to remove the dirt/grit from the Permeable pavement and properly dispose of the material.</p> <p><input type="checkbox"/> If dirt/grit remain in the joint areas between paver blocks, agitate with a rough brush and vacuum the surface with a wet/dry vac.</p> <p><input type="checkbox"/> Remove and replace clogged blocks in segmented pavers.</p> <p><input type="checkbox"/> For larger areas (e.g., parking lots, courtyards), hire a vacuum sweeper to restore the surface to a cleaner condition.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Grit is widespread and cannot be removed by manual sweeping.</p> |
|  <p><input type="checkbox"/> Grass and weeds are growing on the permeable pavement surface (applies only to pavement types that are not intended to be covered in vegetation).</p> | <p><input type="checkbox"/> If paver type is not intended to be covered in vegetation, remove the grass/weeds either mechanically (pulling, by hand or with a flame weeder) or with a herbicide approved for use in or near water (consult your local Extension Office for suggestions).</p> <p><input type="checkbox"/> Follow the actions listed above for removing dirt/grit from the pavement surface.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Grass/weeds cover more than 25% of surface area.</p> |
|  <p><input type="checkbox"/> Slumping, sinking, cracking, or breaking of the pavement surface <i>(Source: CSN, 2013)</i></p> | <p><input type="checkbox"/> For small areas (e.g., patios, small driveway), it may be possible to remove the damaged pavers, check and fill in the underlying gravel, and replace with new materials.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Problem affects more than a small, isolated area. Will typically require a qualified contractor to fix it.</p> <p><input type="checkbox"/> Problem recurs or occurs in multiple small locations.</p> |
|  <p><input type="checkbox"/> Water stands on Permeable pavement for days after a rainstorm; the Permeable pavement is clogged and doesn't let water through. <i>(Source: CSN, 2013)</i></p> | <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: This is generally a serious problem, and it will be necessary to activate a Level 2 Inspection.</p> |

Additional Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Permeable Pavement Stormwater Management Practices Level 2 Inspection Checklist

| | | | | |
|---|--|--|--|---|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

Level 2 Inspection: PERMEABLE PAVEMENT

Recommended Repairs and Required Skills

Triggers for Level 3 Inspection

Observed Condition: Bare Soil or Erosion in the Drainage Area

- Condition 1: Extensive problem spots, but no channels or rills forming

Reseed problem areas. If problem persists or grass does not take, consider hiring a landscape contractor.

- Condition 2: Problem is extensive, and rills/channels are beginning to form

May be necessary to divert or redirect water that is causing the erosion problem. If it appears that simple regrading—such as installing a berm or leveling a low spot—will fix the problem, make repairs and check to ensure that the problem is repaired after the next storm.

- Large rills or gullies are forming in the drainage area.
- An attempt to regrade the drainage area has been unsuccessful
- Fixing the problem would require major regrading (i.e., redirecting more than a 100-square-foot area.
- It is not clear why the problem is occurring.

- Level 3 inspection necessary

Observed Condition: Dirt or Grit Accumulating, or Grass Growing on Pavement Surface

- Condition 1: Grit beginning to form but is isolated to a small area or does not fill the joints between paver blocks

Try to agitate and sweep by hand, or hire a contractor with a vacuum sweeper. Also investigate the drainage area for potential sediment sources. If no obvious sources are found, discuss winter sanding and salting operations with the property owner to identify whether this could be the source.

- Condition 2: Grit is forming and cannot be removed with agitation and hand sweeping

Hire a vendor with a regenerative air vacuum sweeper, maximum power 2,500 rpm; avoid sweepers that use water.

- More than 2 inches of sand/dirt/grit are on some of the pavement surface.
- More than 25% of the pavement surface is covered with sand/dirt/grit to the extent that joints between paver blocks are filled.
- Regenerative air sweeper cannot remove grit.

- Level 3 inspection necessary

Level 2 Inspection: PERMEABLE PAVEMENT

Recommended Repairs and Required Skills

Triggers for Level 3 Inspection

Observed Condition: Structural Damage

- Condition 1: Portions of porous asphalt or permeable pavers are damaged, and the cause is known to be at the surface.

If the damage is from a single event such as heavy equipment or heavy fallen objects, or the surface has been damaged by wear over time, hire a contractor experienced in permeable pavement installation to repair the damaged areas.

- Condition 2: Damage to other structures, such as drainage infrastructure

If possible, repair or replace damaged items, or hire a contractor with permeable pavement experience if the damaged infrastructure is within the pavement surface.

- More than 25% of the surface needs to be repaired or replaced.
- It appears that the underlying material has “caved in,” indicating an underlying water conveyance or soil stabilization issue.
- Problem is repaired but recurs within less than five years.

- Level 3 inspection necessary

Observed Condition: Ponding on the Pavement Surface

- Condition 1: Underdrains (if present) may be clogged

Check to see whether underdrains are clogged by inspecting cleanouts (if present) or catch basins and looking for debris. If underdrains appear clogged, it may be necessary to hire a router service to ream out the underdrains.

- Condition 2: At time of Level 2 inspection, water is not ponded, and there is no obvious clogging of the surface.

Conduct a flood test to determine whether the ponding is an ongoing problem.

- Water stands on the pavement surface more than 72 hours after a storm, and the problem cannot be resolved by unclogging underdrains.
- More than 25% of the pavement surface is covered with sand/dirt/grit to the extent that joints between paver blocks are filled.

- Level 3 inspection necessary

Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____



Pond and Wetland Stormwater Management Practices Level 1 Inspection Checklist

| | | | | |
|---|--|--|--|---|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

PW Drainage Area


Look for areas that are uphill from the pond.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
| <input type="checkbox"/> Bare soil, erosion of the ground (rills washing out the dirt) | <input type="checkbox"/> Seed and straw areas of bare soil to establish vegetation. <input type="checkbox"/> Fill in eroded areas with soil, compact, seed and mulch with straw to establish vegetation. <input type="checkbox"/> Other: |

| | |
|--|--|
| <input type="checkbox"/> Bare soil, erosion of the ground (rills washing out the dirt) | <input type="checkbox"/> Kick-Out to Level 2 Inspection: If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. <input type="checkbox"/> If large areas of soil have been eroded or larger channels are forming, this may require rerouting of flow paths or use of an erosion-control seed mat or blanket to reestablish acceptable ground cover or anchor sod where it is practical. |
|  <input type="checkbox"/> Piles of grass clippings, mulch, dirt, salt, or other materials | <input type="checkbox"/> Remove or cover piles of grass clippings, mulch, dirt, etc. <input type="checkbox"/> Remove excessive vegetation or woody debris that can block drainage systems. <input type="checkbox"/> Other: |
|  <input type="checkbox"/> Open containers of oil, grease, paint, or other substances exposed to rain in the drainage area | <input type="checkbox"/> Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous. <input type="checkbox"/> Other: |



Pond Inlets

Look for all areas where water flows into the pond during storms. Note that there may be multiple points of inflow and types of structures (e.g., pipes, open ditches, etc.).

| Problem (Check if Present) | Follow-Up Actions |
|---|--|
|  <input type="checkbox"/> Inlets are buried, covered or filled with silt, debris, or trash, or blocked by excessive vegetation. | <input type="checkbox"/> If the problem can be remedied with hand tools and done in a safe manner, remove vegetation, trash, woody debris, etc. from blocking inlet structures. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 or 3 Inspection: If the amount of material is too large to handle OR there are ANY safety concerns about working in standing water, soft sediment, etc., the work will likely have to be performed by a qualified contractor. |


Pond Inlets

Look for all areas where water flows into the pond during storms. Note that there may be multiple points of inflow and types of structures (e.g., pipes, open ditches, etc.).

| Problem (Check if Present) | | Follow-Up Actions |
|---|---|--|
|  | <input type="checkbox"/> Inlets are buried, covered or filled with silt, debris, or trash, or blocked by excessive vegetation. | <input type="checkbox"/> Kick-Out to Level 2 or 3 Inspection: If the amount of material is too large to handle OR there are ANY safety concerns about working in standing water, soft sediment, etc., the work will likely have to be performed by a qualified contractor. |
|  | <input type="checkbox"/> Inlets are broken, and, with pieces of pipe or concrete falling into the pond, there is erosion around the inlet, there is open space under the pipe, or there is erosion where the inlet meets the pond | <input type="checkbox"/> Kick-Out to Level 2 Inspection: These types of structural or erosion problems are more serious and will require a qualified contractor to repair. |




PW Pond Area and Embankments

Examine both interior and exterior pond banks as well as the pond body. Observe from the inlet pipes to the outfall structure and emergency overflow.

| Problem (Check if Present) | | Follow-Up Actions |
|--|---|---|
|  | <input type="checkbox"/> The pretreatment area(s) or forebay(s) are filled with sediment, trash, vegetation, or other debris. | <input type="checkbox"/> If the problem can be remedied with hand tools and done in a safe manner, use a flat shovel or other equipment to remove small amounts of sediment. <input type="checkbox"/> Remove trash and excessive vegetation from forebays if this can be done in a safe manner. <input type="checkbox"/> Other: |



PW Pond Area and Embankments

Examine both interior and exterior pond banks as well as the pond body. Observe from the inlet pipes to the outfall structure and emergency overflow.

| Problem (Check if Present) | | Follow-Up Actions |
|--|---|--|
|  | <input type="checkbox"/> The pretreatment area(s) or forebay(s) are filled with sediment, trash, vegetation, or other debris. | <input type="checkbox"/> Kick-Out to Level 2 Inspection: Large amounts of sediment or debris will have to be removed by a qualified contractor. ANY condition that poses a safety concern for working in standing water or soft sediments should be referred to a Level 2 Inspection or qualified contractor. |
|  | <input type="checkbox"/> The pond area itself has accumulated sediment, trash, debris, or excessive vegetation that is choking the flow of the water, OR the pond area is covered with algae or aquatic plants. | <input type="checkbox"/> Level 1 includes handling only small amounts of material that can be removed by hand, or with rakes or other hand tools. Do not attempt any repair that poses a safety issue. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 Inspection: Most cases will call for a Level 2 Inspection and/or a qualified contractor. <input type="checkbox"/> You are not sure what type and amount of vegetation is supposed to be in the pond. <input type="checkbox"/> The algae or aquatic plants should be identified so that proper control techniques can be applied. |
|  | <input type="checkbox"/> The side slopes of the pond are unstable, eroding, and have areas of bare dirt. | <input type="checkbox"/> If there are only minor areas, try filling in small rills or gullies with topsoil, compacting, and seeding and mulching all bare dirt areas with an appropriate seed. Alternatively, try using herbaceous plugs to get vegetation established in tricky areas, such as steep slopes. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 Inspection: Erosion and many bare dirt areas on steep side slopes will require a Level 2 Inspection and repair by a qualified contractor. |


PW Pond Area and Embankments

Examine both interior and exterior pond banks as well as the pond body. Observe from the inlet pipes to the outfall structure and emergency overflow.

| Problem (Check if Present) | | Follow-Up Actions |
|--|---|---|
|  | <input type="checkbox"/> The riser structure is clogged with trash, debris, sediment, vegetation, etc., OR is open, unlocked, or has a steep drop and poses a safety concern. The pond level may have dropped below its "normal" level. | <input type="checkbox"/> If you can safely access the riser on foot or with a small boat, clear minor amounts of debris and remove it from the pond area for safe disposal. <input type="checkbox"/> Other: <hr/> <input type="checkbox"/> Kick-Out to Level 2 Inspection: The riser cannot be accessed safely, the amount of debris is substantial, or the riser seems to be completely clogged and the water level has risen too high. <input type="checkbox"/> There are safety issues with the riser and concern about access to pipes, drops, or any other life safety concern. <input type="checkbox"/> The riser is leaning, broken, settling or slumping, corroded, eroded or any other structural problem. |
|  | <input type="checkbox"/> The dam/embankment is slumping, sinking, settling, eroding, or has medium or large trees growing on it. | <input type="checkbox"/> If there are small isolated areas, try to fix them by adding clean material (clay and topsoil) and seeding and mulching. <input type="checkbox"/> Periodically mow embankments to enable inspection of the banks and to minimize establishment of woody vegetation. <input type="checkbox"/> Remove any woody vegetation that has already established on embankments. <input type="checkbox"/> Other: <hr/> <input type="checkbox"/> Kick-Out to Level 2 Inspection: Most of these situations will require a Level 2 Inspection or evaluation and repair by a qualified contractor. Seepage through the dam or problems with the pipe through the dam can be a serious issue that should be addressed to avoid possible dam failure. |


PW Pond Area and Embankments

Examine both interior and exterior pond banks as well as the pond body. Observe from the inlet pipes to the outfall structure and emergency overflow.

| Problem (Check if Present) | Follow-Up Actions |
|--|---|
|  <ul style="list-style-type: none"> <input type="checkbox"/> The emergency spillway or outfall (if it exists) has <input type="checkbox"/> Erosion, settlement, or loss of material. Rock-lined spillways have excessive debris or vegetation. | <ul style="list-style-type: none"> <input type="checkbox"/> Clear light debris and vegetation. <input type="checkbox"/> Other: <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <ul style="list-style-type: none"> <input type="checkbox"/> Kick-Out to Level 2 Inspection: Displacement of rock lining, excessive vegetation and erosion/settlement may warrant review and decision by Level 2 Inspector to check against original plan. <input type="checkbox"/> Any uncertainty about the integrity of the emergency spillway should be referred to a Level 2 Inspector. <input type="checkbox"/> Erosion or settlement such that design has been compromised should be reviewed by an engineer. |

PW Pond Outlet

Examine the outlet of the pipe on the downstream side of the dam/embankment where it empties into a stream, channel, or drainage system.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
|  <ul style="list-style-type: none"> <input type="checkbox"/> The pond outlet is clogged with sediment, trash, debris, vegetation, or is eroding, caving in, slumping, or falling apart. | <ul style="list-style-type: none"> <input type="checkbox"/> If there is a minor blockage, remove the debris or vegetation to allow free flow of water. <input type="checkbox"/> Remove any accumulated trash at the outlet. <input type="checkbox"/> Outlet: <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <ul style="list-style-type: none"> <input type="checkbox"/> Kick-Out to Level 2 Inspection: <input type="checkbox"/> If the area at the outlet cannot be easily accessed or if the blockage is substantial, a Level 2 Inspection is warranted. <input type="checkbox"/> Erosion at and downstream of the outfall should be evaluated by a qualified professional. <input type="checkbox"/> Any structural problems, such as broken pipes, structures falling into the stream, or holes or tunnels around the outfall pipe, should be evaluated by a Level 2 Inspector and will require repair by a qualified contractor. <input type="checkbox"/> The pool of water at the outlet pipe is discolored, has an odor, or has excessive algae or vegetative growth. |

Additional Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Pond and Wetland Stormwater Management Practices Level 2 Inspection Checklist

| | | | | |
|---|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

Level 2 Inspection: PONDS and WETLANDS

| Recommended Repairs and Required Skills | Triggers for Level 3 Inspection |
|---|--|
| Observed Condition: Bare Soil or Erosion in the Drainage Area | |
| <p><input type="checkbox"/> Condition 1: Extensive problem spots, but no channels or rills forming</p> <p>Reseed problem areas. If problem persists or grass does not take, consider hiring a landscape contractor.</p> <p><input type="checkbox"/> Condition 2: Problem is extensive, and rills/channels are beginning to form</p> <p>May be necessary to divert or redirect water that is causing the erosion problem. If it appears that simple regrading—such as installing a berm or leveling a low spot—will fix the problem, make repairs and ensure that the problem is repaired after the next storm.</p> | <ul style="list-style-type: none"> Large rills or gullies are forming in the drainage area. An attempt to regrade the drainage area has been unsuccessful. Fixing the problem would require major regrading (i.e., redirecting more than a 100-square-foot area). It is not clear why the problem is occurring. <p style="text-align: center;"><input type="checkbox"/> Level 3 inspection necessary</p> |
| Observed Condition: Manholes or Inlet Pipe Buried or Covered with Vegetation | |
| <p><input type="checkbox"/> Condition 1: Nearest manhole and inlet pipe not found</p> <p>Consult as-built drawings to get to closest suspected location and use metal detector to search for metal manhole cover. If unsuccessful, identify nearest drain inlets and approximate pipe direction to locate next manhole.</p> <p><input type="checkbox"/> Condition 2: Manhole located and inspected</p> <p>Never enter a manhole, except by following confined-space entry protocols.</p> <p>If outlet pipe is not visible or greater than 25% full of sediment/debris or trash, it will typically require a qualified contractor to flush, clean and clear blockages.</p> <p><input type="checkbox"/> Condition 3: Inlet pipe not found at pond</p> <p>Clear vegetation and brush that may be covering the inlet pipe. Buried inlet pipes may be found through use of a metal probe.</p> <p><input type="checkbox"/> Condition 4: Inlet pipe buried in sediment or blocked by vegetation</p> <p>Once located, the pipe path can be cleared of vegetation with brush hook or other brush tools. Light digging may clear sediment from the end of the pipe.</p> | <ul style="list-style-type: none"> To locate buried manholes and lost storm lines, it is sometimes necessary to hire a pipeline inspection contractor with televising equipment or ground-penetrating radar and enter at the closest upstream access point. Locating a buried inlet pipe may require wading in the edge of the pond and using a metal probe and brush axe to find and expose the pipe. If other than light digging is necessary to remove accumulated sediment, a contractor with heavy equipment may be required. <p style="text-align: center;"><input type="checkbox"/> Level 3 inspection necessary</p> |

Level 2 Inspection: PONDS and WETLANDS

| Recommended Repairs and Required Skills | Triggers for Level 3 Inspection |
|--|---|
| Observed Condition: Pipe or Headwall Settlement, Erosion, Corrosion or Failure | |
| <p><input type="checkbox"/> Condition 1: Pipe or headwall settlement or failure</p> <p>Severe sinkholes, settlement or corrosion should be kicked out to Level 3 Inspection.</p> <p><input type="checkbox"/> Condition 2: Flow not confined to pipe and visible outside pipe wall</p> <p>With flashlight, observe the inside of the pipe and note its condition. Take photographs. Look for sinkholes developing that indicate pipe failure beneath the surface. Kick out to Level 3 inspection.</p> | <ul style="list-style-type: none"> Where blockages are visible, a decision is needed on whether to clear them or leave in place. If a third of the pipe is full of sediment, it should be removed by a contractor with pipe-cleaning equipment. Corrosion of inlet pipes that allows flow around the pipe exterior is a structural concern because it can lead to settlement, sinkholes and undermining pond embankment. Evidence of this type of failure may require specialized pipe-inspection equipment and investigation by an engineer. <p style="text-align: center;"><input type="checkbox"/> Level 3 inspection necessary</p> |
| Observed Condition: Pond Conditions | |
| <p><input type="checkbox"/> Condition 1: Pond pre-treatment zone is full of sediment or not constructed as shown on as-built drawings.</p> <p><input type="checkbox"/> Condition 2: Excessive buildup of sediment or overgrowth</p> <p>If the pre-treatment area or pond pool is overgrown or filled with sediment so that the original design is compromised, corrective measures are required. If plants have died, then replanting is necessary. If none of the original design exists due to alteration or sediment, kick out to Level 3 inspection.</p> | <ul style="list-style-type: none"> It may require inspection by an engineer to determine next steps for clearing, replanting or reconstruction. Erosion or settlement such that design has been compromised should be reviewed by an engineer. Recurring erosion may require redesign and/or regrading to direct flow away from eroding area. If sediment has filled more than 50% of the pond's capacity, dredging is likely needed and should be evaluated by a qualified contractor. Removal or control of excessive algae or aquatic plants can be assessed by a qualified pond maintenance company. <p style="text-align: center;"><input type="checkbox"/> Level 3 inspection necessary</p> |

Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Rainwater Harvesting Stormwater Management Practices Level 1 Inspection Checklist

| | | | | |
|---|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

RWH Conveyance System and Filter

Inspect any gutters, downspouts, drainage pipes, and filters connected to the Rainwater Harvesting System.

| Problem (Check if Present) | Follow-Up Actions |
|--|---|
| <input type="checkbox"/> Leaves, sticks, or other debris in gutters and downspouts | <input type="checkbox"/> Remove all debris by hand. <input type="checkbox"/> Other: |
| <input type="checkbox"/> Leaves, sticks, or other debris in filter(s) | <input type="checkbox"/> Clean out all debris and organic matter buildup by hand or by spraying with a hose. <input type="checkbox"/> Other: |

RWH Conveyance System and Filter

Inspect any gutters, downspouts, drainage pipes, and filters connected to the Rainwater Harvesting System.

| Problem (Check if Present) | Follow-Up Actions |
|---|--|
| | <input type="checkbox"/> Kick-Out to Level 2 Inspection: Filter (first-flush diverter or vortex filter outside the tank) does not seem to be operating, is completely clogged, or does not appear to be trapping any debris. |
| <input type="checkbox"/> Loose or disconnected junctions between gutters, pipes, or filters | <input type="checkbox"/> Secure any loose junctions or parts and make sure they are properly sealed to prevent leaks, <input type="checkbox"/> Other: |

RWH Storage Tank

Inspect for any leaks or blockages when tank is full. Drain tank to visually inspect interior without breaking the plane of the opening with any part of the body. This is a confined space that should only be entered by those with special training.

| Problem (Check if Present) | Follow-Up Actions |
|--|---|
| <input type="checkbox"/> Tank is above ground and not freeze proof. | Winterize the tank by performing the following steps: <input type="checkbox"/> Drain down water level in the tank before winter to avoid damage from freezing temperatures. <input type="checkbox"/> Drain water from pipes and pumps. <input type="checkbox"/> Disconnect conveyance pipes from the tank to enable roof runoff to bypass the tank during winter. |
| <input type="checkbox"/> Mosquito larvae or other insects present in the water | <input type="checkbox"/> Add mosquito dunks to water. <input type="checkbox"/> Ensure that insect screens are installed on all openings and are properly sealed (inlet and outlets). <input type="checkbox"/> Other: |
| <input type="checkbox"/> Debris, algae, or organic matter accumulated in tank | <input type="checkbox"/> Remove as much as possible, by hand. <input type="checkbox"/> Other: |
| <input type="checkbox"/> Tank does not appear to fill fully even during large rains, or water level drops quickly after filling. | <input type="checkbox"/> Kick-Out to Level 2 Inspection: For large tanks that cannot easily be accessed for inspection and/or cleaning, defer to Level 2 Inspection. |
| <input type="checkbox"/> Problems with pumps, filters, or other mechanical components | <input type="checkbox"/> Kick-Out to Level 2 Inspection: This will likely require special expertise to diagnose and fix. |

RWH Outlets

Examine the outlet pipe(s) and the point at which it overflows onto the ground.

| Problem (Check if Present) | Follow-Up Actions |
|---|---|
| <input type="checkbox"/> Slow flow from outlet caused by faulty or clogged valve | <input type="checkbox"/> If clogging seems to be the problem, ream out sediment from valve if this can be done from exterior. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 Inspection: Valve needs to be replaced or cannot be cleaned out from outside of tank. |
| <input type="checkbox"/> Flow from outlet is backing up toward building foundation. | <input type="checkbox"/> Add flexible pipe to end of outlet pipe to divert flow further away and downhill from building. |
| <input type="checkbox"/> Erosion or drainage issues at outlet | <input type="checkbox"/> Add a gravel and/or stone pad to reduce the impact from the water flowing out of the outlet pipe during storms. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 Inspection: Rills have formed, erosion or drainage problems are more severe or cannot be resolved, or there is discoloration or other unusual conditions around the outlet. |

Additional Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Rainwater Harvesting Stormwater Management Practices Level 2 Inspection Checklist

| | | | | |
|---|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

Level 2 Inspection – RAINWATER HARVESTING

Recommended Repairs

Triggers for Level 3 Inspection

Observed Condition: Tank is not filling properly or water level drops quickly

- Condition 1: Tank is not filling properly

Look for signs of water bypassing the tank. Inspect the conveyance system and filters to make sure that all parts are properly connected and not leaking. Observe the system during a rainstorm to make sure that water is not backing up and spilling out of the gutters or getting excessively diverted by the filter. Adjust angles and placement of filter as needed.

- Condition 2: Water level drops quickly after filling

Requires diagnosis and resolution of problem:

- Leaking valve or spigot?
- Crack in tank wall?
- Pump turning on unnecessarily?

- Gutters, pipes, and/or filter appear to be undersized or not properly designed.
- Structural or mechanical problem requires special expertise in rainwater harvesting systems.

- Level 3 Inspection necessary

Observed Condition: Tank is sinking, leaning, or at risk of collapse

- Condition 1: Foundation is not stable

This repair may need specialized equipment and skill, depending on the size and type of tank. For smaller tanks (like rain barrels), drain and disconnect the tank to move it aside. Compact the underlying soil and create a solid, level base for the tank with concrete blocks or gravel. Seek professional help for larger tanks.

- Condition 2: Other structural problem

Seek professional help.

- Tanks cannot be easily adjusted or fixed by hand.

- Level 3 Inspection necessary

Observed Condition: Severe erosion at outlet

- Condition 1: Erosion gets worse even after re-seeding or adding stone

There are several potential solutions to this continued erosion. Add geotextile fabric below the stone to protect the soil. Dig out a pit at the outfall and fill with gravel or stone to absorb the velocity of the water spilling out the tank. If the outlet flows onto a steep slope, consider extending the pipe length to a flatter area. Some of these actions may require help from a contractor.

- Erosion control cannot easily be installed by hand.
- Erosion recurs after previous repairs.
- Downstream drainage concerns

- Level 3 Inspection necessary

Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Sand and Organic Filter Stormwater Management Practices Level 1 Inspection Checklist

| | | | | | |
|---|--|--|--|----------------------------------|---------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | | |
| | Latitude | | | Longitude | |
| Party Responsible for Maintenance | System Type | | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | | |
| Inspection Date | | | Inspection Time | | |
| Inspector | | | | | |
| Date of Last Inspection | | | | | |

SF Drainage Area

Look for both pervious and impervious areas that are uphill from the filter.

| Problem (Check if Present) | Follow-Up Actions |
|---|--|
| <input type="checkbox"/> Bare soil, erosion of the ground (rills washing out the dirt; reference below) | <input type="checkbox"/> Seed and straw areas of bare soil to get vegetation established. <input type="checkbox"/> Fill in erosion areas with soil, compact, and seed and straw to establish vegetation. <input type="checkbox"/> If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. <input type="checkbox"/> Other: |

SF Drainage Area

Look for both pervious and impervious areas that are uphill from the filter.

Problem (Check if Present)

Follow-Up Actions



- Bare soil, erosion of the ground (rills washing out the dirt)

- Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths.



- Piles of grass clippings, mulch, dirt, salt, or other materials

- Remove or cover piles of grass clippings, mulch, dirt, etc.
- Other:






- Open containers of oil, grease, paint, or other substances

- Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous.
- Other:



SF Inlets

Look for all the places where water flows into the filter practice.

| Problem (Check if Present) | | Follow-Up Actions |
|--|--|--|
|  | <input type="checkbox"/> Inlets are collecting grit and debris or grass/weeds growing. Some water may not be getting into the filter practice. | <input type="checkbox"/> Use a flat shovel to remove grit and debris (especially at curb inlets or openings). Parking lots generate fine grit that accumulates at these spots. <input type="checkbox"/> Pull out clumps of growing grass or weeds and scoop out the soil or grit that the plants are growing in. <input type="checkbox"/> Remove any grass clippings, leaves, sticks, and other debris that is collecting at inlets. <input type="checkbox"/> For pipes and ditches, remove sediment and debris that is partially blocking the pipe or ditch opening where it enters the Filter practice. <input type="checkbox"/> Dispose of all material properly in an area where it will not re-enter the practice. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 Inspection: Inlets are blocked to the extent that most of the water does not seem to be entering the filter practice. |
|  | <input type="checkbox"/> Some or all of the inlets are eroding so that rills, gullies, and other erosion are present, or there is dirt washing into the filter practice. | <input type="checkbox"/> For small areas of erosion, smooth out the eroded part and apply rock or stone (e.g., river cobble) to prevent further erosion. Usually, filter fabric is placed under the rock or stone. <input type="checkbox"/> In some cases, reseeding and applying erosion-control matting can be used to prevent further erosion. Some of these materials may be available at a garden center, but it may be best to consult a landscape contractor. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 Inspection: Erosion is occurring at most of the inlets and it looks like there is too much water concentrating at these points. The inlet design may have to be modified. |
|  | <input type="checkbox"/> For an underground filter, water is ponding and doesn't seem to be getting through the filter. | <input type="checkbox"/> Kick-Out to Level 2 Inspection: This is generally a more serious problem and should be referred for a Level 2 Inspection because it will require opening up the filter vault to check for clogging. |

SF Filter Area (for Surface Sand Filters)

Examine the surface of the filter and the observation well, if present.

| Problem (Check if Present) | Follow-Up Actions |
|---|--|
|  <p><input type="checkbox"/> Filter has grass and vegetation growing on more than 25% of the filter bed, threatening to clog the filter.</p> | <p><input type="checkbox"/> Vegetation growing in the filter bed should be removed either manually or with a water-safe herbicide (e.g., glyphosate without surfactants).</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: The filter seems clogged, or vegetation and weeds have proliferated past the point where the Level 1 person can manage it.</p> |
| <p><input type="checkbox"/> Minor amounts of sediment, grit, trash, or other debris are accumulating on the surface.</p> | <p><input type="checkbox"/> Use a shovel to scoop out minor amounts of sediment or grit, especially in the spring after winter sanding materials wash in and accumulate. Dispose of the material where it cannot re-enter the filter.</p> <p><input type="checkbox"/> If removing the material creates a hole or low area, rake the surface smooth and level.</p> <p><input type="checkbox"/> Remove trash, debris, and other undesirable materials.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Sediment (other than sand) has accumulated more than 2-inches deep and covers 25% or more of the surface of the filter area.</p> |
|  <p><input type="checkbox"/> There is erosion on the surface; water seems to be carving out rills as it flows across the filter surface, or sinkholes are forming in certain areas.</p> | <p><input type="checkbox"/> For minor areas of erosion, try filling the eroded areas with clean, coarse construction sand.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: The problem persists or the erosion is more than 3-inches deep and seems to be an issue with how water enters and moves through the filter area.</p> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: The problem does not seem to be caused by flowing water but by a collapse or sinking of the surface (e.g., "sinkhole") due to some underground problem.</p> |

SF Filter Area (for Surface Sand Filters)

Examine the surface of the filter and the observation well, if present.

Problem (Check if Present)



Water is still visible on the surface and/or the standpipe (if present) more than 72 hours after a rainstorm. The filter practice drains very slowly or is completely clogged.

Follow-Up Actions

Kick-Out to Level 2 Inspection: This is generally a serious problem, and it will be necessary to activate a Level 2 Inspection.

Additional Notes:



Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Sand and Organic Filter Stormwater Management Practices Level 2 Inspection Checklist

| | | | | |
|---|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

Table 3.12.1 Level 2 Inspection: SAND AND ORGANIC FILTERS

| Recommended Repairs | Triggers for Level 3 Inspection |
|---|---|
| Observed Condition: Water Stands on Surface for More than 72 Hours after Storm | |
| <p><input type="checkbox"/> Condition 1: Small pockets of standing water</p> <p>Use a soil probe or auger to examine the sand or filter profile. If isolated areas have accumulated grit, fine silt, vegetative debris, oily sludge or bad sand media, try scraping off top 3 inches of media and replacing with clean, coarse construction sand.</p> <p><input type="checkbox"/> Condition 2: Standing water is widespread or covers entire surface</p> <p>Look in the underdrain cleanout (if present) and use a tape measure to estimate the depth of water standing in the sand layer. Requires diagnosis and resolution of problem:</p> <ul style="list-style-type: none"> • Clogged underdrain • Filter fabric between the sand layer and underdrain gravel OR on top of the sand filter layer (usually held in place by a thin layer of gravel) • Too much sediment/grit/vegetative debris/oily sludge washing in from drainage area • Too much ponding depth • Improper sand media | <ul style="list-style-type: none"> • Sand or organic media is clogged, but problem was not evident from Level 2 inspection. • Level 2 inspection identifies problem, but it cannot be resolved easily or is associated with the original design of the practice. • The problem seems to be filter fabric placement, but this is specified in the original design. • The entire filter media layer or filter cartridges need to be replaced. • The problem is associated with improper configuration of underdrain pipes or outlet structures. <p><input type="checkbox"/> Level 3 Inspection necessary</p> |

Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____




Date: _____

Swale Stormwater Management Practices Level 1 Inspection Checklist

| | | | | |
|---|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |


SW Drainage Area

Look at areas that are uphill from the swale.

| Problem (Check if Present) | Follow-Up Actions |
|---|--|
|  <p><input type="checkbox"/> Bare soil, erosion of the ground (rills washing out the dirt)</p> | <p><input type="checkbox"/> Seed and mulch or sod areas of bare soil to establish vegetation.</p> <p><input type="checkbox"/> Fill in erosion areas with soil, compact, and add seed and straw to establish vegetation.</p> <p><input type="checkbox"/> If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths</p> |
|  <p><input type="checkbox"/> Piles of grass clippings, mulch, dirt, salt, or other materials</p> | <p><input type="checkbox"/> Remove or cover piles of grass clippings, mulch, dirt, etc.</p> <p><input type="checkbox"/> Other:</p> |
|  <p><input type="checkbox"/> Open containers of oil, grease, paint, or other substances</p> | <p><input type="checkbox"/> Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous.</p> |
| <p><input type="checkbox"/> Grass dying at edge of road</p> | <p><input type="checkbox"/> Seed and mulch; add topsoil or compost if needed.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Grass on edge of pavement continues to die off for unknown reasons. Swale edge may need to be replaced with other materials (e.g., stone diaphragm).</p> |


SW Inlets

Stand in the swale and look for all the places where water flows in.

| Problem (Check if Present) | Follow-Up Actions |
|--|---|
| <p><input type="checkbox"/> Inlets or the swale edge are collecting grit, grass clippings, or debris or have grass/weeds growing. Some water may not be getting into the swale. The objective is to have a clear pathway for water to flow into the swale.</p> | <p><input type="checkbox"/> Use a flat shovel to remove grit and debris (especially at curb inlets or opening). Parking lots will generate fine grit that will accumulate at these spots.</p> <p><input type="checkbox"/> Pull out clumps of growing grass or weeds, and scoop out the soil or grit that the plants are growing in.</p> <p><input type="checkbox"/> Remove any grass clippings, leaves, sticks, and other debris that is collecting at inlets or along the edge of the swale where water is supposed to enter.</p> <p><input type="checkbox"/> For pipes and ditches, remove sediment and debris that is partially blocking the pipe or ditch opening where it enters the swale.</p> <p><input type="checkbox"/> Dispose of all material properly in an area where it will not re-enter the swale.</p> <p style="padding-left: 20px;"><input type="checkbox"/> Other:</p> |
| | <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Inlets are blocked to the extent that most of the water does not seem to be entering the swale.</p> |
| <div style="display: flex; align-items: center;">  <div style="margin-left: 20px;"> <p><input type="checkbox"/> Some or all of the inlets are eroding so that rills, gullies, and other erosion are present, or there is bare dirt that is washing into the swale.</p> </div> </div> | <p><input type="checkbox"/> For small areas of erosion, smooth out the eroded part and apply rock or stone (e.g., river cobble) to prevent further erosion. Usually, filter fabric is placed under the rock or stone.</p> <p><input type="checkbox"/> In some cases, reseeding and applying an erosion control matting can be used to prevent further erosion. Some of these materials may be available at a garden center, but it may be best to consult a landscape contractor.</p> <p style="padding-left: 20px;"><input type="checkbox"/> Other:</p> |
| | <p><input type="checkbox"/> Level 2 Inspection: Erosion is occurring at most of the inlets or along much of the swale edge. The inlet design may have to be modified.</p> |


SW Surface Area

Examine the entire swale surface and side slopes.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
| <input type="checkbox"/> Minor areas of sediment, grit, trash, or other debris are accumulating in the swale. | <div style="background-color: #f2f2f2; padding: 5px;"> <input type="checkbox"/> Use a shovel to scoop out minor areas of sediment or grit, especially in the spring after winter sanding materials may wash in and accumulate. Dispose of the material where it cannot re-enter the swale. <input type="checkbox"/> If removing the material creates a hole or low area, fill with good topsoil and add seed and straw to re-vegetate. <input type="checkbox"/> Remove trash, vegetative debris, and other undesirable materials. <input type="checkbox"/> If the swale is densely vegetated, it may be difficult to do the maintenance; check for excessive ponding or other issues described in this section to see if the accumulated material is causing a problem. <input type="checkbox"/> Other: </div> <div style="background-color: #f2f2f2; padding: 5px; margin-top: 5px;"> <input type="checkbox"/> Kick-Out to Level 2 Inspection: Sediment has accumulated more than 3 inches deep and covers 25% or more of the swale surface. <input type="checkbox"/> The source of sediment is unknown or cannot be controlled with simple measures. </div> |
| <div style="text-align: center; margin-bottom: 10px;">  </div> <input type="checkbox"/> There is erosion in the bottom or on the side slopes. Water seems to be carving out rills as it flows through the swale or on the slopes. | <div style="background-color: #f2f2f2; padding: 5px;"> <input type="checkbox"/> Try filling the eroded areas with clean topsoil, and then seed and mulch to establish vegetation. <input type="checkbox"/> If the problem recurs, you may have to use some type of matting, stone (e.g., river cobble), or other material to fill in eroded areas. <input type="checkbox"/> If the erosion is on a side slope, fill with soil and cover with erosion-control matting or at least straw mulch after re-seeding. </div> <div style="background-color: #f2f2f2; padding: 5px; margin-top: 5px;"> <input type="checkbox"/> Kick-Out to Level 2 Inspection: The problem persists or the erosion is more than 3 inches deep and seems to be an issue with how water enters and moves through the swale. <input type="checkbox"/> Kick-Out to Level 2 Inspection: The problem does not seem to be caused by flowing water, but a collapse or sinking of the surface (e.g., "sinkhole") due to some underground problem. </div> |
| <input type="checkbox"/> Water does not flow evenly down the length of the swale, but ponds in certain areas for long periods of time (e.g., 72 hours after a storm). The swale does not seem to have "positive drainage." Check during or immediately after a rain storm. | <div style="background-color: #f2f2f2; padding: 5px;"> <input type="checkbox"/> If the problem is minor (just small, isolated areas), try using a metal rake or other tools to create a more even flow path; remove excessive vegetative growth, sediment, or other debris that may be blocking the flow. <input type="checkbox"/> Other: </div> <div style="background-color: #f2f2f2; padding: 5px; margin-top: 5px;"> <input type="checkbox"/> Kick-Out to Level 2 Inspection: Water ponds in more than 25% of the swale for three days or more after a storm. The issue may be with the underlying soil or the grade of the swale. <input type="checkbox"/> Water ponds behind check dams for three days or more after a storm. Check dams may be clogged or not functioning properly. </div> |


SW Surface Area

Examine the entire swale surface and side slopes.

| Problem (Check if Present) | Follow-Up Actions |
|---|--|
| <div style="border: 1px solid black; width: 100%; height: 100%; position: relative;">  </div> <p><input type="checkbox"/> Check dams (if present): water is flowing around the edges of check dams, creating erosion or sinkholes on the uphill or downhill side, or the check dams are breaking apart or breaching .</p> | <p><input type="checkbox"/> If the problem is isolated to just a few check dams, try simple repairs.</p> <p><input type="checkbox"/> It is very important for the center of each check dam (where most of the water flows) to be lower (by at least several inches) than the edges of the check dams where they meet the side slopes. Also, the check dams should be keyed into side slopes so water does not flow between the check dam and side slope.</p> <p><input type="checkbox"/> Use a level to check the right check-dam configuration, as noted above. Repair by moving around stone, filling and compacting soil, or adding new material so that water will be directed to the center of the check dam instead of the edges.</p> <p><input type="checkbox"/> Other:</p> <hr style="border: 0.5px solid black;"/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Many check dams are impacted and/or the problem seems to be a design issue with height, spacing, shape, or materials used to construct them.</p> |


SW Vegetation

Assess the swale vegetation.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
| <div style="border: 1px solid black; width: 100%; height: 100%; position: relative;">  </div> <p><input type="checkbox"/> Vegetation is too overgrown to access swale for maintenance activities</p> | <p><input type="checkbox"/> Mow or bush-hog the path.</p> <p><input type="checkbox"/> Other:</p> |

SW Vegetation

Assess the swale vegetation.

| Problem (Check if Present) | Follow-Up Actions |
|---|---|
| <div style="text-align: center;">  </div> <p><input type="checkbox"/> Vegetation requires regular maintenance: pulling weeds, removing dead and diseased plants, adding plants to fill in areas that are not well vegetated, etc.</p> | <p><input type="checkbox"/> If you can identify which plants are weeds or not intended to be part of the planting plan, eliminate these, preferably by hand pulling.</p> <p><input type="checkbox"/> If weeds are widespread, check with the local stormwater authority and/or Extension Office about proper use of herbicides for areas connected with the flow of water.</p> <p><input type="checkbox"/> Even vegetation that is intended to be present can become large, overgrown, block flow, and/or crowd out surrounding plants. Prune and thin accordingly.</p> <p><input type="checkbox"/> If weeds or invasive plants have overtaken the whole swale, bush-hog the entire area before seed heads form in the spring. It will be necessary to remove the root mat manually or with appropriate herbicides, as noted above.</p> <p><input type="checkbox"/> Replant with species that are aesthetically pleasing and seem to be doing well in the swale.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: You are unsure of the original planting design or the vegetation maintenance task is beyond your capabilities of time, expertise, or resources. If you are unsure of the health of the vegetation (e.g. salt damage, invasives, which plants are undesirable) or the appropriate season to conduct vegetation management, consult a landscape professional before undertaking any cutting, pruning, mowing, or brush hogging.</p> |
| <p><input type="checkbox"/> Vegetation is too thin, is not healthy, and there are many spots that are not well vegetated.</p> | <p><input type="checkbox"/> The original plants are likely not suited for the actual conditions within the swale. If you are knowledgeable about plants, select and plant more appropriate vegetation (preferably native plants) so that almost the entire surface area will be covered by the end of the second growing season.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: For all but small practices (e.g., in residential yards), this task will likely require a landscape design professional or horticulturalist.</p> |

SW Outlets

Examine outlets that release water out of the swale.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
| <p><input type="checkbox"/> Outlet is obstructed with mulch, sediment, debris, trash, etc.</p> | <p><input type="checkbox"/> Remove the debris and dispose of it where it cannot re-enter the swale.</p> <p><input type="checkbox"/> Other:</p> <hr/> <p><input type="checkbox"/> Kick-Out to Level 2 Inspection: Outlet is completely clogged or obstructed; there is too much material to remove by hand or with simple hand tools.</p> |

Additional Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Swale Stormwater Management Practices Level 2 Inspection Checklist

| | | | | |
|---|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

Level 2 Inspection: SWALE

| Recommended Repairs | Triggers for Level 3 Inspection |
|---------------------|---------------------------------|
|---------------------|---------------------------------|

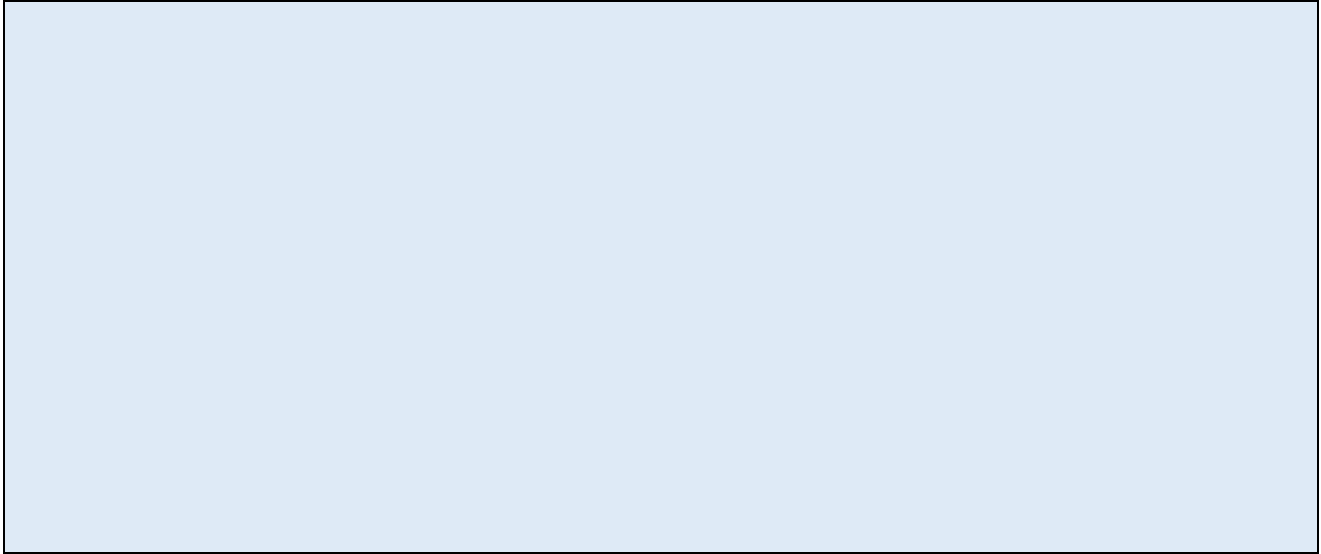
Observed Condition: Water Stands on Surface for More than 72 Hours after Storm

| | |
|--|--|
| <p><input type="checkbox"/> Condition 1: Small pockets of standing water</p> <p>Use a soil probe or auger to examine the soil profile. If isolated areas have accumulated grit, fines, or vegetative debris or have compacted soil, try scraping off top 3 to 6 inches of soil and replacing with clean material. Also check to see that surface is level and water is not ponding selectively in certain areas.</p> <p><input type="checkbox"/> Condition 2: Standing water is widespread or covers entire surface</p> <p>Requires diagnosis and resolution of problem:</p> <ul style="list-style-type: none"> • Bad or compacted soil • Filter fabric on the swale bottom • Too much sediment/grit washing in from drainage area? • Too much ponding depth? • Longitudinal slope is too flat? | <ul style="list-style-type: none"> • Soil is overly compacted or clogged and problem is not evident from Level 2 inspection. • Level 2 inspection identifies problem, but it cannot be resolved easily or is associated with the original design of the practice (e.g., not enough slope down through the swale). <p style="text-align: center;"><input type="checkbox"/> Level 3 inspection necessary</p> |
|--|--|

Observed Condition: Vegetation is predominantly weeds and invasive species

| | |
|--|---|
| <p>For a small area, weed and dig up invasive plants. Replant with natives or plants from original planting plan.</p> <p>If longer than 100 feet, develop a new planting plan and have it professionally reviewed.</p> | <ul style="list-style-type: none"> • Vegetation deviates significantly from original planting plan; swale has been neglected and suffered from deferred maintenance. • Owner/responsible party does not know how to maintain the practice. • For large area, hire a professional to develop a grading plan and develop a planting plan. <p style="text-align: center;"><input type="checkbox"/> Level 3 inspection necessary</p> |
|--|---|

Notes:



Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Tree Planting Stormwater Management Practices Level 1 Inspection Checklist

| | | | | |
|---|--|--|--|---|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

TP Watering

Inspect the trees to determine whether they need watering.

| Problem (Check if Present) | Follow-Up Actions |
|---|--|
| <input type="checkbox"/> Soil is not moist to the touch and/or it has not rained in a week, and leaves/needles are starting to appear wilted/dry. | <input type="checkbox"/> Water trees deeply and slowly near the base. Soaker hoses and drip irrigation work best for deep watering of trees and shrubs. <input type="checkbox"/> Other: |

TP Mulch

Mulch should be applied in the late spring and during leaf fall. Check the depth of mulch regularly. Rake the old mulch to break up any matted layers and to refresh the appearance.

| Problem (Check if Present) | Follow-Up Actions |
|--|--|
| <input type="checkbox"/> Mulch is too thin or thick (should be approximately 3" deep) or does not extend to tree canopy (or 5' radius if tree has a larger than 10' canopy reach). | <input type="checkbox"/> Add or remove mulch around tree canopy to maximum 5' radius but not within 3" of the bark. <input type="checkbox"/> If mulch is against the stems or tree trunks, pull it back several inches to expose the base of the trunk and root crown. <input type="checkbox"/> Other: |

TP Pruning

Examine the branches and tree shape.

| Problem (Check if Present) | Follow-Up Actions |
|--|---|
| <input type="checkbox"/> Presence of suckers, dead or diseased branches, branches that interfere with pedestrian traffic | <input type="checkbox"/> Selective cutting <input type="checkbox"/> Prune to make the tree more aesthetically pleasing and remove disease. <input type="checkbox"/> Other: <input type="checkbox"/> Kick-Out to Level 2 Inspection: Use an arborist or landscaper for more extensive pruning jobs. |

Additional Notes:



Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Tree Planting Stormwater Management Practices Level 2 Inspection Checklist

| | | | | |
|---|--|--|--|----------------------------------|
| SMP ID # | | SMP Owner | | <input type="checkbox"/> Private |
| | | | | <input type="checkbox"/> Public |
| SMP Location (Address; Latitude & Longitude) | | | | |
| | Latitude | | Longitude | |
| Party Responsible for Maintenance | System Type | | Type of Site | |
| <input type="checkbox"/> Same as SMP Owner <input type="checkbox"/> Other _____ | <input type="checkbox"/> Seasonal <input type="checkbox"/> Continuous Use <input type="checkbox"/> Other | <input type="checkbox"/> Above Ground <input type="checkbox"/> Below Ground | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> State | |
| Inspection Date | | Inspection Time | | |
| Inspector | | | | |
| Date of Last Inspection | | | | |

| Level 2 Inspection: TREE PLANTING | |
|--|--|
| Recommended Repairs | Triggers for Level 3 Inspection |
| Observed Condition: Appearance of fungus or pest damage | |
| <input type="checkbox"/> Condition 1: Fungus, discoloration, browning leaves or holes in leaves Check with arborist or other tree professional about the best way to proceed. This requires a Level 3 inspection. | <ul style="list-style-type: none"> • Any concerns about how to address infestation or disease <input type="checkbox"/> Level 3 inspection necessary |
| <input type="checkbox"/> Condition 2: Burrowing insects, holes Check with arborist or other tree professional about the best way to proceed. This requires a Level 3 inspection. | |

Notes:

Inspector: _____

Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

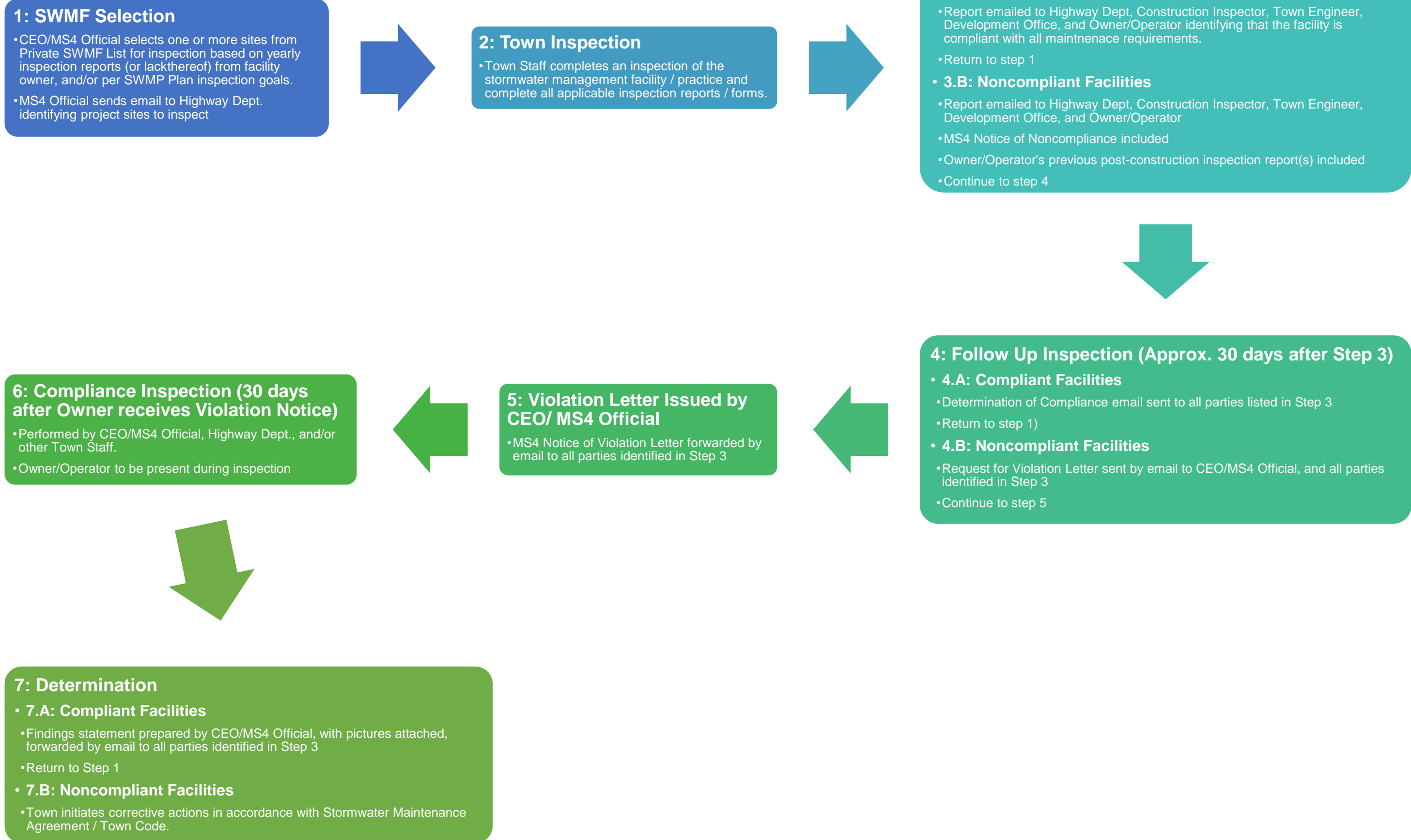
Certified Completion of Follow-Up Actions:

“I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected.”

Inspector/Operator: _____

Date: _____

Stormwater Facility Post Construction Inspection Flow Chart (Private Facilities)



Town of Farmington SWMF Master List for Inspection Purposes

| <u>Project Name - Facility Name</u> | <u>Facility Address / Location</u> | <u>Ownership</u> | <u>Last Owner Inspection (Private)</u> | <u>Last Town Inspection</u> | <u>General Facility Notes</u> |
|-------------------------------------|------------------------------------|------------------|--|-----------------------------|--|
| ALDI | | Private | | | Dry pond |
| American Equipment | | Private | | | Wet pond and bioretention facility |
| Byrne Dairy | | Private | | | Wet pond |
| Cobblestone Art Center | | Private | | | Wet pond and bioretention facility |
| Collett Woods Phase II | | Private | | | |
| Collett Woods Phase III | | Private | | | |
| Create-A-Scape | | Private | | | Design phase |
| DiFelice Industrial Complex | | Private | | | Bioretention, infiltration basin, wet pond |
| DiMartino DDS | | Private | | | Wet pond and bioretention facility |
| Dollar General | | Private | | | |
| Empire Pipeline | Empire Drive | Private | | | Infiltration basin, surface sand filter, filter strip, riparian buffer |
| Family Dollar | | Private | | | |
| Farmington Gardens II Phase 1 | | Private | | | |
| Fedex | Collett Road | Private | | | Wet pond and bioretention facility |
| Finger Lakes Athletic Center | | Private | | | |
| Home Power System | | Private | | | Wet pond |
| Lyons National Bank | | Private | | | Bioretention facility |
| Meyer's RV | | Private | | | Wet pond and bioretention facilities |
| Minitec Framing Systems | | Private | | | Wet pond |
| Monarch Manor Sec. 1 | | Private | | | Wet pond |
| Monarch Manor Sec. 2 | | Private | | | Facility under construction |
| Pintail Crossing Phase 1 | | Private | | | Wet pond and bioretention facility |
| Redfield Grove Ph 1 | | Private | | | Wet pond |
| Redfield Grove Ph 2 | | Private | | | Infiltration basin |
| Route 332 Mini Storage Phase 1 | | Private | | | Wet pond and bioretention facilities |
| Service Steel | | Private | | | |
| Sturn DDS Phase 1 | | Private | | | Wet pond and bioretention facility |
| Taco Bell & Microtel | | Private | | | Wet pond and bioretention facility |
| TCS Industries | | Private | | | |
| Auburn Meadows 6N/6S | | Town | | | Wet pond |
| Auburn Meadows 7S/8S | | Town | | | Wet pond |
| Auburn Meadows 9 | | Town | | | Wet pond |

Town of Farmington SWMF Master List for Inspection Purposes

| <u>Project Name - Facility Name</u> | <u>Facility Address / Location</u> | <u>Ownership</u> | <u>Last Owner Inspection (Private)</u> | <u>Last Town Inspection</u> | <u>General Facility Notes</u> |
|-------------------------------------|------------------------------------|------------------|--|-----------------------------|------------------------------------|
| Estates at Beaver Creek 1 | | Town | | | |
| Estates at Beaver Creek 2 | | Town | | | |
| Estates at Beaver Creek 3 | | Town | | | |
| Estates at Beaver Creek 4 | | Town | | | |
| Farminton Highway Campus | Town of Farmington Highway Campus | Town | | | Wet ponds |
| Hickory Rise 1 | | Town | | | |
| Hickory Rise 2 | | Town | | | |
| Hickory Rise 3 | | Town | | | |
| Hickory Rise 4 | | Town | | | |
| Hathaway's Corners SWMF A | CR 41 & RTE 332 | Town | | | Wet pond and bioretention facility |
| Hathaway's Corners SWMF C | CR 41 & RTE 332 | Town | | | Wet pond and bioretention facility |
| | | | | | |
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Town of Farmington SWMF Master Inspection Log

| <u>Inspection year</u> | <u>Inspection Date</u> | <u>Project Name - Facility Name</u> | <u>Facility Address</u> | <u>Public or Private?</u> | <u>Inspection Checklist Forms Completed</u> | <u>Deficiencies Found</u> | <u>Deficiencies Corrected</u> | <u>Inspection Notes</u> |
|------------------------|------------------------|-------------------------------------|-------------------------|---------------------------|---|---------------------------|-------------------------------|-------------------------|
| | | | | | | | | |
| | | | | | | | | |
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| | | | | | | | | |



TOWN OF FARMINGTON
Development Office
1000 County Road 8
Farmington, NY 14425
(315) 986-8100 ex. 3

MS4 NOTICE OF STORMWATER MANAGEMENT FACILITY MAINTENANCE AND REPORTING OBLIGATIONS

DATE:

TO:

(Owner of Stormwater Management Facility (Facility Owner))

Tax Map Number:

Facility Address:

Dear Property Owner

According to Town of Farmington records, you operate and are responsible for a stormwater management facility or practice that requires regular maintenance on your property. This may be a pond, underground storage, or similar stormwater facility.

The Environmental Protection Agency (EPA), New York State Department of Environmental Conservation (NYSDEC) and the Town of Farmington (pursuant to Chapter 138 of the Town Code) the stormwater management facility shall be inspected and certified once every three years by a professional licensed engineer. This requirement is imperative to ensure water quality treatment and attenuation of water quantity, and to mitigate any potential flooding downstream from your property.

The Town is requesting that you have your stormwater management facility be inspected by a professional licensed engineer and that the engineer's report describing the current functionality and condition of this stormwater management facility be submitted to the Town of Farmington Stormwater Program Manager no later than _____, 20__. Details of the engineer's inspection shall include, but not be limited to, the functionality of the facility, assessment of invasive plant growth, outfall structure condition, storage capacities, silt loading, and other related information.

The engineer's report shall further validate that the facility continues to function per the approved design. Should the engineer's report identify any issues with the stormwater management facility, a remediation plan shall accompany the report including a timeline for the completion of said remediation.

The landowner shall promptly commence and diligently pursue the completion of a remediation to the stormwater management facility in accordance with the engineering remediation plan.

Please submit your first engineer inspection report directly to the Town of Farmington Stormwater Program Manager in digital (ddelpriore@farmingtonny.org) or hard copy form no later than _____, 20__.

Thank you for your time and if you have any questions, please feel free to contact me.

Daniel Delpriore,
Code Enforcement Officer / MS4/SWPPP Officer
National Stormwater Inspector #10058
Town of Farmington MS4 Stormwater Management Program Coordinator
ddelpriore@farmingtonny.org

Attachments:

- Stormwater Maintenance Agreement dated _____
- Stormwater Management Easement(s)
- Stormwater Pollution Prevention Plan (SWPPP), pages _____
- New York State SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), pages _____
- New York State SPDES General Permit for Stormwater Discharges from Construction Activity, pages _____
- Town of Farmington Town Code Section(S): _____

C: Town Highway Department
Town Construction Inspector
Town Engineer
Town Development Office



TOWN OF FARMINGTON
Development Office
1000 County Road 8
Farmington, NY 14425
(315) 986-8100 ex. 3

MS4 NOTICE OF STORMWATER MANAGEMENT FACILITY VIOLATION AND ORDER TO REMEDY

DATE:
TO:
(Owner of Stormwater Management Facility (Facility Owner))

Tax Map Number:
Incident No.:
Violation No.:
Violation Address:

PLEASE TAKE NOTICE, that there exists a stormwater violation in the Town of Farmington, a regulated MS4, on the premises location at _____.

The Code Enforcement Officer noted:

- The Town of Farmington performed an inspection on _____, 20____, and completed an inspection report (see attached), which identifies issues with the Stormwater Management Facility(s) on site.
- The MS4 Official has not received an inspection report from the Facility Owner's Inspecting Engineer within the time period required by the filed Stormwater Maintenance Agreement.

Which is in violation:

1. New York State SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s),
2. New York State SPDES General Permit for Stormwater Discharges from Construction Activity,
3. Town of Farmington Stormwater Maintenance Agreement dated _____
AND/OR
4. Town of Farmington Town Code Sections: _____

Corrective Action:
Facility Owner shall remedy the issues identified below, and once completed, submit to the Town a new inspection report completed by Facility Owner's Inspecting Engineer.

Comments: _____

YOU ARE HEREBY ORDERED AND DIRECTED to comply with the requirements of the above referenced SPDES General Permits and Stormwater Maintenance Agreement, and to remedy the violations identified on this notice and all identified attachments hereto. All inquiries shall be directed to the Town of Farmington MS4 Official at 315-986-8100 ext. 3.

Daniel Delpriore,
Code Enforcement Officer
MS4/SWPPP Officer
National Stormwater Inspector #10058
Town of Farmington MS4 Stormwater Management Program Coordinator
ddelpriore@farmingtonny.org

Failure to comply may lead to the issuance of a court appearance order and fines.

Attachments:

○

C: Town Highway Department
Town Construction Inspector
Town Engineer
Town Development Office

TOWN OF FARMINGTON

1000 County Road #8
Farmington, NY 14425
(315) 986-8100

APPENDIX: **ST - 9.0**

DATE: 2024

SCALE: N.T.S.

MRB | group

STORMWATER MAINTENANCE AGREEMENT

WHEREAS, the Town of Farmington (Town) and the _____ (Facility Owner) having an address of _____ want to enter into an agreement (this Agreement) to provide for the long term maintenance and continuation of permanent stormwater control facilities and measures approved by the Town for the project named below; and

WHEREAS, the Town and the Facility Owner desire that the permanent stormwater control facilities and measures, as detailed in the approved public record and site drawings entitled “_____” (Project), having drawing number(s) _____, prepared by _____ and last revised _____, (the “Plans”), to be built in accordance with the Plans and thereafter be maintained, cleaned, repaired, replaced, and continued in perpetuity in order to ensure optimum performance of the components. Reduced size versions of the Plans are attached hereto as Exhibit A. The Plans are on file in the Town Development Office.

Therefore, the Town and the Facility Owner agree as follows:

1. This Agreement binds the Town and the Facility Owner, its successors and assigns, to maintain the permanent stormwater control measures depicted on the Plans (as same may be amended), and as described in the approved Stormwater Pollution Prevention Plan (SWPPP) which are attached as Schedule A of this Agreement.
2. The Facility Owner shall maintain, clean, repair, replace and continue the stormwater control facilities and measures depicted on the Plans as necessary to ensure optimum performance of the measures to design specifications. If identified on the plans, the stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices, and retention ponds (collectively, the “Control Measures”).
3. The Facility Owner shall be responsible for all expenses related to the maintenance of the Control Measures, including inspections as required in Section 4.
4. The Facility Owner shall provide for the periodic inspection of the Control Measures, not less than once in every three-year period, to determine the condition and integrity of the Control Measures. The Facility Owner’s obligations to inspect the Control Measures under this Section 4 shall commence upon the issuance of the first certificate of occupancy for the project depicted on the Plans. Each inspection shall be performed by a Licensed Professional Engineer by the State of New York (the “Inspecting Engineer”), at the Facility Owner’s choosing. The Inspecting Engineer shall prepare and submit to the Municipality within 30 days of each inspection, a written report of the findings of his/her inspection including any recommendations necessary for the continued maintenance or repair of the Control Measures.
5. The Facility Owner shall grant Right of Entry to duly authorized representatives of the Town. Upon presentation of proper credentials, duly authorized representatives of the Town may enter at reasonable times upon the premises to inspect the implementation, condition or operation and maintenance of the Control Measures. The Facility Owner shall allow persons working on behalf of the Town ready access to all parts of the premises for the purposes of inspecting the Control Measures. Persons working on behalf of the Town shall have the right to temporarily locate, on any stormwater facility or Control Measure in the Town, such devices as are necessary to conduct monitoring and/or sampling of the discharges from such Control Measures.
6. Except in an emergency situation, or as permitted by Section 7 below, The Facility Owner shall not authorize, undertake, or permit any material alteration, abandonment, modification, or discontinuation of the Control Measures except in accordance with written approval of the Stormwater Management Program Coordinator. In the event of an emergency situation, the Facility Owner shall notify the Town as soon as reasonably possible. The notification shall include details regarding the nature of the emergency, the effects of this emergency on the Control Measures, the actions taken by the Facility Owner, and the current state of the Control Measures. An inspection shall be performed by the Inspecting Engineer within seven days after the emergency situation occurs. The Facility Owner shall be required to make any repairs or alterations recommended or requested by the Inspecting Engineer. The results of the inspection shall be reported to the Town.

TOWN OF FARMINGTON

1000 County Road #8
Farmington, NY 14425
(315) 986-8100

APPENDIX: **ST - 9.1**

DATE: 2024

SCALE: N.T.S.

MRB | group

7. The Facility Owner shall undertake all necessary repairs, maintenance, or replacement of the Control Measures in accordance with the recommendations of the Inspecting Engineer, except to the extent such repairs, maintenance, or replacement are made necessary by the acts or omissions of the Town, including without limitation offsite grading. Such repair, maintenance, or replacement shall not require the approval of the Town.
8. This Agreement shall be recorded in the Office of the County Clerk, County of Ontario together with the deed for the common property, and shall be included in the offering plan and/or prospectus approved pursuant to _____.
9. If ever the Stormwater Management Program Coordinator determines that the Facility Owner has failed to construct, maintain, clean, repair, replace, and continue the Control Measures in accordance with the Plans or has failed to undertake necessary corrective action in accordance with Section 7 above, the Stormwater Management Program Coordinator shall give the Facility Owner written notice of such a default. In the event the Facility Owner fails to cure such default within thirty (30) days from its receipt of such notice, the Town is authorized to undertake such steps as reasonably necessary for the preservation, continuation, or maintenance of the Control Measures. The actual cost of such steps, plus a service charge of 50% thereof to cover the cost of supervision and administration shall be certified by the Town of Farmington Code Enforcement Officer to the Town Supervisor and such certified amount shall thereupon be charged and assessed against the Facility Owner and, if different, the owner of the property on which the Facility is located. The expense, so assessed, shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town taxes and charges.
10. The parties agree and acknowledge that this Agreement shall cover not only the Control Measures set forth on the Plans, but it also shall cover any alterations or modifications to the Plans that may be approved by the Stormwater Management Program Coordinator after the execution of this Agreement.
11. This Agreement shall be binding upon, and inure to the benefit of, the respective successors and permitted assigns of the parties. This Agreement shall not be assignable by the Town but may be assigned or transferred by the Facility Owner.
12. All notices required or permitted hereunder shall be in writing and shall be sent to the parties at the following addresses:

If to the Municipality: Stormwater Management Program Coordinator
Town of Farmington
1000 County Road 8
Farmington, New York 14425

If to the Facility Owner: _____

With copies to: _____

Any such notices may be sent by: (a) certified mail, return receipt requested, or
(b) a nationally recognized overnight courier

The above addresses may be changed by written notice to the other party. Any such notices shall be deemed effective upon receipts.

13. This Agreement sets forth all of the agreements, conditions, and understandings between the Town and the Facility Owner concerning the maintenance of the Control Measures and supersedes any and all prior agreements and understandings between the parties with respect thereto.
14. This Agreement shall be governed exclusively by the laws of the State of New York, without giving effect to choice of laws or choice of laws, rules or principles.

TOWN OF FARMINGTON

1000 County Road #8
Farmington, NY 14425
(315) 986-8100

APPENDIX: **ST - 9.2**

DATE: 2024

SCALE: N.T.S.

MRB | *group*

15. Issuance of the first certificate of occupancy or certificate of compliance for the project depicted on the Plans shall be deemed an acknowledgement by the Town that the Control Measures have been constructed in accordance with the Plans.
16. This Agreement may be executed in several counterparts, including by facsimile, each of which shall be an original and all of which shall constitute but one and the same instrument.
17. This Agreement may not be amended, changed, modified, altered, or terminated, except by an instrument in writing, signed by the parties hereto.
18. This Agreement is effective upon full execution by both parties.

The parties have entered into this Agreement on this _____ day of _____, 20__.

MUNICIPALITY
TOWN OF FARMINGTON, NY

By: _____
Title: _____
Date: _____

FACILITY OWNER

By: _____
Title: _____
Date: _____

[REMAINDER OF PAGE INTENTIONALLY BLANK]

TOWN OF FARMINGTON

1000 County Road #8
Farmington, NY 14425
(315) 986-8100

APPENDIX: **ST - 9.3**

DATE: 2024

SCALE: N.T.S.

MRB | *group*

State of New York)
County of Ontario) ss.:

On the ____ day of _____ in the year ____ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature and Office of individual taking acknowledgment

State of New York)
County of Ontario) ss.:

On the ____ day of _____ in the year ____ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature and Office of individual taking acknowledgment

APPENDIX H

MCM 6 SOPs AND RELATED DOCUMENTS

Town of Farmington Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 6

Pollution Prevention / Good Housekeeping for Municipal Operations

1. Stormwater Pollution Prevention & Good Housekeeping

As a New York State MS4, the Town of Farmington is required by the NYSDEC to address, at a minimum, these points in regard to Stormwater Pollution Prevention and Good Housekeeping:

- ❖ Design and implement an operation and maintenance program to reduce and prevent discharge of pollutants to the maximum extent practicable from municipal operations and facilities;
- ❖ Include a training component in the program on pollution prevention and good housekeeping techniques in municipal operations;
- ❖ Select and implement management practices for pollution prevention and good housekeeping in municipal operations; and
- ❖ Develop measurable goals to ensure the reduction of all pollutants of concern in stormwater discharges to the maximum extent practicable.

Based on these requirements, below is an overview of the topics that the Town of Farmington will focus on as a continuous effort to prevent and minimize stormwater pollution and to improve their good housekeeping practices.

1. Prevent Pollution at its Source

Controlling pollutants at their source and preventing their wider release is more efficient and cost-effective than removing them from stormwater runoff or other water treatment. Remove or capture contaminants before stormwater contact; prevent erosion; and provide multiple barriers to pollutant releases at storage and waste sites. Examples of preventative measures are:

- annual educational mailings to the public on ways to prevent pollution
- animal waste collection and management
- sweeping streets (abrasives removal, litter, organic debris removal)
- secondary containment at storage sites
- revegetating eroding slopes
- early capture of hydrocarbons by pretreatment vaults

2. Manage Clean Water Runoff and Minimize Pollutant Exposure to Clean Water

Prevent clean water runoff and precipitation from contacting potential pollutants and prevent mixing of clean runoff with polluted water flows.

- maximize infiltration of runoff

Town of Farmington Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 6

Pollution Prevention / Good Housekeeping for Municipal Operations

- structural cover of storage sites
- site drainage design/runoff diversion
- roof drainage management

3. Minimize Use of Potential Pollutants

Examine municipal use of all chemicals and other potential pollutants and identify methods of eliminating, reducing or better targeting their use in municipal operations and facilities (including alternative products).

- reduced fertilizer use
- reduced or alternative pesticide use
- reduced road salt and abrasives use
- reduced or alternative exterior cleaning product use

4. Plan for Spills and Accidents

Develop spill prevention and response policies and procedures for ALL facilities that use or store chemicals (not just petroleum). Examples:

- post procedures and emergency contacts
- provide secondary containment
- equip facility to handle any size of spill
- assign responsible person/team for response

5. Practice Preventive Maintenance

Regularly inspect components of stormwater collection, conveyance and treatment system; regularly inspect machinery, pipes, storage tanks and other equipment for leaks or worn parts; regularly calibrate application equipment (salts, pesticides, fertilizers); plan for system upgrades and component replacements and repairs. Examples:

- use of dry cleanup methods rather than washing
- containment of minor leaks and spills with drip pans, absorbent pads
- establish inspection calendar and incorporate into records/data system
- establish equipment maintenance and calibration calendar and incorporate into records/data system

6. Identify Potential Pollution Sources

Town of Farmington Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 6

Pollution Prevention / Good Housekeeping for Municipal Operations

Identify all municipal facilities and operations that could impact stormwater quality; identify potential pollution sources at each site or for each activity; identify, map and inspect the facility's stormwater drainage system. Examples:

- all fueling sites
- all material storage sites, especially those with any outside operations
- all drainage structures and components
- all sites with animal waste concentrations
- pesticide/fertilizer application areas

7. Plan New Facilities to Include Stormwater Pollution Prevention

Include a stormwater pollution prevention component in all new municipal facilities and activities; site new facilities to minimize waterbody impacts. Examples:

- minimize impervious surfaces
- maintain stream buffers
- infiltrate runoff
- eliminate pollutant exposure
- provide spill containment measures and structural stormwater management practices

8. Improve Data Collection, Mapping, and Records Maintenance

Emphasize improvement of data collection and records maintenance to address higher priority pollution sources and contaminants; improvement of geographic information; and unification of data management across all relevant municipal departments and operations. Examples:

- continue using geographic information systems (GIS) into pollution prevention planning
- maintain chemical usage data (pesticides, fertilizers, salts, solvents, etc.)
- maintain inspection, repair, maintenance records
- integrate records maintenance across departments, based on priorities (e.g., pesticide usage)

9. Train Employees

Train employees regarding stormwater pollution and prevention practices; identify emergency contacts and reporting procedures; seek employee ideas on pollution prevention methods and priorities;

Topics covered include:

Town of Farmington Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 6

Pollution Prevention / Good Housekeeping for Municipal Operations

- general education on importance of stormwater pollution control to all employees
- targeted training on policies, procedures and best management practices for maintenance staff
- refresher training and continuing education on routine basis for maintenance staff

10. Improve Communications and Coordination

Emphasize communication and coordination across key Town departments and operations; coordinate stormwater and pollution prevention activities with county and state agencies, organizations and institutions; examples include:

- establish a municipal pollution prevention team (public works director, planner engineer, water/sewer operator, highway, etc.)
- participate in County Water Quality Coordinating Committee (county agencies, etc.)
- participate in statewide organizations (Association of Towns, Conference of Mayors, Cornell Local Roads Program, etc.)
- work with local educational institutions
- work with Regional Planning Agency for your area
- include stormwater pollution prevention column in municipal newsletter and bulletins
- post informational signs at special project sites
- encourage participation by citizens and businesses in special events such as hazardous waste collection events or community cleanup days.

Town of Farmington Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 6

Pollution Prevention / Good Housekeeping for Municipal Operations

2. Training Program Overview

Purpose

Municipalities conduct numerous activities that can pose a threat to water quality if practices and procedures are not in place to prevent pollutants from entering the Municipal Separate Storm Sewer System (MS4). This training program has been established to teach employees about stormwater management, potential sources of stormwater contaminants in the workplace, and Best Management Practices (BMPs).

Applicability

In accordance with the New York State Department of Environmental Conservation's SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), covered entities must "...include an employee pollution prevention and good housekeeping training program and ensure that staff receive and utilize training."

Employee Training

Municipal employees who are educated about the link between their work and stormwater quality can assist in reducing the amount of stormwater pollution conveyed into receiving waters. In order for municipal pollution prevention and good housekeeping programs to be successful, employees must be trained in measures to incorporate pollution prevention and good housekeeping practices into their everyday activities.

Municipal employees shall be provided with specific information about the actions they can take to prevent or reduce stormwater pollution. Related SOP 3. *Training Program Topics* presents a range of training topics that shall be covered for each department of the Town. If existing employees are unfamiliar with the requirements of the SPDES Permit, a general training session will be provided to ensure that all employees are up-to-speed. Going forward, all new hires will be educated on the SPDES permit and all other relevant topics listed below.

In order to provide appropriate information to employees, the topics below have been listed corresponding to groups. For example: employees engaged in landscape and park maintenance will be trained in landscaping techniques that use less fertilizer and pesticides; employees responsible for maintaining fleet vehicles will be trained in proper management of fuels, oil/water separators, and waste disposal.

A variety of methods will be used to educate municipal employees about stormwater pollution prevention and good housekeeping practices, including:

- *Brochures*
- *Workshops*
- *Employee meetings*

Town of Farmington Stormwater Management Standard Operating Procedures

SWMP Plan – MCM 6

Pollution Prevention / Good Housekeeping for Municipal Operations

- *Training sessions and programs offered through Ontario County Soil and Water Conservation District and Wayne County Soil and Water Conservation District*
- *Videos*
 - *“SWPPP for Construction Sites: Ground Control”*
This employee training kit is designed to show employees how erosion, sediments and other potential surface water pollutants are controlled at construction sites. The program focuses on Best Management Practices (BMPs) that are widely used at most construction sites including: silt fence, stabilized entrances/exits, drop inlet protectors and others. The program illustrates how these BMPs work and how they can fail. Employees are encouraged to promptly report any failing BMPs. By making all employees "look-outs" for BMP problems, this training program is an important part of the required BMP maintenance program.
 - *“Municipal Stormwater Pollution Prevention”*
This 20-minute video training kit helps regulated municipalities (Phase I and Phase II) train their employees as required under their Permit. The video focuses on BMPs that are important to many municipal operations such as good housekeeping, spill response, materials storage and handling, landscape maintenance and street maintenance. Employees working in fleet maintenance, garages, parks, recreation facilities, street maintenance and other departments can all benefit from this training video. The video also shows employees how to spot potential "illicit discharges" occurring around town.
- *Walkthroughs with checklists*
- *Workplace posters*
- *Field training programs*

An effective program ensures that institutional knowledge about pollution prevention and good housekeeping practices is maintained over time. Related SOP 4. *Training Sign-In Sheet* will actively track each of trainings completed on an annual basis, as well as the municipal staff members who have attended the trainings. Tracking this information will ensure the effectiveness of the pollution prevention and good housekeeping employee training program.

**Town of Farmington Stormwater Management
Standard Operating Procedures**

SWMP Plan – MCM 6

Pollution Prevention / Good Housekeeping for Municipal Operations

3. Training Program Topics

| Municipal Operation | Employees | Topics / Procedures | Taught by | Availability | Frequency of Training |
|--|---|--|------------------------------------|--------------|--|
| Hotspot Facility Management | <ul style="list-style-type: none"> - SMO - Highway Superintendent - Water and Sewer Superintendent - WTP Operator - WWTP Operator - Highway Foreman | <ul style="list-style-type: none"> - Vehicle maintenance and repair - Vehicle washing - Materials loading and unloading - Spill prevention and response - Dumpster management - Building repair and maintenance - Oil/grease trap maintenance - Infiltration | Town of Farmington | | <ul style="list-style-type: none"> • ASAP upon hire • Every 3-5 years, prior to expiration |
| Municipal Stormwater Pollution Prevention | <ul style="list-style-type: none"> - SMO - Highway Superintendent - Water and Sewer Superintendent - WTP Operator - WWTP | <ul style="list-style-type: none"> - BMPs - Good housekeeping - Spill response - Materials | Ontario-Wayne Stormwater Coalition | | <ul style="list-style-type: none"> • ASAP upon hire |

Town of Farmington Stormwater Management Standard Operating Procedures

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|--|---|--|------------------------------------|--|--|
| | <ul style="list-style-type: none"> - Operator - Highway Foreman - Water Foreman - Work crews (Highway, Water, and Parks) | <ul style="list-style-type: none"> storage and handling - Landscape maintenance - Street Maintenance - Fleet Maintenance - Illicit discharge spotting | | | |
| Construction Site Stormwater Runoff control | <ul style="list-style-type: none"> - CEO - SMO - Highway Foreman - Water and Sewer Forman - Work Crew | <ul style="list-style-type: none"> - NYSDEC 4-Hour Course | NYSDEC | NYSDEC website posts calendar for training dates | <ul style="list-style-type: none"> • ASAP upon hire • Every 3 years, prior to expiration |
| E&SC BMP Installation & Maintenance | <ul style="list-style-type: none"> - CEO - SMO - Highway Foreman - Water and Sewer Foreman - Work Crew - Planning Board | <ul style="list-style-type: none"> - BMPs regarding on-site construction, such as silt-fences, drop inlet protectors, etc. | Ontario-Wayne Stormwater Coalition | | <ul style="list-style-type: none"> • ASAP upon hire |
| Post-Construction Stormwater Management | <ul style="list-style-type: none"> - SMO - Highway Superintendent - Highway foreman - Work Crew | <ul style="list-style-type: none"> - Post-Construction Stormwater BMP maintenance | Town of Farmington | | <ul style="list-style-type: none"> • ASAP upon hire • Every 3-5 years, or prior to |

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| | | | | | expiration |
|---------------------------------------|--|---|--------------------|--|---|
| Street Repair and Maintenance | <ul style="list-style-type: none"> - Highway Superintendent - Highway Foreman - Highway Work Crew | <ul style="list-style-type: none"> - Road maintenance - Winter road maintenance - Chemical handling and application - Spill prevention and response | Town of Farmington | | <ul style="list-style-type: none"> • ASAP upon hire • Every 3-5 years, or prior to expiration |
| Storm Drain Maintenance | <ul style="list-style-type: none"> - Highway Superintendent - Highway Foreman - Work Crew | <ul style="list-style-type: none"> - Storm drain maintenance - Materials disposal - Vacuum truck maintenance - Spill prevention and response | Town of Farmington | | <ul style="list-style-type: none"> • ASAP upon hire • Every 3-5 years, or prior to expiration |
| Park and Landscape Maintenance | <ul style="list-style-type: none"> - Highway Superintendent - Parks Work Crew | <ul style="list-style-type: none"> - Chemical handling and application - No-mow areas - Spill prevention and response | Town of Farmington | | <ul style="list-style-type: none"> • ASAP upon hire • Every 3-5 years, or prior to expiration |

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|---|--|--|---------------------------|--|---|
| <p>Illicit Discharge Detection and Elimination</p> | <ul style="list-style-type: none"> - Water and Sewer Superintendent - Water and Sewer Foreman - WWTP Operator | <ul style="list-style-type: none"> - Detecting illicit discharges - Reporting illicit discharges | <p>Town of Farmington</p> | | <ul style="list-style-type: none"> • ASAP upon hire • Every 3-5 years, or prior to expiration |
| <p>General Stormwater Awareness</p> | <ul style="list-style-type: none"> - SMO - CEO - Highway Superintendent - Water and Sewer Superintendent - Highway foreman - Water and Sewer Foreman - WTP Operator - WWTP Operator - Planning Board Officials - All work crews - Vehicle and equipment operators | <ul style="list-style-type: none"> - MS4 program requirements including minimum control measures - Goal of MS4 programs - Principles of stormwater management and maintenance | <p>Town of Farmington</p> | | <ul style="list-style-type: none"> • ASAP upon hire • Every 3-5 years, or prior to expiration |

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4. Training Sign-In Sheet

List the names of each employee required to attend training in the Municipal Employee Name column of the table below. Trainees that do not attend shall reschedule the required training with their supervisor.

| Title: | | |
|---------------------------------------|----------------------------|-------------------------------------|
| Taught by (Name, Affiliation): | | |
| Training Date: | | |
| Municipal Employee Name | Employee Department | Municipal Employee Signature |
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5. Self-Assessment Checklist

The purpose of this checklist is to clearly identify areas relating to Stormwater Pollution Prevention and Good Housekeeping that may be in need of attention. It shall be used as a means to evaluate the status of policies and procedures, staffing, condition and need of equipment, and communication between the Town and other agencies.

1. Status of Policies and Procedures

- Established? _____
- Format (document type, if any)? _____
- Latest revision or review? _____
- Content: For each municipal operation category in Tables 3.1 to 3.8, all relevant key items listed under policies and procedures currently addressed? _____

2. Staff

- Number of staff (with significant roles in municipal operations for each category)? _____
- Percent of staff receiving training in pollution prevention, good housekeeping and stormwater management? _____
- Percent of staff trained in existing policies and procedures? _____

3. Equipment

- Adequacy: are upgrades or new equipment needed? _____
- Proper maintenance schedules implemented? _____

4. Coordination/Collaboration

- Are policies consistent across municipal departments? (e.g. pesticide use in different operations, recycling, etc.) _____
- Are county, regional or state agencies consulted or involved in municipal pollution prevention and good housekeeping efforts? _____

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- Are community groups and citizens involved either through volunteer assistance, advisory roles, or outreach and education? _____

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6. Spill Response & Cleanup

Municipalities are responsible for any contaminant spill or release that occurs on property they own or operate. Particular areas of concern include any facilities that use or store chemicals, fuel oil or hazardous waste, including schools, garages, DPW/DOT yards, and landfills. Implementation of proper spill response and cleanup procedures can help to mitigate the effects of a contaminant release.

Responding to a Spill

In the event of a spill, follow these spill response and cleanup procedures:

1. Notify a member of the facility's Pollution Prevention Team, the facility supervisor, and/or the facility safety officer.
2. Assess the contaminant release site for potential safety issues and for direction of flow.
3. With proper training and personal protective equipment, complete the following:
 - a. Stop the contaminant release.
 - b. Contain the contaminant release through the use of spill containment berms or absorbents
 - c. Protect all drains and/or catch basins with the use of absorbents, booms, berms or drain covers.
 - d. Clean up the spill.
 - e. Dispose of all contaminated products in accordance with applicable federal, state and local regulations.
 - i. Products contaminated with petroleum shall be handled and disposed of according to latest NYS DEC guidelines.
 - ii. Waste oil contaminated products:
 1. Perform the "one drop" test to ensure absorbents do not contain enough oil to be considered hazardous. Wring absorbents through a paint filter. If doing so does not generate one drop of oil, the materials are not hazardous.
 2. If absorbents pass the "one drop" test they may be discarded in the trash, unless contaminated with another hazardous waste.
 - a. It is acceptable to mix the following fluids and handle them as waste oil:
 - i. Waste Motor Oil

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- ii. Hydraulic Fluid
 - iii. Power Steering Fluid
 - iv. Transmission Fluid
 - v. Brake Fluid
 - vi. Gear Oil
 - b. Do not mix the following materials with waste oil, store each separately:
 - i. Gasoline
 - ii. Antifreeze
 - iii. Brake and Carburetor Cleaners
 - iv. Cleaning Solvents
 - v. Other Hazardous Wastes.
 3. If absorbents do not pass the “one drop” test they should be placed in separate metal containers with tight fittings lids, labeled “Oily Waste Absorbents Only”.
 4. If you need assistance containing and/or cleaning up the spill, or preventing it from discharging to a surface water (or an engineered storm drain system), contact your local fire department. In the case of an emergency call 911. A complete list of Ontario and Wayne County Fire Departments is contained in the appendix to this document.
- ❖ Region 8 DEC Spill Response Unit must be contacted (585-226-5433) if a hazardous waste spill is detected. All petroleum spills that occur within New York State must be reported to the NYS Spill Hotline (1-800-457-7362) within 2 hours of discovery except spills which meet all of the following criteria:
1. The quantity is known to be less than 5 gallons.
 2. The spill is contained and under the control of the spiller.
 3. The spill has not and will not reach the state’s water or any land.
 4. The spill is cleaned up within 2 hours of discovery.

A spill is considered to have not impacted land if it occurs on a paved surface such as asphalt or concrete. A spill in dirt or gravel parking lot is considered to have impacted land and is reportable. Consider also whether the spill may have occurred on areas of pervious pavement.

National Response Center (1-800-424-8802) The National Response Center is the sole federal point for reporting all hazardous substances releases and oil spills that trigger federal notification requirements under several laws. For information on EPA Discharge of Oil Regulations, see EPA website.

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Procedures for Reporting Spill Response

When contacting emergency response personnel or a regulatory agency, or when reporting the contaminant release, be prepared to provide the following information:

1. Your name and the phone number you are calling from.
2. The exact address and location of the contaminant release.
3. Specifics of release, including:
 - a. What was released
 - b. How much was released, which may include:
 - i. Pounds .
 - ii. Gallons
 - iii. Number of containers.
4. Where was the release sent/what was contaminated, addressing:
 - a. Pavement
 - b. Soil
 - c. Drains
 - d. Catch Basins
 - e. Water Bodies
 - f. Public Street
 - g. Public Sidewalk
5. The concentration of the released contaminant.
6. What/who caused the release.
7. Is the release being contained and/or cleaned up, or is the response complete?
8. Type and amount of petroleum stored on site, if any.
9. Characteristics of contaminant container, including:
 - a. Tanks
 - b. Pipes
 - c. Valves.

Maintenance and Prevention Guidance

Prevention of spills is preferable to even the best response and cleanup. To mitigate the effects of a contaminant release, provide proper maintenance and inspection at each facility.

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To protect against contaminant release adhere to the following guidance:

1. Ensure all employees are properly trained to respond in the case of a spill, understand the nature and properties of the contaminant and understand the spill control materials and personnel safety equipment. Maintain training records of current personnel on site and retain training records of former personnel for at least three years from the date last worked at the facility.
2. Provide yearly maintenance and inspection at all municipal facilities, paying particular attention to underground storage tanks. Maintain maintenance and inspection records on site.
3. Implement good management practices where chemicals and hazardous wastes are stored.
 - a. Ensure storage in closed containers inside a building and on an impervious surface.
 - b. If storage cannot be provided inside, ensure secondary containment for 110 percent of the maximum volume of the storage container.
 - c. Locate storage areas near maintenance areas to decrease the distance required for transfer.
 - d. Provide accurate labels, MSDS information and warnings for all stored materials.
 - e. Regularly inspect storage areas for leaks.
 - f. Ensure secure storage locations, preventing access by untrained or unauthorized persons.
 - g. Maintain accurate records of stored materials.
4. Replace traditional hazardous materials such as pesticides and cleansers with non-hazardous products such as bio-lubricants which can reduce response costs in the case of a spill.
5. Maintain an Oil and Grease Spill Response Kit with the following materials, at a minimum, at each facility:
 - a. 6.5 gallon bucket with screw top lid and handle
 - b. 10 gallons of sand
 - c. 200 pounds of quick-drying absorbent
 - d. Drain covers
 - e. Spill containment berms
 - f. (4) 3' absorbent socks
 - g. (16) 16" x 18" absorbent pads
 - h. Goggles
 - i. Nitrile gloves
 - j. Disposable bags to dispose of used materials
 - k. Laminated contacts list including the following names and numbers:

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7. Fuel and Oil Handling Procedures

Spills, leaks, and overfilling can occur during handling of fuels and petroleum-based materials, even in small volumes, representing a potential source of stormwater pollution. This Standard Operating Procedure addresses a variety of ways by which fuels and petroleum-based materials can be delivered, as well as steps to be taken when petroleum products (such as waste oil) are loaded onto vehicles for offsite disposal or recycling. Delivery, unloading, and loading of waste oils are hereafter referred to as “handling”.

For all manners of fuel and oil handling described below, a member of the facility’s Pollution Prevention Team (or another knowledgeable person familiar with the facility) shall be present during handling procedures.

This person shall ensure that the following are observed:

1. There is no smoking while fuel handling is in process or underway.
2. Sources of flame are kept away while fuel handling is being completed. This includes smoking, lighting matches, carrying any flame, or carrying a lighted cigar, pipe, or cigarette.
3. The delivery vehicle’s hand brake is set and wheels are chocked while the activity is being completed.
4. Catch basins and drain manholes are adequately protected.
5. No tools are to be used that could damage fuel or oil containers or the delivery vehicle.
6. No flammable liquid shall be unloaded from any motor vehicle while the engine is operating, unless the engine of the motor vehicle is required to be used for the operation of a pump.
7. Local traffic does not interfere with fuel transfer operations.
8. The attending persons should watch for any leaks or spills
 - a. Any small leaks or spills should be immediately stopped, and spilled materials absorbed and disposed of properly. Refer to *SOP 6. Spill Response and Cleanup* for examples of spill cleanup and response materials.

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- b. In the event of a large spill or one that discharges to surface waters or an engineered storm drain system, the facility representative shall activate the facility's Stormwater Pollution Prevention Plan (SWPPP) and report the incident as specified within.

Delivery by Bulk (Tanker) Truck

Procedures for the delivery of bulk fuel shall include the following:

1. The truck driver shall check in with the facility upon arrival.
2. The facility representative shall ensure that the appropriate spill cleanup and response equipment and personal protective equipment are readily available and easily accessible. Refer to *SOP 6. Spill Response and Cleanup*, for examples of spill cleanup and response materials.
3. The facility representative shall check to ensure that the amount of delivery does not exceed the available capacity of the tank.
 - a. A level gauge can be used to verify the level in the tank
 - b. If a level gauge is not functioning or is not present on the tank, the tank should be stick tested prior to filling.
4. The truck driver and the facility representative shall both remain with the vehicle during the delivery process.
5. The truck driver and the facility representative shall inspect all visible lines, connections, and valves for leaks.
6. When delivery is complete and the hoses are removed, buckets should be placed underneath connection points to catch drippings.
7. The delivery vehicle shall be inspected prior to departure to ensure that the hose is disconnected from the tank.
8. The facility representative shall inspect the fuel tank to verify that no leaks have occurred, or that any leaked or spilled material has been cleaned and disposed of properly.
9. The facility representative shall gauge tank levels to ensure that the proper amount of fuel is delivered, and collect a receipt from the truck driver.

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Delivery of Drummed Materials

Drummed materials may include motor oil, hydraulic fluid, transmission fluid, or waste oil from another facility (as approved). Procedures for the delivery of drummed materials shall include the following:

1. The truck driver shall check in with the facility upon arrival.
2. The facility representative shall ensure that the appropriate spill cleanup and response equipment and personal protective equipment are readily available and easily accessible. Refer to *SOP 6. Spill Response and Cleanup Procedures* for examples of spill cleanup and response materials.
3. The facility representative shall closely examine the shipment for damaged drums.
 - a. If damaged drums are found, they shall be closely inspected for leaks or punctures.
 - b. Breached drums should be removed to a dry, well-ventilated area and the contents transferred to other suitable containers.
 - c. Drums shall be disposed of in accordance with all applicable regulations.
4. Drummed materials shall not be unloaded outdoors during wet weather events.
5. The truck driver and the facility representative shall both remain with the vehicle during the delivery process.
6. Drums shall be handled and unloaded carefully to prevent damage.
7. Upon completion of unloading, the facility representative shall inspect the unloading point and the drums to verify that no leaks have occurred, that any leaked or spilled material has been cleaned up and disposed of properly, and that the unloaded drums are not leaking.
8. The facility representative shall check to ensure that the proper amount of fuel is delivered, and collect a receipt from the truck driver.

Removal of Waste Oil from the Facility

When waste oil or similar oil products need to be removed from the premises, only haulers certified to transport waste oil should be utilized. Procedures for the draining of bulk oil tanks shall include the following:

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1. The disposal truck driver shall check in with the facility upon arrival.
2. The facility representative shall ensure that the appropriate spill cleanup and response equipment and personal protective equipment are readily available and easily accessible. Refer to *SOP 6. Spill Response and Cleanup Procedures* for examples of spill cleanup and response materials.
3. The facility representative shall verify that the volume of waste oil in the tank does not exceed the available capacity of the disposal hauler's vehicle.
4. The truck driver and the facility representative shall both remain with the vehicle during the tank draining process.
5. When draining is complete and the hoses are removed, buckets should be placed underneath connection points to catch drippings.
6. The disposal hauler vehicle shall be inspected prior to departure to ensure that the hose is disconnected from the tank.
7. The facility representative shall inspect the loading point and the tank to verify that no leaks have occurred, or that any leaked or spilled material has been cleaned up and disposed of properly.
8. The facility representative shall collect a receipt from the truck driver.

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8. Oil Water Separator Maintenance

Oil/water separators (OWS), also known as gas/oil separators, are structural devices intended to provide pretreatment of floor drain water from industrial and garage facilities. An OWS allows oils (and substances lighter than water) to be intercepted and removed for disposal before entering the sanitary sewer system. Substances heavier than water settle into sludge at the bottom of the unit. The remaining water passes through the unit into the sanitary sewer system.

OWS units are generally required where petroleum-based products, wastes containing petroleum, or oily and/or flammable materials are used, produced, or stored. OWS units should not be used to manage stormwater or flow from vehicle washing facilities. High flow rates through an OWS will reduce the structure's ability to separate materials. Detergents and solvents can emulsify oil and grease, allowing the particles to enter the sewer, so these should not be disposed of in drains entering the OWS.

General OWS Maintenance Requirements

1. Each OWS at a facility may receive different materials in different quantities, so the cleanout schedule may not be the same for every OWS at a facility.
2. Employees performing inspections of an OWS must be properly trained and be familiar with the maintenance of that specific structure, since function can vary based on design. Third-party firms may be utilized to perform quarterly inspections.
3. Do not drain petroleum, oil, or lubricants directly to an OWS. The structures are designed to manage these materials at low and medium concentrations in sanitary sewage, not as slug loads.
4. Do not drain antifreeze, degreasers, detergents, fuels, alcohols, solvents, coolant, or paint to the OWS.
5. Separator compartment covers should be tightly sealed to ensure floor drainage only enters the first compartment of the OWS.
6. Drains should be kept free of debris and sediment to the maximum extent practicable.

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7. Spill cleanup materials should be maintained in the area served by the OWS. For more information on spill cleanup and response materials, refer to *SOP 6. Spill Response and Cleanup*. Daily inspection of an OWS should include a visual examination of the area served by the OWS for evidence of spills or leaks.

Weekly inspections of an OWS should include the following:

1. Visually examine the area served by the OWS for evidence of spills or leaks.
2. Inspect the point of discharge (i.e., sewer manhole) for evidence of petroleum bypassing the OWS.
3. Inspect drains for any signs of unauthorized substances entering the OWS.
4. Examine the OWS for signs of leaks or any malfunction.

Quarterly inspections of an OWS should include the following:

1. Complete tasks noted as appropriate for daily and weekly inspection.
2. Complete the Quarterly OWS Inspection Checklist, attached, during the inspection.
3. Take the following measurements to benchmark function of the OWS:
 - a. Distance from rim of access cover to bottom of structure
 - b. Distance from rim of access cover to top of sludge layer
 - c. Depth of sludge layer ($C = A - B$)
 - d. Distance from rim of access cover to the oil/water interface
 - e. Distance from rim of access cover to the top of the liquid surface
 - f. Depth of oil layer ($F = D - E$)

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OWS Cleaning Procedures

Cleaning of the OWS is required when there has been a spill to the OWS that exceeds ten gallons of oil, one gallon of detergent or solvent, or any material prohibited by the owner of the sanitary sewer. Cleaning is also required when the levels of accumulated sludge and/or oil meet the manufacturer’s recommended levels for cleaning. This will vary based on the manufacturer of the OWS.

If the manufacturer’s recommendations are unknown, the following guidelines are appropriate for determining when to clean:

- 1. When sludge accumulates to 25% of the wetted height of the separator compartment;
or
- 2. When oil accumulates to 5% of the wetted height of the separator compartment;
or
- 3. When 75% of the retention capacity of the OWS is filled.

Cleaning should be performed a minimum of once per year. When cleaning is required, it shall be performed by licensed OWS maintenance companies. Materials removed from the OWS must be legally and properly disposed.

Documentation of Cleaning and Service

The operator of the premises where the OWS is located shall maintain a log describing the date and type of all inspections, service and maintenance performed in connection with the Separator. Documentation shall include the identity of the inspector (or the identity of the person or entity that performed the service and/or maintenance). Records shall also document the amount of residue removed from the OWS each time it was cleaned, and how removed materials were disposed. This documentation shall be maintained for a minimum of six years.

Facility: _____

OWS Location: _____

Inspected by: _____

Date: _____

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| | | | |
|-------------------|---|-----|----|
| Visual Inspection | Are there any signs of spills or leaks in the general area? | Yes | No |
| | Is there any evidence of petroleum bypassing the OWS? | Yes | No |
| | Are there any unauthorized substances entering the OWS? | Yes | No |
| | Does the OWS exhibit any signs of leaks or malfunctions? | Yes | No |

If you answered “yes” to any of the above questions, further inspection, repair, and/or cleaning may be necessary.

| | | | |
|--------------|---------|--|--|
| Measurements | A | Distance from rim of access cover to bottom of structure | |
| | B | Distance from rim of access cover to top of sludge layer | |
| | C = A-B | Depth of sludge layer | |
| | D | Distance from rim of access cover to the oil/water interface | |
| | E | Distance from rim of access cover to the top of the liquid surface | |
| | F = D-E | Depth of oil layer | |

If the values for “C” and/or “F” are greater than those in the manufacturer’s recommendations, the OWS must be cleaned by a licensed OWS maintenance company.

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9. Landscaping, Pesticides, and Fertilizers

Use and improper storage of pesticides and fertilizers can contribute to loading of nutrients and toxic compounds to surface waters. This SOP addresses Best Management Practices (BMPs) for storing these materials, and guidelines for safe and appropriate application. In this SOP, the term “pesticide” includes products used as herbicides. Design and implement an operation and maintenance program to reduce and prevent discharge of pollutants to the maximum extent practicable from municipal operations and facilities;

BMPs

- ❖ Developing an inventory of landscaping and lawn care areas that are owned by the MS4;
- ❖ Evaluate current landscaping and lawn care activities in order to identify opportunities to reduce the discharge of the following:
 - Fertilizers
 - Leaf litter and tree trimmings
 - Litter and floatable materials
 - Equipment fluids
- ❖ Ensure that proper litter collection is scheduled prior to any mowing activities;
- ❖ Use slow release or naturally derived and / or organic all herbicides, pesticides, and fertilizers and in accordance with manufacturers' instructions for application rates and quantities;
- ❖ Purchase only enough lawn care products necessary for one year – store properly to avoid waste generation (spills, leaks);
- ❖ Train employees in the proper application of lawn care products;
- ❖ Consider alternative landscape techniques i.e.) naturescaping, xeriscaping, and rain gardens;
- ❖ Plant trees away from sewer lines or other underground utilities;
- ❖ Use drip irrigation techniques for landscaping; and
- ❖ Report annually on the activities conducted under this program.

Storage of Pesticides and Fertilizers

Procedures for the storage of pesticides and fertilizers shall include the following:

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1. Store pesticides and fertilizers in high, dry locations in accordance with the manufacturer's specifications.
2. Store in cool, well-ventilated, and insulated areas to protect against temperature extremes.
3. Store in an area which has been constructed in accordance with local fire codes for storing flammable or combustible materials.
 - a. Flammable products shall be stored separately from non-flammable products, preferably in a fire-proof cabinet.
 - b. Small quantities (less than 500 lbs. or 220 gallons) of pesticides can be stored in cabinets constructed of double-walled 18-gauge sheet metal.
 - c. Large quantities (greater than 500 lbs. or 220 gallons) of pesticides can be stored in a prefabricated Hazardous Material Storage Building or in a purpose-built storage facility. It is not anticipated that many municipal facilities will store quantities in excess of 500 lbs. or 220 gallons of pesticides.
 - d. Building walls should have a two hour fire rating and be impervious to the stored materials.
 - e. Floors should be water tight, impervious, and provide spill containment. Refer to *SOP 6. Spill Response and Cleanup* for more information on spill cleanup.
4. Store materials in an enclosed area or in covered, impervious containment, such as a locked cabinet. The cabinet shall be located in a first story room or one which has direct access to the outdoors.
5. For pesticides, storage cabinets should be kept locked and the door to the storage area should contain a weather proof sign warning of the existence and danger of pesticides inside. The door should be kept locked. The sign should be posted in both English and the language or languages understood by workers if this is not English. The sign should be visible at a distance of twenty five feet and should read as follows:

**DANGER PESTICIDE STORAGE AREA: ALL UNAUTHORIZED PERSONS
KEEP OUT: KEEP DOORS LOCKED WHEN NOT IN USE**
6. Pesticides shall not be stored in the same place as ammonium nitrate fertilizer.

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7. Separate pesticides and fertilizers from other chemical storage and other flammable materials.
8. Label all containers with date of purchase, and use the older materials first.
9. Clearly label all secondary containers.
10. Never leave unlabeled or unstable pesticides and fertilizers in uncontrolled locations.
11. Maintain a current written inventory of all pesticides and fertilizers at the storage site.
12. Order for delivery as close to time of use as possible to reduce the amount of chemical stored at the facility.
13. Order only the amount of materials needed in order to minimize excess or obsolete materials, which require storage and disposal.
14. Regularly inspect storage area for leaks and spills.
15. Storage area should be equipped with easily accessible spill cleanup materials and portable firefighting equipment.
16. Emergency eyewash stations and emergency drench showers should be located near the storage area.
17. Ensure that contaminated waste materials are kept in designated containers and stored in a labeled, designated, covered, and contained area.
18. Dispose of excess or obsolete pesticides/fertilizers and associated waste materials in accordance with the manufacturer's specifications and all applicable regulations.
19. If pesticides are stored in mini-bulk (55-1,000 gallons) or portable storage units, the following additional NYS DEC recommended precautions should be followed:
 - a. All such tanks should have inlet and outlet locks which remain locked when not in use.
 - b. The tanks should be stored on a bermed, impermeable pad or floor which is capable of containing at least 100% of the total tank volume. If the tank is not protected from precipitation or surface run-on, a greater containment capacity is recommended.

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- c. Areas where tanks are stored should be fenced or walled in.
- d. Areas should be locked when not in use
- e. Tanks should be routinely inspected and tested, to ensure that system is functioning properly.

Use and Application of Fertilizers

The New York State Department of Agriculture and Markets licenses fertilizer companies as Commercial Fertilizer Distributors. Individual fertilizer products are not licensed. There is no licensing or certification required for individuals in order to purchase or apply fertilizers.

Procedures for the use of fertilizers include the following:

1. Fertilizers should only be applied by properly trained personnel.
2. Perform soil testing before evaluating and choosing a fertilizer. The quantity of available nutrients already present in soil will determine the type and amount of fertilizer that is recommended. The soil test will also determine soil pH, humic matter and exchangeable acidity, which will indicate whether pH adjustment is required for a fertilizer to work efficiently. A soil test should be completed at each facility, as soil type and quality can vary widely within a single community. Type of turf and turf use should also be considered in fertilizer selection.
3. Fertilizer selection shall take into account any surface waters within the watershed that are impaired for nutrients. Future regulatory actions may limit use of many fertilizers within these watersheds.
4. Calibrate application equipment regularly to ensure proper application and loading rates.
5. Never apply fertilizers in quantities exceeding the manufacturer's instructions.
6. Time fertilizer application periods for maximum plant uptake, usually in the fall and the spring.
7. Do not over-apply fertilizer in late fall to "use it up" before winter. The effectiveness of fertilizer will not reduce when stored.

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8. Do not fertilize during a drought or when the soil is dry.
9. Never apply fertilizer to frozen ground.
10. Never apply fertilizer if it is raining or immediately before expected rain.
11. Mix fertilizers and clean application equipment under cover in an area where accidental spills will not enter surface water or groundwater and will not contaminate soil.
12. Do not hose down paved areas after fertilizer application if drainage will enter to an engineered storm drain system or drainage ditch.
13. Apply fertilizers in amounts appropriate for the type of vegetation to minimize losses to surface water and groundwater.
14. Where applicable, till fertilizers into the soil rather than dumping or broadcasting (proper application techniques will depend on the types of soil and vegetation).
15. If phosphorous fertilizer is used when re-seeding, mix the phosphorous into root zone. Do not apply directly to the soil surface.
16. Use alternatives to chemical fertilizers, such as natural compost and organic fertilizers, which are beneficial to soil organisms.
17. Avoid combined products such as “weed and feed,” which do not target specific problems at the appropriate time.
18. Use slow-release fertilizer for turf grass.

Use and Application of Pesticides

The State of New York has a stringent program for registration of pesticides and certification of those authorized to apply them. Once a pesticide has been approved for use by the U.S. EPA, it must be registered by the DEC prior to being distributed, purchased, or used. Pesticide classification is based on the potential adverse effects the pesticide may have on humans or the environment.

Legal application of pesticides must be performed by a trained individual licensed or certified by the DEC. A Commercial Applicator License is required for applying general use pesticides,

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and a Commercial Applicator Certification is required for applying restricted and state limited use products.

Procedures for the use of pesticides include the following:

1. Follow DEC requirements for pesticide licensed or certified applicators.
2. Mix pesticides and clean application equipment under cover in an area where accidental spills will not enter surface water or groundwater and will not contaminate soil.
3. Health standards require that water supplies be protected with anti-siphoning devices. Areas where pesticide concentrates are handled should be equipped with vent hoods, fans or other vapor removal equipment.
4. Calibrate application equipment regularly to ensure proper application and loading rates.
5. Ensure that pesticide application equipment is capable of immediate shutoff in case of emergency.
6. Conduct spray applications according to specific label directions and applicable local regulations.
7. Never apply pesticides in quantities exceeding the manufacturer's instructions.
8. Apply pesticides at the life stage when the pest is most vulnerable.
9. Never apply pesticides if it is raining or immediately before expected rain.
10. Do not apply pesticides within 100 feet of open waters or of drainage channels.
11. Establish setback distances from pavement, storm drains, and water bodies, which act as buffers from pesticide application with disease-resistant plants and minimal mowing.
12. Spot treat infected areas only instead of the entire location.
13. Do not hose down paved areas after pesticide application to a storm drain or drainage ditch.
14. Recycle rinsate from equipment cleaning back into product.

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15. Choose the least toxic pesticide that is still capable of reducing the infestation to acceptable levels.
16. Use alternatives to pesticides, such as manual weed control, biological controls, and Integrated
17. Pest Management strategies.
18. For use of herbicides, reduce seed release of weeds by timing cutting and pesticide application at seed set. Select vegetation and landscaping that is low-maintenance, in order to tolerate low levels of weeds without interfering with aesthetics.
19. Refer to DEC website for the requirements for the use of pesticides and requirements for pesticide applicators.
20. Refer to DEC website for a list of New York State restricted pesticides and for Registration and Classification of Pesticides

Other Programs that Govern the Use of Pesticides

In October 2011, the USEPA issued the Pesticide General Permit (PGP) For Discharge from the Application of Pesticides under the NPDES program. The PGP applies to operators that discharge biological or chemical pesticides that leave a residue to surface waters. The permit applies to pesticides used to control the following: mosquitoes and other flying insects; weeds and algae; animals (such as fish, lampreys, insects, and mollusks); and pests in the forest canopy. Requirements of coverage under the PGP would supersede the materials included in this SOP.

The final PGP requires additional protective measures beyond the pesticide label requirements under Federal Insecticide, Fungicide and Rodenticide (FIFRA), requires permittees to minimize pesticide discharges to surface waters through the use of pest management measures (such as integrated pest management [IPM]), and requires permittees monitor for and report any adverse incidents.

**Town of Farmington Stormwater Management
Standard Operating Procedures**

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10. Pesticides & Fertilizers Checklist

| | Yes | No |
|---|-----|----|
| GENERAL RECOMMENDATIONS | | |
| Clean, neat pesticide storage site | | |
| Information posted for each pesticide | | |
| SAFETY | | |
| Smoke detectors/detection system | | |
| Appropriate numbers of fire extinguishers | | |
| Personal protection equipment available outside storage area | | |
| First Aid Kit | | |
| Eye wash stations or portable eye wash bottles | | |
| Washing facilities | | |
| ACCIDENT RESPONSE | | |
| Emergency Response Plan with on-site pesticide inventory | | |
| Posted emergency phone number | | |
| Absorbent materials, shovel and bucket | | |
| RECORD KEEPING | | |
| Accurate storage log maintained | | |
| All discharges to the environment recorded | | |
| Inspection and maintenance records | | |
| PESTICIDE CONTAINERS | | |
| Insecticides, herbicides and fungicides separated | | |
| Pesticides stored in original containers with purchase date and legible | | |
| Pesticides stored off floor | | |
| "No Smoking" signs posted | | |
| SECURITY | | |
| Storage room posted with sign per SOP 9 | | |
| Storage site well lighted and ventilated | | |
| Storage Room locked | | |
| Safety equipment separated from pesticides | | |

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11. Winter Road Maintenance

During non-winter months, different best management practices (BMPs) will apply to maintaining roads within the MS4 boundaries. See related SOP *12. Road Maintenance* for BMPs relating to road maintenance during non-winter months.

Winter road maintenance staff have been trained regarding these elements and stormwater management principles.

Best Management Practices

- ❖ Salt storage structures have been inspected for structural integrity and necessary repairs have been scheduled or completed.
- ❖ Be on the lookout for new and / or alternative practices that would reduce the discharge of salt, construction and other debris during construction or maintenance activities;
- ❖ Calibrate salt spreaders to provide the proper application of road salt to reduce the impact of salt on plants, aquatic life, and the local waterbodies;
- ❖ Consider alternative deicing materials (i.e. calcium chloride, magnesium chloride);
- ❖ Maintain roadside vegetation; select vegetation with a high tolerance to road salt;
- ❖ All deicing materials, including salt-sand mixed abrasives, shall be stored under permanent or temporary cover.
- ❖ Application technology components (spreaders, road-weather systems, etc.) have been tested, calibrated and maintained at manufacturer recommended intervals.
- ❖ Modified deicing methods (material selection, improved technology, application strategy, training) have resulted in decreased overall annual salt usage accounting for seasonal weather variability. Estimated reduction (tons).
- ❖ Winter road maintenance staff training or continuing education activities related to policies, procedures, BMPs, and stormwater management.

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Annual Compliance Requirements

- ❖ Inspect salt piles and storage shed for leaks, clumping or other problems and repair as needed.
- ❖ Inspect equipment to verify proper operation. Service trucks and calibrate spreaders regularly to ensure accurate, efficient distribution of salt.
- ❖ Maintain and / or update as necessary an inventory of all municipally owned infrastructure – it is essential to include underground infrastructure i.e.) ditches, underground storm piping, septic systems, UST's, oil/water separators, catch basins/sewers, etc.
- ❖ Evaluate roadway maintenance program and revise roadway maintenance specifications

Salt Application

Anti-icing and de-icing salts shall be applied using commercially licensed, fully-insured contractors experienced in property management of expansive parking areas. Salt usage will be used to a minimal amount to prevent ice formation and maintain a bare pavement to ensure public safety.

Anti- and De-icing will be employed as a supplemental method when weather conditions require it. Best management practices shall include:

- Application of salts shall be applied before the storm event, when practicable.
- Remove snow from surfaces as quickly as possible to reduce compaction.
- Plow before applying deicers to avoid dilution of the salt.
- Minimize deicer use during the storm.
- Never plow or blow snow into bodies of water, wetlands, traffic or into streets.
- Limit use of salt and sand during the storm; use only to reduce bonding.
- Do not use salt to burn off snow.
- Use application rate chart to determine how much salt to use.

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- Don't apply dry salt (sodium chloride) below 15° F pavement temperature. It will not melt fast enough to help.
- Below 15° F, use a wetted salt.
- For extreme cold, skip melting and use sand.
- Clean up spills.
- Accurately record the material used at each site.
- Pay attention to its effectiveness and record observations.
- Use only what is needed based on proper application rates for the conditions.
- Put extra back in bags or haul off-site.
- For further details regarding salt application, refer to NYSDOT guidelines.

What NOT to do

- Do not re-apply if there is still residue. It can remain many days after application.
- Do not apply CaCl₂ or MgCl₂ to a warm surface (above 35° F pavement temperature). It can become "greasy" as it pulls moisture to the pavement. These liquids do not always become greasy, but there is a higher potential in warmer temperatures and higher humidity.
- Do not over apply CaCl₂ or MgCl₂.
- Do not apply liquids before a rain storm. They will wash away.

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12. Road Maintenance

Poorly maintained streets allow for the accumulation of trash, grit, debris, salt, and other contaminants. Rain events can wash contaminants from these areas and into receiving waterbodies. In addition, street repair/paving processes use materials that can contaminate receiving waters if they interact with stormwater.

These contaminants can negatively impact receiving waters such as changing the BOD (biochemical oxygen demand), adding foreign particulate matter, and creating toxicity that could harm both plants and wildlife.

During winter months, different best management practices (BMPs) will apply to maintaining roads within the MS4 boundaries. See related SOP *11. Winter Road Maintenance* for BMPs relating to road maintenance during winter months.

Inspection Procedures

- Inspect streets, and plan (as needed) for maintenance/repairs
- Prioritize – some streets (i.e. those with high traffic flows, on flat grades, or with many trees) may need more frequent cleaning

Maintenance Procedures and BMPs

- Spring sweeping/vacuuming to remove salt/sand residues and other debris
- Fall street sweeping and collection of leaves at appropriate time intervals
- Dry street sweeping, vacuuming, and paving of streets to be conducted during dry weather only
- Initiate temporary street-by-street parking bans to allow access for cleaning wherever necessary
- Maintain equipment - check for/repair fluid leaks
- Stage road operations and maintenance activity (patching, pothole repair) to reduce spillage of materials.
- Cover catch basins and manholes during activity
- Be on the lookout for new and / or alternative practices that would reduce the discharge of salt, construction and other debris during construction or maintenance activities;

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- Pave in dry weather only;
- Incorporate preventive maintenance and planning such covering catch basins during regular operations & maintenance activities including but limited to resurfacing, when patching and filling potholes;
- Clean up fluid leaks or spills that occur during regular maintenance activity from paving equipment/materials immediately;
- Use porous asphalt for pothole repair and shoulder work whenever possible;
- Sweep and vacuum paved roads shoulders and bridges regularly to remove debris and particulate matter;
- Maintain roadside vegetation; select vegetation with a high tolerance to road salt;
- Control particulate wastes from bridge sandblasting operations;
- Clean out bridge scuppers and catch basins regularly;
- Direct water from bridge scuppers to vegetated areas;
- Identify the type of roadways that can be swept to remove sediment and other pollutants;
- Schedule and implement street sweeping of identified roadways; and
- Prior to road reconstruction, consider/evaluate the use of “shouldered roads” instead of “curbed roads”.

Annual Compliance Requirements

- Evaluate roadway maintenance program and revise roadway maintenance specifications according to identified alternative practices.
- Implement street sweeping in accordance with the identified schedule.
- Inspect equipment to verify proper operation. Service trucks and calibrate spreaders regularly to ensure accurate, efficient distribution of salt.
- Maintain and / or update as necessary an inventory of all municipally owned infrastructure – it is essential to include underground infrastructure i.e.) ditches, underground storm piping, septic systems, UST’s, oil/water separators, catch basins/sewers, etc.
- Maintain records of all road maintenance activities and the use of alternative maintenance practices.

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13. Vehicle and Equipment Maintenance

Trace amounts of metals/hydrocarbons are found in materials that are typically used in maintenance operations. Some of these commonly used materials include fuels, antifreeze, batteries, motor oils, grease, and parts cleaning solvents. In order to best prevent these contaminants from making their way to receiving waterbodies, best management practices have been put into place.

Maintenance and Inspection Procedures and BMPs

- Inspect (for maintenance purposes) floor drain systems, oil/water separators
- Review vehicle inspection and maintenance records on an annual basis to evaluate conformance to vehicle manufacturer service specifications.
- Monitor “parked” vehicles/equipment for leaks
- Vehicles and equipment shall be washed at the Water Treatment Facility where the wash-water is discharged to the sanitary sewer for treatment
- Rinse grass from lawn care equipment on permeable (grassed) areas
- Use steam cleaning /pressure washing instead of solvent for parts cleaning
- Perform cleaning with pressurized cold water, without the use of soaps, if wastewaters will flow to a storm sewer system
- Use minimal amounts of biodegradable soaps only if wastewaters will discharge to a sanitary sewer system
- Store waste fluids in properly capped, labeled storage containers
- Store batteries in leak-proof, compatible (i.e. non-reactive) containers
- Protect against pollution if outside maintenance is necessary (cover storm receivers, use secondary containment vessels, etc.)
- Conduct maintenance work indoors – if work must be performed outside, guard against spillage of materials that could discharge to storm receivers

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- Seal floor drains that discharge directly to the environment, where necessary
- Initiate single purpose use of vehicle bays – dedicate one (or more) bays that have no (or sealed) floor drains for repairs/maintenance
- Never leave vehicles unattended while refueling

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14. Refuse Storage and Removal

Improper storage and disposal of refuse and wastes can contribute toxic compounds to nearby waterbodies. This can be easily prevented or mitigated by following the BMPs below:

Best Management Practices

- Place waste receptacles indoors or under a roof or roof overhang whenever possible.
- Keep trash container lids closed at all times unless in use.
- All waste receptacles should be leak-tight with tight-fitting lids or covers. Plastic liners can be used to ensure leak tightness.
- Do not place outdoor waste receptacles near storm drains or ditches unless at a lower elevation.
- Sweep around outdoor waste containers regularly and immediately before any expected storm event.
- Wastes should be picked up and disposed of regularly by a qualified waste management company.
- If waste generation exceeds the capacity of waste containers, either obtain more containers or increase the frequency of pick-ups.
- Do not wash out waste containers or dumpsters outdoors. If municipally owned containers must be washed, do so at a sink or floor drain so that wastewater goes to the sanitary sewer.
- When working in the field, place all wastes in appropriate containers in the vicinity of the work site. If no public containers are available, containerize or bag the wastes and bring them back to base for proper placement into containers.
- Never place liquids or liquid-containing wastes in a dumpster or trash receptacle.
- If wastewater or liquid, non-hazardous waste is generated at a fixed facility or in the field, it must be disposed into the sanitary sewer (if approved) or collected for

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transportation to a disposal site that can receive that type of wastewater.

Required Maintenance

- Promptly repair, replace or return any leaking or damaged dumpsters
- Repair or replace missing or poorly fitted lids or covers on waste receptacles promptly.

Spill Prevention Control and Countermeasure Plan

Town of Farmington Fueling Facility

April 2020
(Revised June 2022)

Prepared for:
Town of Farmington
1000 County Road 8
Farmington, NY 14425

Prepared By:
Elliott Engineering Solutions
540 Packetts Landing
Fairport, NY 14450

The logo for Elliott Engineering Solutions features the word "elliott." in a lowercase serif font with a thin, curved line above it. Below "elliott." is the word "engineering" in a larger, bold, lowercase serif font. Underneath "engineering" is the word "solutions" in a smaller, lowercase sans-serif font.

Project No. 9401

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APPENDICES

- A: Site Plan and Facility Diagram
- B: Substantial Harm Determination
- C: Facility Inspection Checklists
- D: Personnel, Training, and Spill Prevention Procedures Log
- E: Emergency Contacts
- F: Discharge Notification Form
- G: Tank Information/ Tank Registration

LIST OF ACRONYMS AND ABBREVIATIONS

| | |
|--------|---|
| API | American Petroleum Institute |
| AST | Aboveground Storage Tank |
| EPA | U.S. Environmental Protection Agency |
| FR | Federal Register |
| NYSDEC | New York State Department of Environmental Conservation |
| PE | Professional Engineer |
| SPCC | Spill Prevention, Control and Countermeasure |
| SPDES | State Pollution Discharge Elimination System |
| STI | Steel Tank Institute |
| RA | Regional Administrator (EPA) |

Introduction

Purpose

The purpose of this Spill Prevention, Control and, Countermeasure (SPCC) Plan is to describe measures implemented by the Town of Farmington (the Town) to prevent diesel and gasoline discharges from occurring, and to prepare the Town's personnel to respond in a safe, effective, and timely manner to mitigate the impacts of a discharge. This plan has been prepared to meet the requirements of Title 40, *Code of Federal Regulations* Part 112 (40 CFR part 112).

In addition to fulfilling requirements of 40 CFR part 112, this SPCC Plan is used as a reference for storage information and testing records, as a tool to communicate practices on preventing and responding to discharges with employees, as a guide to facility inspections, and as a resource during emergency response.

The Town's management has determined that this facility does not pose a risk of substantial harm under 40 CFR part 112, as recorded in the "Substantial Harm Determination" included in Appendix B of this Plan.

This Plan provides guidance on key action the Town must perform to comply with the SPCC rule:

- ❑ Complete monthly and annual site inspections as outlined in the Inspection, Tests, and Records section of this Plan (Section 3.7) using the inspection checklists included in Appendix C.
- ❑ Perform preventative maintenance of equipment and discharge prevention systems described in this Plan as needed to keep them in proper operating conditions.
- ❑ Conduct annual employee training as outlined in the Personnel, Training, and Spill Prevention Procedures section of this Plan (Section 3.8) and document them on the log included in Appendix F.
- ❑ If either of the following occurs, submit the SPCC Plan to the EPA Region 2 Regional Administrator (RA) and the New York State Department of Environmental Conservation (NYSDEC), along with other information as detailed in Section 5.4 of this Plan:
 - The facility discharges more than 1,000 gallons of oil into or upon the navigable waters of the U.S. or adjoining shorelines in a single spill event; or
 - The facility discharges oil in a quantity greater than 42 gallons in each of two spill events within any 12-month period.
- ❑ Review the SPCC Plan at least once every five years and amend it to include more effective prevention and control technology, if such technology will significantly reduce the likelihood of a spill event and has been proven effective in the field at the time of the review. Plan amendments, other than administrative changes discussed above, must be recertified by a Professional Engineer (PE) on the certification page in Section 1.2 of this Plan.
- ❑ Amend the SPCC plan within six months whenever there is a change in facility design, construction, operation, or maintenance that materially affects the facility's spill potential. The revised Plan must be recertified by a Professional Engineer.
- ❑ Review the Plan on an annual basis. Update the Plan to reflect any "administrative changes" that are applicable, such as personnel changes or revisions to contact information, such as phone numbers. Administrative changes must be documented in the Plan review log of Section 1.4 of this Plan, but do not have to be certified by a PE.

GENERAL FACILITY INFORMATION

Name of Facility: Town of Farmington Fueling Facility

Location of Facility: 985 Hook Road
Farmington, New York 14425
(See Attachment 1)

Type of Facility: Petroleum Bulk Storage (PBS) Facility

Name/Address of Operator: Town of Farmington Highway Department
985 Hook Road
Farmington, NY 14425

Name/Address of Owner: Town of Farmington
1000 County Road 8
Farmington, NY 14425

Town Supervisor: Peter Ingalsbe
Phone number: (315) 986-8100

Authorized Representative/Operator: Tim Ford
Phone Number: (315) 986-5540
Cell Number: (585) 729-3654

Spill Prevention Coordinator: Tim Ford
Phone Number: (315) 986-5540
Cell Number: (585) 729-3654

Safety & Health Officer / PBS Representative Paul Crandall, Jr.
Phone Number: (315) 986-5540
Cell Number: (585) 298-0968

Date of Initial Operation (Installed): (03/31/2020)

Maximum Storage Capacity: 15,000 gallons (12,000 Diesel/3,000 Gasoline)

Average Daily Throughput: Varies - gallons per day

Facility NAICS Classification: 447190

PBS Number: 8-601768

Part 1: Plan Administration

1.1 Management Approval and Designated Person (40 CFR 112.7)

The Town of Farmington is committed to preventing discharges of oil to navigable waters and the environment, and to maintaining the highest standards for spill prevention control and countermeasures through the implementation and regular review and amendment to the Plan. This SPCC Plan has the full approval of the Town Board. The Town of Farmington has committed the necessary resources to implement the measures described in this Plan.

The Town Highway Superintendent is the Designated Person Accountable for Oil Spill Prevention at the facility and has the authority to commit the necessary resources to implement this Plan.

Authorized Facility Representative (facility response coordinator):

Signature: Tim Ford

Name: Tim Ford

Title: Highway & Parks Superintendent / Operator

Date: 6/21/22

1.2 Professional Engineer Certification (40 CFR 112.3(d))

The undersigned Registered Professional Engineer is familiar with the requirements of Part 112 of Title 40 of the *Code of Federal Regulations* (40 CFR part 112) and has visited and examined the facility, or has supervised examination of the facility by appropriately qualified personnel. The undersigned Registered Professional Engineer attests that this Spill Prevention, Control, and Countermeasure Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards and the requirements of 40 CFR part 112; that procedures for required inspections and testing have been established; and that this Plan is adequate for the facility. [40 CFR 112.3(d)]

This certification in no way relieves the owner or operator of the facility of his/her duty to prepare and fully implement this SPCC Plan in accordance with the requirements of 40 CFR part 112. This Plan is valid only to the extent that the facility owner or operator maintains, tests, and inspects equipment, containment, and other devices as prescribed in this Plan.

Robert J. Elliott, P.E.
Name of Registered Engineer

[Signature]
Signature of Registered Engineer

Date: 1/10/20

License No.: 61038

1.3 Location of SPCC Plan (40 CFR 112.3(e))

In accordance with 40 CFR 112.3(e), a complete copy of this SPCC Plan is maintained at the facility in the shed building near the tank.

1.4 Plan Review (40 CFR 112.3 and 112.5)

1.4.1 Changes in Facility Configuration

In accordance with 40 CFR 112.5(a), the Town periodically reviews and evaluates this SPCC Plan for any change in the facility design, construction, operation, or maintenance that materially affects the facility's potential for an oil discharge, including, but not limited to:

- < commissioning of containers;
- < reconstruction, replacement, or installation of piping systems;
- < construction or demolition that might alter secondary containment structures; or
- < changes of product or service, revisions to standard operation, modification of testing/inspection procedures, and use of new or modified industry standards or maintenance procedures.

Amendments to the Plan made to address changes of this nature are referred to as technical amendments, and must be certified by a PE. Non-technical amendments can be done (and must be documented in this section) by the facility owner and/or operator. Non-technical amendments include the following:

- < change in the name or contact information (i.e., telephone numbers) of individuals responsible for the implementation of this Plan; or
- < change in the name or contact information of spill response or cleanup contractors.

The Town must make the needed revisions to the SPCC Plan as soon as possible, but no later than six months after the change occurs. The Plan must be implemented as soon as possible following any technical amendment, but *no later than six months* from the date of the amendment. The Owner/Operator is responsible for initiating and coordinating revisions to the SPCC Plan.

1.4.2 Scheduled Plan Reviews

In accordance with 40 CFR 112.5(b), the Town reviews this SPCC Plan at least once every five years (in the past, such reviews were required every three years). Revisions to the Plan, if needed, are made within six months of the five-year review. A registered Professional Engineer certifies any technical amendment to the Plan, as described above, in accordance with 40 CFR 112.3(d). This Plan is dated April 2020. The next plan review is therefore scheduled to take place on or prior to April 2025.

1.4.3 Record of Plan Reviews

Scheduled reviews and Plan amendments are recorded in the Plan Review Log (Table 1-1). This log must be completed even if no amendment is made to the Plan as a result of the review. Unless a technical or administrative change prompts an earlier review of the Plan, the next scheduled review of this Plan must occur by April 2025.

Table 1-1: Plan Review Log

| Date | Plan Updated By | Scope | P.E. Name | Licensing State and Registration No. |
|-----------|-----------------|----------------|-----------|--------------------------------------|
| 6/13/2022 | Paul Crandall | Administrative | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

1.5 Cross-Reference with SPCC Provisions (40 CFR 112.7)

This SPCC Plan does not follow the exact order presented in 40 CFR part 112. Section headings identify, where appropriate, the relevant section(s) of the SPCC rule. Table 1-2 presents a cross-reference of Plan sections relative to applicable parts of 40 CFR part 112.

**Table 1-2
 SPCC Cross-Reference**

| Provision | Plan Section | Page |
|-------------|--|-------------------------------|
| 112.3(d) | 1.2 Professional Engineer Certification | 3 |
| 112.3(e) | 1.3 Location of SPCC Plan | 4 |
| 112.5 | 1.4 Plan Review | 4 Table 1-1 |
| 112.7 | 1.1 Management Approval | 3 |
| 112.7 | 1.5 Cross-Reference with SPCC Rule | 5 Table 1-2 |
| 112.7(a)(3) | Part 2: General Facility Information Appendix A: Site Plan and Facility Diagram | 7 Appendix A |
| 112.7(a)(4) | 5.4 Discharge Notification Appendix F: Discharge Notification Form | 20 Appendix F |
| 112.7(a)(5) | Part 5: Discharge Response Appendix E: Emergency Contacts | 19 Appendix E |
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Part 2: General Facility Information

| | |
|--------------------|--|
| Name: | Town of Farmington Fueling Facility |
| Address: | Farmington Highway Department 985 Hook Road Farmington, NY 14425 (315) 986-5540 |
| Type: | Municipal Vehicle Fueling Facility |
| Owner: | Town of Farmington (315) 986-8100 |
| Terminal Operator: | Town Highway Department (315) 986-5540 |

2.1 Facility Description (40 CFR 112.7(a)(3))

2.1.1 Location and Activities

The Town of Farmington's Fueling Facility is located at 985 Hook Road, in the Town of Farmington (Attachment 1). The facility receives delivery of diesel and gasoline for use by municipally-owned vehicles.

The facility has one (1) operational aboveground, self-contained, double-walled, two compartment fuel storage tank (Appendix A) and two dispensers to provide gasoline and diesel fuel for municipal vehicles. Product transfer operations (loading and unloading) are conducted at the tank. The fueling operations are conducted on a concrete pad. The access drives and surrounding area are asphalt. The entire site slopes to the north and surface runoff discharges into a drainage swale which directs flows to a retention pond. This pond has a 4" outlet, set at the 100-year flood elevation, which can be plugged in the event of a spill.

All of the petroleum storage tanks are compatible with the material stored, conditions of storage such as pressure and temperature, and are subject to this SPCC Plan.

2.1.2 Oil Storage

Table 2-1 shows the various tanks, their contents, and quantities of storage present at the site. All containers with capacity of 55 gallons or more are included.

Table 2-1: Oil Containers

| ID | Storage capacity | Content | Description |
|----------------------|------------------|--------------------|-------------------------------------|
| Fixed Storage | | | |
| 1A | 12,000 gallons | Diesel | Aboveground – Double-walled Tank |
| 1B | 3,000 gallons | Gasoline (Ethanol) | Aboveground – Double-walled Tank |

Total Oil Storage: 15,000 gallons

2.2 Evaluation of Discharge Potential

2.2.1 Distance to Navigable Waters and Adjoining Shorelines and Flow Paths

Overall Site Drainage is to the north, toward an unnamed swale which flows into an onsite retention pond. This pond is designed to hold a 100-year storm event. A 4” Discharge can be plugged in the event of a spill during delivery and/or fueling operations.

In the unlikely event of a spill, the retention pond will act as the facility’s containment structure and would eliminate the possibility of discharging gasoline or diesel fuel to any navigable waters.

According to the Federal Emergency Management Agency (FEMA), the facility is not located in or immediately adjacent to the 100-year flood plain. Also the adjacent stream is not a classified waterway.

2.2.2 Discharge History

This is a new facility. Minor spills caused by disconnecting fill hoses when full with product will be cleaned up immediately by the use of absorbent material and subsequently disposed as appropriate.

Part 3: Discharge Prevention

The following measures are implemented to prevent oil discharges during the handling, use, or transfer of oil products at the facility. Oil-handling employees have received training in the proper implementation of these measures.

3.1 Compliance with Applicable Requirements (40 CFR 112.7(a)(2))

This facility uses normally closed and locked valves on all tanks and transfer points. The fueling station is designed to contain a spill from a tanker truck delivering petroleum products to this facility.

The secondary containment area (retention pond) provides environmental protection equivalent to the requirements under 112.8(b)(3) to use ponds, lagoons, or catchment basins to retain oil at the facility in the event of an uncontrolled discharge. As described in section 3.5 of this Plan, the operational and emergency oil storage capacity of the containment area is sufficient to handle the quantity of oil expected to be discharged in areas from the tank overfills or transfer operations.

This facility complies with all Applicable Regulations in *The Code of Federal Regulations*.

3.2 Facility Layout Diagram (40 CFR 112.7 (a)(3))

Figure A-1 in Appendix A shows the general location of the facility on a U.S. Geological Survey topographic map. Figure A-2 in Appendix A presents a layout of the facility and the location of storage tank. The diagram also shows the location of the storm water swale and retention pond (containment area) and the direction of surface water runoff. As required under 40 CFR 112.7(a)(3), the facility diagram indicates the location and content of the AST.

3.3 Spill Reporting

The discharge notification form included in Appendix H will be completed upon immediate detection of a discharge and prior to reporting a spill to the proper notification contacts.

3.4 Potential Discharge Volumes and Direction of Flow (40 CFR 112.7 (b))

Table 3-1 presents expected volume, discharge rate, general direction of flow in the event of equipment failure, and means of secondary containment for different parts of the facility where oil is stored, used, or handled.

Table 3-1: Potential Discharge Volumes and Direction of Flow

| Potential Event | Maximum volume released (gallons) | Maximum discharge rate | Direction of Flow | Secondary Containment |
|---|-----------------------------------|--|---|---|
| Bulk Storage Area (Aboveground Storage Tanks #1A & 1B) | | | | |
| Overfill during receipt | 1000 | Assume maximum 5 minute duration at 200 gpm pumping rate | To drainage swale | Containment area structure; (retention pond) |
| Pipe failure | varies | varies | to drainage swale | Containment area structure; (retention pond) |
| Rupture | 12,000 | Varies | Within double wall of the fuel tank | Containment area structure; (retention pond) |
| Loading /Unloading Area | | | | |
| Overfill | 360 | Assume 180 gpm for 2 minutes maximum | to drainage swale | Containment area structure; (retention pond) |
| Line Failure | 360 | Assume 180 gpm for 2 minutes maximum | to drainage swale | Containment area structure; (retention pond) |
| Delivery Vehicle's Fueling Tanks (ASTs #1A & 1B) | | | | |
| Leak or failure of tank | 1 to 500 | Gradual to instantaneous | Into second tank of the double wall tank system | Double walled tank, liquid level gauge, and interstitial monitoring system. |
| Other Areas | | | | |
| Undetermined at the time (small leak) | Varies | Varies | Varies | |

3.5 Containment and Diversionary Structures (40 CFR 112.7(c))

Methods of secondary containment at this facility include a combination of active and passive structures, drainage systems, and land-based spill response (e.g., drain covers, sorbents) to prevent oil from reaching navigable waters.

- For bulk storage containers (refer to Section 4.2.2 of this Plan):
 - The 15,000 gallon AST is a double walled self-contained unit.
- At the loading and unloading area (refer to Section 3.10 of this Plan):
 - **Concrete Pad.** A concrete pad is sloped towards the drainage swale which flows to the retention pond.
 - **Sorbent materials.** Spill cleanup kits that include absorbent material, and other portable barriers and equipment are located mainly inside the storage shed as shown on the Site Plan in Appendix A, with any additional materials/equipment stored in the highway garage's main building. The response equipment inventory for the facility is listed in Table 3-2.

Table 3-2: Spill Clean-up Equipment and Material Stored on Site

| Quantity | Description |
|----------|--------------------------------|
| 2 | Round Point Shovel |
| 2 | Flat point Shovel |
| 1 | Push Broom |
| 1 | 55 Gallon Drum (Closed Top) |
| 2 | 5-Gallon Buckets with Stay Dry |
| 6 | Oil-Dri (Pallet 50 lb. Bags) |
| 50 | Absorbent Pads |
| 1 | 4-Inch Plug for Pond Outlet |

3.6 Practicability of Secondary Containment (40 CFR 112.7(d))

The Town’s highway department, as operator/ manager, has determined that secondary containment is practicable at this facility.

3.7 Inspections, Tests, and Records (40 CFR 112.7(e))

As required by the SPCC rule, The Town performs the inspections, tests, and evaluations listed in the following table. Table 3-3 summarizes the various types of inspections and tests performed at the facility. The inspections and tests are described later in this section, and in the respective sections that describe different parts of the facility (e.g., Section 4.2.6 for bulk storage containers).

Table 3-3: Inspection and Testing Program

| Facility Component | Action | Frequency/Circumstances |
|---|---|--|
| Aboveground container | Test container integrity. Combine visual inspection with another testing technique (non-destructive shell testing). Inspect outside of container for signs of deterioration and discharges. | Following a regular schedule (monthly, annual, and during scheduled inspections) and whenever material repairs are made. |
| Container supports and foundation | Inspect container’s supports and foundations. | Following a regular schedule (monthly, annual, and during scheduled inspections) and whenever material repairs are made. |
| Liquid level sensing devices (overfill) | Test for proper operation. | Monthly |
| Lowermost drain and all outlets of tank truck | Visually inspect. | Prior to filling and departure |
| Effluent treatment facilities | Detect possible system upsets that could cause a discharge. | Daily, monthly |
| All aboveground valves, piping, and appurtenances | Assess general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. | Monthly |

3.7.1 Daily Inspection

A Town employee performs a complete walk-through of the facility each operating day. This daily visual inspection involves: (1) looking for tank/piping damage or leakage and stained or discolored soils.

3.7.2 Monthly Inspection

The checklist provided in Appendix C is used for monthly inspections by Town personnel. The monthly inspections cover the following key elements:

- Observing the exterior of the aboveground storage tank, pipes, and other equipment for signs of deterioration, leaks, corrosion, and thinning.
- Checking the interstitial space in double-walled tanks for leaks.
- Observing tank foundations and supports for signs of instability or excessive settlement.
- Observing the tank fill and discharge pipes for signs of poor connection that could cause a discharge, and tank vent for obstructions and proper operation.
- Verifying the proper functioning of overfill prevention systems.
- Checking the inventory of discharge response equipment and restocking as needed.

All problems regarding tanks, piping, containment, or response equipment must immediately be reported to the Owner/Operator. Visible oil leaks from tank walls, piping, or other components must be repaired as soon as possible to prevent a larger spill or a discharge to navigable waters or adjoining shorelines. Pooled oil is removed immediately upon discovery.

Written monthly inspection records are signed by the Owner/Operator and maintained with this SPCC Plan for a period of three years.

3.7.3 Annual Inspection

Facility personnel perform a more thorough inspection of facility equipment on an annual basis. This annual inspection complements the monthly inspection described above and is performed in June of each year using the checklist provided in Appendix C of this Plan.

The annual inspection is preferably performed after a large storm event in order to verify the imperviousness and/or proper functioning of drainage control systems such as the drainage swale and retention pond.

Written annual inspection records are signed by the Owner/Operator and maintained with this SPCC Plan for a period of three years.

3.7.4 Periodic Integrity Testing

In addition to the above monthly and annual inspections by facility personnel, the tanks are periodically evaluated by an outside certified tank inspector following the Steel Tank Institute (STI) *Standard for the Inspection of Aboveground Storage Tanks*, SP-001, 2005 version, as described in Section 4.2.6 of this Plan.

3.8 Personnel, Training, and Discharge Prevention Procedures (40 CFR 112.7(f))

The Owner/Operator is the facility designee and is responsible for oil discharge prevention, control, and response preparedness activities at this facility.

The Town's Highway Superintendent, as Operator and Spill Control Coordinator, has instructed oil-handling facility personnel in the operation and maintenance of oil pollution prevention equipment, discharge procedure protocols, applicable pollution control laws, rules and regulations, general facility operations, and the content of this SPCC Plan. Any new facility personnel with oil-handling responsibilities are provided with this same training prior to being involved in any oil operation.

Annual discharge prevention briefings are held by the Owner/Operator for all facility personnel involved in oil operations. The briefings are aimed at ensuring continued understanding and adherence to the discharge prevention procedures presented in the SPCC Plan. The briefings also highlight and describe known discharge events or failures, malfunctioning components, and recently implemented precautionary measures and best practices. Facility operators and other personnel will have the opportunity during the briefings to share recommendations concerning health, safety, and environmental issues encountered during facility operations.

A simulation of an on-site vehicular discharge shall be conducted, and future training exercises will be periodically held to prepare for possible discharge responses.

Records of the briefings and discharge prevention training are kept on the form shown in Appendix E and maintained with this SPCC Plan for a period of three years.

3.9 Security (40 CFR 112.7(g))

All tank valves are maintained in the closed and locked positions when in non-operating status and are unattended.

All pumps and starter controls are located within the confines of the facility. The emergency shut-off switch is located on the wall of the storage building 35+/- feet away from the loading point.

This facility is not attached to an oil pipeline.

Strategically located overhead lighting provides illumination of the yard area and tank area of this facility. This configuration affords facility operators the ability to discover spills and to prevent acts of vandalism.

3.10 Tank Truck Loading/Unloading Rack Requirements (40 CFR 112.7(h))

The following measures are implemented to prevent oil discharges during tank truck loading and unloading operations.

3.10.1 Secondary Containment (40 CFR 112.7(h)(1))

The loading and unloading areas are co-located and are used by outside suppliers making deliveries to the facility and to load (fuel) municipal vehicles. The loading/unloading area is contiguous to the aboveground storage tank area. The AST is a double-walled, self-contained unit.

Secondary containment is provided by a concrete pad which drains to the swale and into the retention pond. The outlet to the retention pond is set at the 100-year storm elevation and can be plugged in the event of a spill.

3.10.2 Loading/Unloading Procedures (40 CFR 112.7(h)(2) and (3))

All suppliers must meet the minimum requirements and regulations for tank truck loading/unloading established by the U.S Department of Transportation. The Town ensures that the vendor understands the site layout, knows the protocol for entering the facility and unloading product, and has the necessary equipment to respond to a discharge from the vehicle or fuel delivery hose.

The Owner/Operator or his/her designee supervises oil deliveries for all new suppliers, and periodically observes deliveries for existing, approved suppliers.

The vehicle driver or facility personnel remain with the vehicle at all times while fuel is being transferred. Transfer operations are performed according to the minimum procedures outlined in Table 3-4.

Table 3-4: Fuel Transfer Procedures

| Stage | Tasks |
|--|---|
| Prior to loading/unloading | <input type="checkbox"/> Visually check all hoses for leaks and wet spots. |
| | <input type="checkbox"/> Verify that sufficient volume (ullage) is available in the storage tank or truck. |
| | <input type="checkbox"/> Lock in the closed position all drainage valves of the secondary containment structure. |
| | <input type="checkbox"/> Secure the tank vehicle with wheel chocks and interlocks. |
| | <input type="checkbox"/> Ensure that the vehicle's parking brakes are set. |
| | <input type="checkbox"/> Verify proper alignment of valves and proper functioning of the pumping system. |
| | <input type="checkbox"/> If filling a tank truck, inspect the lowermost drain and all outlets. |
| | <input type="checkbox"/> Establish adequate bonding/grounding prior to connecting to the fuel transfer point. |
| | <input type="checkbox"/> Turn off cell phone. |
| During loading/unloading | <input type="checkbox"/> Driver must stay with the vehicle at all times during loading/unloading activities. |
| | <input type="checkbox"/> Periodically inspect all systems, hoses and connections. |
| | <input type="checkbox"/> When loading, keep internal and external valves on the receiving tank open along with the pressure relief valves. |
| | <input type="checkbox"/> When making a connection, shut off the vehicle engine. When transferring Class 3 materials, shut off the vehicle engine unless it is used to operate a pump. |
| | <input type="checkbox"/> Maintain communication with the pumping and receiving stations. |
| | <input type="checkbox"/> Monitor the liquid level in the receiving tank to prevent overflow. |
| | <input type="checkbox"/> Monitor flow meters to determine rate of flow. |
| <input type="checkbox"/> When topping off the tank, reduce flow rate to prevent overflow. | |
| After loading/unloading | <input type="checkbox"/> Make sure the transfer operation is completed. |
| | <input type="checkbox"/> Close all tank and loading valves before disconnecting. |
| | <input type="checkbox"/> Securely close all vehicle internal, external, and dome cover valves before disconnecting. |
| | <input type="checkbox"/> Secure all hatches. |
| | <input type="checkbox"/> Disconnect grounding/bonding wires. |
| | <input type="checkbox"/> Make sure the hoses are drained to remove the remaining oil before moving them away from the connection. Use a drip pan. |
| | <input type="checkbox"/> Cap the end of the hose and other connecting devices before moving them to prevent uncontrolled leakage. |
| | <input type="checkbox"/> Remove wheel chocks and interlocks. |
| <input type="checkbox"/> Inspect the lowermost drain and all outlets on tank truck prior to departure. If necessary, tighten, adjust, or replace caps, valves, or other equipment to prevent oil leaking while in transit. | |

3.11 Brittle Fracture Evaluation (40 CFR 112.7(i))

Brittle fracture evaluation is only applicable to field-constructed aboveground containers. All tanks at this facility were shop-built and therefore brittle fracture evaluation is not necessary.

3.12 Conformance with State and Local Applicable Requirements (40 CFR 112.7(j))

All tanks at this site are registered with the NYSDEC Bulk Storage Program. All bulk storage tanks at this facility are registered with the state and local authorities and have current certificates of registration and special use permits required by the local fire code.

Refer to Appendix I for tank information and registration.

Part 4: Discharge Prevention - SPCC Provisions for Onshore Facilities (Excluding Production Facilities)

4.1 Facility Drainage (40 CFR 112.8(b))

Overall site drainage is surface runoff to a drainage swale into a retention pond. The pond outlet is a 4” discharge pipe with the invert set based on the 100-year storm event. The discharge is to an unnamed stream.

The single 15,000 gallon tank is a double walled, self-contained unit. The concrete pad is sloped to direct drainage to the swale and into the containment pond. The vehicle fueling areas are covered by a canopy.

Prior to discharge from the retention pond, a qualified individual inspects the storm water. The effluent discharge is executed only if no sheen or contamination is present. The outfall condition is inspected prior to each discharge

In the unlikely event of a spill, the facility’s retention pond discharge pipe can be plugged, which would eliminate the possibility of discharging petroleum products to navigable waters. Records are kept on file at this site describing any such events (Appendix D).

4.2 Bulk Storage Containers (40 CFR 112.8(c))

Table 4-1 summarizes the construction, volume, and content of aboveground oil tanks at the Town’s fueling facility.

| Tank No. | Location | Type (Construction Standard) | Capacity (gal) | Product Stored | Discharge Prevention & Containment |
|-----------------|--------------------------------|-------------------------------------|-----------------------|-----------------------|---|
| 1A | Aboveground Double walled Tank | Steel/Carbon Steel | 12,000 | Diesel | Double Walled Unit Liquid level gauge. |
| 1B | Aboveground Double Walled Tank | Steel/Carbon Steel | 3,000 | Gasoline (Ethanol) | Double Walled Unit Liquid level gauge. |
| | | | | | |

4.2.1 Construction (40 CFR 112.8(c) (1))

The tank used at this facility is constructed out of carbon steel. The design and construction of all bulk containers are compatible with the characteristics of the oil product they contain, and with temperature and pressure conditions. All tanks are painted.

All piping is constructed of steel and is located aboveground on appropriate supports designed to minimize erosion and stress. All piping is painted.

4.2.2 Secondary Containment (40 CFR 112.8 (c) (2))

The 15,000 gallon tank is a self-contained, double walled, unit. The concrete pad is sloped to direct drainage to the swale and into the retention (containment) pond. Prior to discharge from the retention pond, a qualified individual inspects the storm water. The effluent discharge is executed only if no sheen or contamination is present. The outfall condition is inspected prior to discharge. (Appendix D).

In the unlikely event of a spill, the facility's retention pond discharge pipe can be plugged, which would eliminate the possibility of discharging petroleum products to navigable waters.

Any damage is promptly corrected to prevent migration of oil into the ground, or out of the containment.

4.2.3 Drainage of Diked Areas (40 CFR 112.8(c)(3))

This section is not applicable since there are no diked areas at this facility.

4.2.4 Corrosion Protection (40 CFR 112.8(c)(4))

This section is not applicable since there are no completely buried storage tanks at this facility.

4.2.5 Partially Buried and Bunkered Storage Tanks (40 CFR 112.8(c)(5))

This section is not applicable since there are no partially buried or bunkered storage tanks at this facility.

4.2.6 Inspections and Tests (40 CFR 112.8(c)(6))

Visual inspections of the AST by facility personnel are performed according to the procedure described in this SPCC Plan. Leaks from tank seams, gaskets, rivets, and bolts are promptly corrected. Records of inspections and tests are signed by the inspector and kept at the facility for at least three years.

The scope and schedule of certified inspections and tests performed on the facility's AST is specified in STI Standard SP-001 and API Standard 653. The external inspection includes ultrasonic testing of the shell, as specified in the standard, or if recommended by the certified tank inspector to assess the integrity of the tank for continued oil storage.

Records of certified tank inspections are kept at the facility for at least three years. Shell test comparison records are retained for the life of the tanks.

The tank at the facility does not require a 10 or 20 year inspection by a PE. Because all of the tanks on site are on cradles, they are easily checked for leaks during daily, monthly and annual visual inspections.

4.2.7 Heating Coils (40 CFR 112.8(c)(7))

This section is not applicable since there are no internal heating coils utilized for any of the storage tanks at this facility.

4.2.8 Overfill Prevention Systems (40 CFR 112.8(c)(8))

All aboveground storage tanks at this facility are equipped with site level gauges. Inventory records are also maintained daily by the facility personnel. These records are kept on file at the site in the storage shed.

Delivery of product at this facility only occurs under direct supervision of The Town personnel. Inventory records are kept on file at the office.

4.2.9 Effluent Treatment Facilities (40 CFR 112.8(c)(9))

Discharge is regulated by the NYSDEC under the SPDES Permit # XXXXXX which requires sampling and inspection prior to discharge. Prior to discharge from any portion of the aboveground storage tank secondary containment system, a qualified individual inspects the storm water. Discharge of retained storm water is monitored during discharges. The effluent discharge is executed only if no sheen or contamination is present. The outfall condition is inspected prior to discharge.

4.2.10 Visible Discharges (40 CFR 112.8(c)(10))

Visible discharges from any container or appurtenance - including seams, gaskets, piping, pumps, valves, rivets, and bolts - are quickly corrected upon discovery.

Oil is promptly removed from the area and disposed of according to the waste disposal method described in Part 5 of this Plan.

4.2.11 Mobile and Portable Containers (40 CFR 112.8(c)(11))

There are no mobile or portable containers at this facility.

4.3 Transfer Operations, Pumping and In-Plant Processes (40 CFR 112.8(d))

Transfer operations at this facility include:

- * The filling of municipal vehicles using the gasoline/diesel dispensers.
- * The delivery and transfer of diesel and gasoline into the self-contained AST.

Brightly painted bollards are placed where needed to prevent vehicular collisions with equipment.

Part 5: Discharge Response

This section describes the response and cleanup procedures in the event of an oil discharge. The uncontrolled discharge of oil to groundwater, surface water, or soil is prohibited by state and possibly federal laws. Immediate action must be taken to control, contain, and recover discharged product.

In general, the following steps are taken:

- Eliminate potential spark sources;
- If possible and safe to do so, identify and shut down source of the discharge to stop the flow;
- Contain the discharge with sorbents, berms, fences, trenches, sandbags, or other material;
- Contact the Owner/Operator or his/her alternate;
- Contact regulatory authorities and the response organization; and
- Collect and dispose of recovered products according to regulation.

5.1 Response to Minor Discharge

A “minor” discharge is defined as one that poses no significant harm (or threat) to human health and safety, or to the environment. Minor discharges are generally those where:

- The quantity of product discharged is small (e.g., may involve less than 10 gallons of oil);
- Discharged material is easily stopped and controlled at the time of the discharge;
- Discharge is localized near the source;
- Discharged material is not likely to reach water;
- There is little risk to human health or safety; and
- There is little risk of fire or explosion.

Minor discharges can usually be cleaned up by Town personnel. The following guidelines apply:

- Immediately notify the Owner/Operator.
- Under the direction of the Owner/Operator, contain the discharge with discharge response materials and equipment. Place discharge debris in properly labeled waste containers.
- The Owner/Operator will complete the Discharge Notification form (Appendix H) and attach a copy to this SPCC Plan.
- The Owner/Operator will contact the NYSDEC within two hours of the spill.

NYS Department of Environmental Conservation Spill Hotline - (800) 457-7362

5.2 Response to Major Discharge

A “major” discharge is defined as one that cannot be safely controlled or cleaned up by facility personnel, such as when:

- The discharge is large enough to spread beyond the immediate discharge area;
- The discharged material enters water;
- The discharge requires special equipment or training to clean up;
- The discharged material poses a hazard to human health or safety; or
- There is a danger of fire or explosion.

In the event of a major discharge, the following guidelines apply:

- All workers must immediately evacuate the discharge site via the designated exit routes and move to the designated staging areas at a safe distance from the discharge.
- If the Owner/Operator is not present at the facility, the senior on-site person notifies the Owner/Operator of the discharge and has authority to initiate notification and response. Certain notifications are dependent on the circumstances and type of discharge. A discharge that threatens water sources may require immediate notification to downstream users such as the town drinking water plant.
- The Owner/Operator (or senior on-site person) must call for medical assistance if workers are injured.
- The Owner/Operator (or senior on-site person) must notify the Fire Department or Police Department.
- The Owner/Operator (or senior on-site person) must call the spill response and cleanup contractors listed in the Emergency Contacts list in Appendix G.
- The Owner/Operator (or senior on-site person) must immediately contact the New York State Department of Environmental Conservation Oil Spill Hotline – (800) 457-7362.
- The Owner/Operator (or senior on-site person) must record the call on the Discharge Notification form in Appendix H and attach a copy to this SPCC Plan.
- The Owner/Operator (or senior on-site person) coordinates cleanup and obtains assistance from a cleanup contractor or other response organization as necessary.

If the Owner/Operator is not available at the time of the discharge, then the next highest person in seniority assumes responsibility for coordinating response activities.

5.3 Waste Disposal

Wastes resulting from a minor discharge response will be containerized in impervious bags, drums, or buckets. The Owner/Operator will characterize the waste for proper disposal and ensure that it is removed from the facility by a licensed waste hauler within two weeks.

Wastes resulting from a major discharge response will be removed and disposed of by a cleanup contractor.

5.4 Discharge Notification (40 CFR 112.7(a)(4))

Any size discharge (i.e., one that creates a sheen, emulsion, or sludge) that affects or threatens to affect navigable waters or adjoining shorelines must be reported immediately to the National Response Center (1-800-424-8802). The Center is staffed 24 hours a day.

A summary sheet is included in Appendix H to facilitate reporting. The person reporting the discharge must provide the following information:

- Name, location, organization, and telephone number
- Name and address of the party responsible for the incident
- Date and time of the incident
- Location of the incident
- Source and cause of the release or discharge

- Types of material(s) released or discharged
- Quantity of materials released or discharged
- Danger or threat posed by the release or discharge
- Number and types of injuries (if any)
- Media affected or threatened by the discharge (i.e., water, land, air)
- Weather conditions at the incident location
- Any other information that may help emergency personnel respond to the incident

Contact information for reporting a discharge to the appropriate authorities is listed in Appendix G and is also posted in prominent locations throughout the facility (e.g., in the office building, in the maintenance building, and at the loading/unloading rack).

In addition to the above reporting, 40 CFR 112.4 requires that information be submitted to the United States Environmental Protection Agency (USEPA) Regional Administrator and the appropriate state agency in charge of oil pollution control activities (see contact information in Appendix G) whenever the facility discharges (as defined in 40 CFR 112.1(b)) *more than 1,000 gallons of oil in a single event*, or discharges (as defined in 40 CFR 112.1(b)) *more than 42 gallons of oil in each of two discharge incidents within a 12-month period*. The following information must be submitted to the EPA Regional Administrator and to NYSDEC within 60 days:

- Name of the facility;
- Name of the owner/operator;
- Location of the facility;
- Maximum storage or handling capacity and normal daily throughput;
- Corrective action and countermeasures taken, including a description of equipment repairs and replacements;
- Description of facility, including maps, flow diagrams, and topographical maps;
- Cause of the discharge(s) to navigable waters and adjoining shorelines, including a failure analysis of the system and subsystem in which the failure occurred;
- Additional preventive measures taken or contemplated to minimize possibility of recurrence; and
- Other pertinent information requested by the Regional Administrator.

5.5 Cleanup Contractors and Equipment Suppliers

Contact information for specialized spill response and cleanup contractors are provided in Appendix G.

Spill cleanup equipment and materials are stored in the storage shed located onsite.

Part 6: NYSDEC Insert on Special Conditions

1. No chemicals may be employed in the cleanup of a spill or discharge without approval. If your submitted plan contains a list of chemicals that may be used in cleanup operation, the use of such chemicals is subject to expressed prior approval from the New York State Department of Environmental Conservation.
2. The use of absorbents shall be limited to the cleanup of small spills and the final cleanup of large spills.
3. Disposal of all recovered petroleum products and oil-soaked debris shall be in accordance with Section 611.6 of the Regulations of the New York State Department of Environmental Conservation.
4. The owner or operator shall at all times maintain in good repair any facilities for the prevention and control of discharges and the containment and removal thereof when a discharge occurs.
5. No major addition, major changes or major rehabilitation in the structures or equipment of the facility, which would materially affect the potential for a petroleum discharge, shall occur except in accordance with plans approved in advance of construction by the New York State Department of Environmental Conservation.
6. The New York State Department of Environmental Conservation shall promptly be furnished with any amendments or changes to any plan submitted with, or referred to in, the application for a Letter of Certification.
7. The New York State Department of Environmental Conservation shall be notified of all spills immediately upon knowledge of the spill and in no case later than two (2) hours after the spill. Phone (518) 457-7362 outside of New York State and (800) 457-7362 in New York (24-hour "hotline" answering service).
8. Any contractor listed that may be transporting and/or disposing of recovered oil and/or debris after a spill must be registered by the New York State Department of Environmental Conservation, as a "REGISTERED WASTE HAULER" pursuant to Section 364 of the Regulations of the New York State Department of Environmental Conservation and must transport the material to a disposal facility shown on the Part 364 registration.

Part 7: Recommendations

The following is a list of recommendations designed to aid the facility in prevention, containment, and cleanup of a petroleum spill.

1. The minimum requirements for sorbent materials listed in Table 3-2 need to be present and should be located in the on-site storage building.
2. The facility should continue to make inquiries regarding new equipment which may become available to further reduce the potential for spills.
3. Maintain the property, including adequate vegetation control.

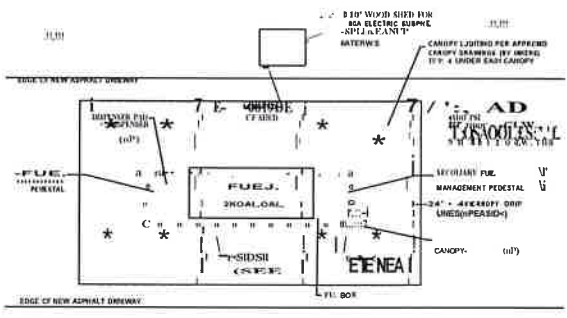
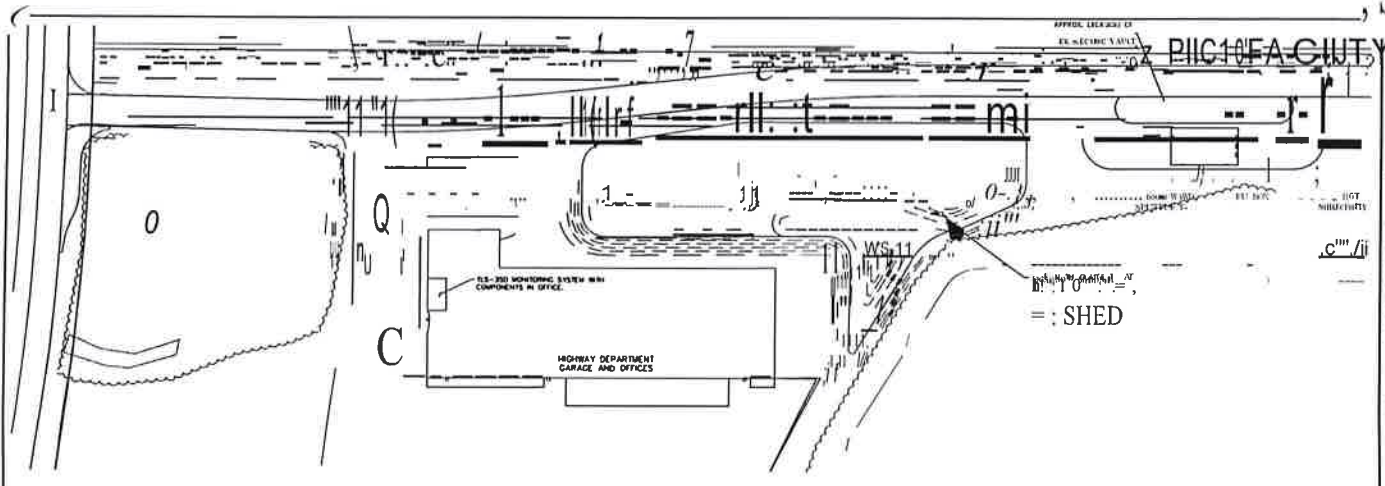
Part 8: Plan Review and Updates

This SPCC Plan will be reviewed and updated as necessary whenever there are changes to petroleum storage operations or at least once every five years. The next review shall be prior to April 2025.

Appendix A

Site Plan and Facility Diagram

SITE



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 1. ALL WORK SHALL BE ACCORDING TO THE 2010
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TOWN OF FARMINGTON
 FUELING FACILITY
 1000 County Road 8
 Farmington, NY 14428

SPEC
 SITE & FACILITY
 PLAN

DATE: 11/11/11
SCALE: AS SHOWN
PROJECT: FUELING FACILITY
SHEET: 101

Appendix B

Substantial Harm Determination

**CERTIFICATION OF THE APPLICABILITY
OF THE SUBSTANTIAL HARM CRITERIA CHECKLIST**

FACILITY NAME: Town of Farmington Fueling Facility

FACILITY ADDRESS: 985 Hook road

Farmington, NY 14425

1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?
Yes No
2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area?
Yes No
3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula¹) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (Section 10, Appendix E, 40 CFR 112 for availability) and the applicable Area Contingency Plan.
Yes No
4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula¹) such that a discharge from the facility would shut down a public drinking water intake.²
Yes No
5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years?
Yes No

CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Tim Ford

Name

Highway & Parks Superintendent,

Town of Farmington

Title



Signature

6/21/22

Date

¹if a comparable formula is used documentation of the reliability and analytical soundness of the comparable formula must be attached to this form.

²For the purposes of 40 CFR Part 112, public drinking water intakes are analogous to public water systems as described at 40 CFR 143.2(c).

Appendix C

Facility Inspection Checklists

Facility Inspection Checklists

The following checklists are to be used for monthly and annual facility-conducted inspections. Completed checklists must be signed by the inspector and maintained at the facility, with this SPCC Plan, for at least three years.

Annual Facility Inspection Checklist (?)

This inspection record must be completed *each year*. If any response requires further elaboration, provide comments in Description & Comments space provided. Further description and comments, if necessary, must be provided on a separate sheet of paper and attached to this sheet. *Any item that receives “yes” as an answer must be described and addressed immediately.

| | Y* | N | Description & Comments |
|--|----|---|------------------------|
| Storage tanks | | | |
| <i>Tank 1A</i> | | | |
| <i>Tank surfaces show signs of leakage</i> | | | |
| <i>Tank is damaged, rusted, or deteriorated</i> | | | |
| <i>Bolts, rivets, or seams are damaged</i> | | | |
| <i>Tank supports are deteriorated or buckled</i> | | | |
| <i>Tank foundations have eroded or settled</i> | | | |
| <i>Level gauges or alarms are inoperative</i> | | | |
| <i>Vents are obstructed</i> | | | |
| <i>Tank 1B</i> | | | |
| <i>Tank surfaces show signs of leakage</i> | | | |
| <i>Tank is damaged, rusted, or deteriorated</i> | | | |
| <i>Bolts, rivets, or seams are damaged</i> | | | |
| <i>Tank supports are deteriorated or buckled</i> | | | |
| <i>Tank foundations have eroded or settled</i> | | | |
| <i>Level gauges or alarms are inoperative</i> | | | |
| <i>Vents are obstructed</i> | | | |
| <i>Tank surfaces show signs of leakage</i> | | | |
| <i>Tank is damaged, rusted, or deteriorated</i> | | | |
| <i>Bolts, rivets, or seams are damaged</i> | | | |
| <i>Tank supports are deteriorated or buckled</i> | | | |
| <i>Tank foundations have eroded or settled</i> | | | |
| <i>Level gauges or alarms are inoperative</i> | | | |
| <i>Vents are obstructed</i> | | | |
| <i>Tank surfaces show signs of leakage</i> | | | |
| <i>Tank is damaged, rusted, or deteriorated</i> | | | |
| <i>Bolts, rivets, or seams are damaged</i> | | | |
| <i>Tank supports are deteriorated or buckled</i> | | | |
| <i>Tank foundations have eroded or settled</i> | | | |
| <i>Level gauges or alarms are inoperative</i> | | | |
| <i>Vents are obstructed</i> | | | |

| | Y* | N | Description & Comments |
|---|----|---|---|
| Dike - NOT APPLICABLE | | | |
| | | | <i>Secondary containment is stained</i> |
| | | | <i>Dike drainage valve is open or is not locked</i> |
| | | | <i>Dike walls or floors are cracked or are separating</i> |
| | | | <i>Dike is not retaining water (following large rainfall)</i> |
| | | | <i>Liner integrity compromised</i> |
| Piping | | | |
| | | | <i>Valve seals or gaskets are leaking</i> |
| | | | <i>Pipelines or supports are damaged or deteriorated</i> |
| | | | <i>Joints, valves, and other appurtenances are leaking</i> |
| | | | <i>Buried piping is exposed</i> |
| | | | <i>Out-of-service pipes are not capped</i> |
| | | | <i>Warning signs are missing or damaged</i> |
| Loading/unloading and transfer equipment - SOME ITEMS NOT APPLICABLE | | | |
| | | | <i>Loading/unloading rack is damaged or deteriorated</i> |
| | | | <i>Connections are not capped or blank-flanged</i> |
| | | | <i>Rollover berm is damaged or stained</i> |
| | | | <i>Berm drainage valve is open or is not locked</i> |
| | | | <i>Drip pans have accumulated oil or are leaking</i> |
| Sump pit - NOTAPPLICABLE | | | |
| | | | <i>Sump pump effluent has a sheen</i> |
| Security | | | |
| | | | <i>Fencing, gates, and/or lighting is non-functional</i> |
| | | | <i>Pumps and valves are not locked (and not in use)</i> |
| Response equipment | | | |
| | | | <i>Response equipment inventory is incomplete</i> |

Annual reminders:

- < Hold SPCC Briefing for all oil-handling personnel (and update briefing log in the Plan);
- < Check contact information for key employees and response/cleanup contractors and update them in the Plan as needed;

Additional Remarks:

Date: _____

Signature: _____

Appendix D

Personnel, Training, and Spill Prevention
Procedures Log

Personnel, Training, and Spill Prevention Procedures Log

Briefings will be scheduled and conducted by the facility owner or operator for operating personnel at regular intervals to ensure adequate understanding of this SPCC Plan. The briefings will also highlight and describe known discharge events or failures, malfunctioning components, and recently implemented precautionary measures and best practices. Personnel will also be instructed in operation and maintenance of equipment to prevent the discharge of oil, and in applicable pollution laws, rules, and regulations. Facility operators and other personnel will have an opportunity during the briefings to share recommendations concerning health, safety, and environmental issues encountered during facility operations.

| Date | Subjects Covered | Employees in Attendance | Instructor(s) |
|------|------------------|-------------------------|---------------|
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Appendix E

Emergency Contacts

Emergency Contacts

*Designated person responsible for spill prevention: Tim Ford, Highway & Parks Superintendent
 585-729-3654*

EMERGENCY TELEPHONE NUMBERS:

| FACILITY | |
|---|--|
| Name/Title | Phone Number |
| Peter Ingalsbe Town Supervisor Owner | Office: (315) 986-8100 |
| Tim Ford Highway & Parks Superintendent Operator/Spill Prevention Coordinator | Office: (315) 986-5540 Cell: (585) 729-3654 |
| Paul Crandall, Jr Safety & Health Officer PBS Certification Representative | Office: (315) 986-5540 Cell: (585) 298-0968 |

Record all times and action of notification.

NOTE: If the first call is received, no others will be made unless directed to do so. The person receiving the first call will notify all necessary personnel and agencies.

REGULATORY

| | |
|--------------------------------|----------------------------------|
| Federal | |
| EPA – Regional | (210) 548-8730 (877) 251-4575 |
| National Response Center (NRC) | (800) 424-8802 |
| State | |
| NYSDEC Oil Spill Hotline | (800) 457-7362 |
| NYSDEC Region 8 (Main Office) | (585) 226-2466 |
| (Bath Sub-office) | (607) 776-2165 |
| NYS Police | 911 |

LOCAL AGENCIES

| | |
|-------------------------------------|-----|
| Ontario County Sheriff's Department | 911 |
| Fire Department | 911 |

CLEAN-UP CONTRACTORS

| | |
|---|--|
| <i>Nye-tech</i> 230 Mckee Road Rochester, NY 14611 | (585) 436-5660 (800) 807-7455 – 24-Hour Emergency Hot Line |
| <i>Sentinel Technologies, Inc.</i> 5505 Route 19A Castile, NY 14427 | (585) 493-2744, Ext. 911 (585) 474-1708 |

Appendix F

Discharge Notification Form

| Discharge in any amount and affecting (or threatening to affect) a waterbody | | |
|--|--|--|
| Local Fire Department 911 | | |
| NYSDEC ¹ (800) 457-7362 or (585) 226-2466 or (607) 776-2165 | | |
| National Response Center (800) 424-8802 | | |
| | | |
| | | |
| Nye-tech (Clen-up Contractor) Contact: Amy Hudak (585) 436-5660 or (800) 807-7455 | | |
| Sentinel Technologies, Inc. (Clean-up Contractor) (585) 493-2744, Ext.911 | | |

- ¹ The NYSDEC must be contacted within two hours of the occurrence of a spill unless all of the following criteria are met:
 - The spill is known to be less than 5 gallons; and
 - The spill is contained and under control of the spiller; and
 - The spill has not and will not reach the State’s water or any land; and
 - The spill is cleaned up within 2 hours of discovery

- ² The POTW should be notified of a discharge only if oil has reached or threatens sewer drains that connect to the POTW collection system.

Appendix G

Tank Information/
Tank Registration



PBS Number
8-601768

New York State Department of Environmental Conservation
PETROLEUM BULK STORAGE CERTIFICATE
625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

Region 8 NYSDEC - PBS Unit
6274 East Avon-Lima Road
Avon, NY 14414-8519
(585) 226-2466

| <u>TANK NUMBER</u> | <u>TANK SUBPART</u> | <u>TANK CATEGORY</u> | <u>TANK LOCATION</u> | <u>DATE INSTALLED</u> | <u>TANK TYPE</u> | <u>PRODUCT STORED</u> | <u>CAPACITY (GALLONS)</u> | |
|--------------------|---------------------|----------------------|--|-----------------------|-------------------------|-----------------------|---------------------------|---|
| 01A | 4 | 3 | Aboveground on saddles, legs, stilts, rack or cradle | 03/31/2020 | Steel/Carbon Steel/Iron | diesel | 12,000 | * |
| 1B | 4 | 3 | Aboveground on saddles, legs, stilts, rack or cradle | 03/31/2020 | Steel/Carbon Steel/Iron | gasoline/ethanol | 3,000 | * |
| USED OIL | 4 | 2 | Aboveground on saddles, legs, stilts, rack or cradle | 06/10/2013 | Steel/Carbon Steel/Iron | waste oil/used oil | 500 | * |

* Tank requires monthly visual inspections and may need documented internal inspections as described in 6NYCRR Section 613-4.3.

PBS regulations are available at http://www.dec.ny.gov/docs/remediation_hudson_pdf/part613text.pdf.

FACILITY NAME AND ADDRESS:
TOWN OF FARMINGTON HIGHWAY
985 HOOK ROAD
Farmington, NY 14425

FACILITY (PROPERTY) OWNER:
TOWN OF FARMINGTON
1000 COUNTY ROAD
FARMINGTON, NY 14425

Facility Operator: PAUL CRANDALL

Tank Owner Name:
Same as Property Owner

Facility Phone Number

Emergency Contact Name: PAUL CRANDALL
Emergency Contact Phone Number: (585) 298-0968

MAILING CORRESPONDENCE:
PAUL CRANDALL

SAFETY & HEALTH OFFICER
985 HOOK ROAD
FARMINGTON, NY

ISSUED BY: Commissioner Basil Seggos
PBS NUMBER: 8-601768
DATE ISSUED: 08/22/2016
EXPIRATION DATE: 08/22/2021
FEE PAID: \$0.00

As the owner of this facility and/or the tanks at this facility, the receipt, posting, and use of this certificate is an acknowledgement that I am responsible to the extent required by law for ensuring that this facility is in compliance with all regulations for the bulk storage of petroleum including those regarding equipment requirements, inspections, handling procedures, recordkeeping, registration requirements, providing advanced notice to the Department of major changes to a tank system, spill reporting, and all other applicable requirements. Violations may be punishable as a criminal offense and/or a civil violation in accordance with applicable state and federal law.

This registration certificate must be kept current and conspicuously posted at this facility at all times. Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.

Spills must be reported to the DEC within two hours (1-800-457-7362).

Signature of Facility Owner/Authorized Representative _____ Date _____

Printed Name and Title of Facility Owner/Authorized Representative _____

APPENDIX I

MISCELLANEOUS DOCUMENTS

Resolution No. 246 of 2020

* includes Binder

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By Mike Casale

Sec'd by Mike Bowerman

Date of Adoption: July 28, 2020

| Names | Ayes | Nays | Abstain | Absent |
|------------------------------------|------|------|---------|--------|
| Supervisor Mr. Ingalsbe | ✓ | | | |
| Councilman Mr. Holtz | ✓ | | | |
| Councilman Dr. Casale | ✓ | | | |
| Councilman Mr. Herendeen | ✓ | | | |
| Councilman Mr. Bowerman | ✓ | | | |
| Total | 5 | | | |

RE: Resolution to Adopt with conditions the "Town of Farmington Storm Water Management Program Plan," dated December, 2019.

WHEREAS, the Town of Farmington Town Board (hereinafter referred to as Town Board) has conducted a public hearing upon the adoption of the document prepared by MRB Group, D.P.C., the Town's Engineering Firm, entitled "Town of Farmington Storm Water Management Program Plan," dated December 2019; and

WHEREAS, the Town Board has given consideration to the comments contained in the Ontario County Planning Board's Referral #89-2020, which were provided in compliance with the provisions of Section 239-l and -m of the New York State General Municipal Law; and

WHEREAS, the Town Board has given consideration to the March 2, 2020 email provided to the Town's Code Enforcement Officer, from Dr. Luke W. Scannell, NYSDEC, Region 8 Office regarding the Farmington Audit of the MS4 Program; and

WHEREAS, the Town Board has given consideration to the public hearing record conducted at tonight's Town Board Meeting; and

WHEREAS, the Storm Water Management Program Plan's stated intent is part of the Town's ongoing effort to reduce the discharge of pollutants to the maximum extent possible and practicable by better management of the Town's Municipal Separate Storm Sewer System (MS4), and is required under the MS4 General Permit.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby move to adopt the 2019 document described above herein as the official Town of Farmington Storm Water Management Program Plan.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct the Town's MS4 Officer to prepare reports, every six (6) months, to the Town Board on the contents of said Plan, identifying what, if any changes or amendments thereto may be necessary to sustain the Town's compliance with the State's MS4 General Permit, or other State mandated MS4 Legislation.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct the Town's MS4 Officer to undertake and complete a comprehensive update, every five (5) calendar years, to the 2019 Plan document and to submit said update for public review and formal amendment by this Board.

BE IT FURTHER RESOLVED, that copies of the Plan document are to be prepared and kept on file in the Town Clerk's Office, the Town Highway and Parks Department, the Town Water and Sewer Department, the Town Development Office and the Town Engineers Office.

BE IT FURTHER RESOLVED that the bi-annual reports from the Town's MS4 Officer to the Town Board are also to be placed in an Appendix to the Plan.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to: Dr. Luke Scannel, Region 8 Office, New York State Department of Environmental Conservation, 6274 East Avon-Lima Road, Avon, New York 14414-9519; the Town Highway and Parks Department; the Town Water and Sewer Department; the Town Development Office; and the Engineers Office.

DISTRIBUTED TO:

| | |
|---|---|
| <input type="checkbox"/> SUPERVISOR | <input type="checkbox"/> TOWN COURT |
| <input type="checkbox"/> BOOKKEEPER | <input checked="" type="checkbox"/> BUILDING DEPT. |
| <input type="checkbox"/> ASSESSOR | <input type="checkbox"/> TOWN ATTORNEY |
| <input checked="" type="checkbox"/> HIGHWAY/PARKS | <input checked="" type="checkbox"/> TOWN ENGINEER |
| <input checked="" type="checkbox"/> WATER & SEWER | <input type="checkbox"/> COUNTY |
| <input checked="" type="checkbox"/> W/SDCC | <input checked="" type="checkbox"/> Mr. G. J. [Signature] |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

DATE 7/21/20 BY [Signature]

Resolution No. _____ of 2023

THE TOWN OF FARMINGTON TOWN BOARD

Roll Call Vote

The following was presented

By _____

Sec'd by _____

Date of Adoption: December 26, 2023

| Names | Ayes | Nays | Abstain | Absent |
|------------------------------------|------|------|---------|--------|
| Supervisor Mr. Ingalsbe | | | | |
| Councilman Mr. Holtz | | | | |
| Councilman Dr. Casale | | | | |
| Councilman Mr. Herendeen | | | | |
| Councilman Mr. Bowerman | | | | |
| Total | | | | |

A Resolution to adopt the updated 2024 Storm Water Management Program Plan (SWMP) as the official Town of Farmington Storm Water Management Program Plan.

WHEREAS, the Town of Farmington Town Board (Hereinafter referred to as “Town Board”) has received an updated version of the 2019 Town of Farmington Stormwater Management Program Plan prepared by MRB Group, D.P.C, the Town Engineering Firm, entitled “Town of Farmington Stormwater Management Program (SWMP) Plan, dated January 2024; and

WHEREAS, the Stormwater Management Program (SWMP) Plan’s stated intent is part of the Town’s ongoing effort to reduce the discharge of pollutants to the maximum extent possible and practicable by better management of the Town’s Municipal Separate Storm Sewer System (MS4), and is required under the MS4 General Permit.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby move to adopt the January 2024 document described above herein as the official Town of Farmington Storm Water Management Program Plan.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct the Town’s MS4 Officer to prepare reports, every six (6) months, to the Town Board on the contents of said Plan, identifying what, if any changes or amendments thereto may be necessary to sustain the Town’s compliance with the State’s MS4 General Permit, or other State mandated MS4 Legislation.

BE IT FURTHER RESOLVED, that copies of the SWMP Plan document are to be prepared and kept on file in the Town Building & Codes Department and the Town Engineers Office.

BE IT FURTHER RESOLVED that the bi-annual reports from the Town’s MS4 Officer to the Town Board are also to be placed in an Appendix to the SWMP Plan.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to: the Town Building & Codes Department and Town Engineer (MRB).

Town Supervisor
Peter Ingalsbe
315-986-8100 opt 2

Deputy Supervisor
Steven Holtz

Town Clerk
Michelle Finley
315-986-8100 opt 1

Town Councilmen
Michael Casale
Steven Holtz
Ron Herendeen
Nate Bowerman

TOWN OF FARMINGTON



1000 County Road 8, Farmington, New York 14425

*"The Gateway to Ontario County" (Exit 44 NYS Thruway)
The Town of Farmington is an Equal Opportunity Provider*

TDD 1-800-662-1220

www.townoffarmingtonny.com

Justices
John E. Gligora
315-986-3113
Morris H. Lew
315-986-8195

Highway Supt.
Tim Ford
315-986-5540

Water & Sewer Supt.
Dave Conti
585-924-3158

Assessor
Paul Arndt
315-986-8100 opt 4

Code Enforcement Office
Dan Delpriore
315-986-8100 opt 3

RESOLUTION #385-2022:

Councilman Holtz offered the following Resolution, seconded by Councilman Bowerman:

RESOLUTION APPOINTING CODE ENFORCEMENT OFFICER, DAN DELPRIORE, AS MS4 OFFICER

WHEREAS, the Town of Farmington is required to have an MS4 Officer to approve SPDES General Permits for Stormwater Discharges from Municipal Separate Storm Sewer Systems, and

WHEREAS, Code Enforcement Officer Dan Delpriore has performed these responsibilities since his appointment as Department Head in 2019; now therefore

BE IT RESOLVED, that the Town Board hereby appoints Code Enforcement Officer Dan Delpriore as MS4 Officer for the Town of Farmington, and be it further

RESOLVED, that the Town Clerk provide a copy of this Resolution to the Building Department, Confidential Secretary, and Lance Brabant of MRB Group.

I, Michelle Finley, Town Clerk of the Town of Farmington do hereby certify that the Town Board of the Town of Farmington adopted the aforementioned resolution on September 27, 2022, by the following vote:

| | <u>Aye</u> | <u>Nay</u> | <u>Abstain</u> |
|------------------|------------|------------|----------------|
| Peter Ingalsbe | X | | |
| Michael Casale | Absent | | |
| Steven Holtz | X | | |
| Ronald Herendeen | X | | |
| Nathan Bowerman | X | | |

**STATE OF NEW YORK
ONTARIO COUNTY**

This is to certify that I, Michelle Finley, Town Clerk of the Town of Farmington, in the said County of Ontario, has compared the foregoing copy of Resolution No. 385-2022 - RESOLUTION APPOINTING CODE ENFORCEMENT OFFICER, DAN DELPRIORE, AS MS4 OFFICER

With the original now on file in this office, and that the same is a correct and true transcript of such originals and the whole thereof.

TOWN OF FARMINGTON

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 28th day of September 2022.

SEAL


Michelle Finley MMC, RMC
Farmington Town Clerk – Ontario County

MS4 Signatory Authorization

Your SPDES permit requires you to annually submit a report. The Municipal Compliance Certification Form (MCC) must be signed as follows:

- 1.) For a municipality, state, federal, or other public agency: by either a principal or executive officer or ranking elected official. A principal executive officer 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; or
- 2.) A duly authorized representative of the person described in item (1).

NOTE: A person is a duly authorized representative only if

- (i) the authorization is made in writing by a person described in paragraph 1 above; and
- (ii) 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 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
- (iii) the written authorization is submitted to the Department.



Initial authorization or changes to authorization: The initial authorization should be submitted to the Department with any reports to be signed by an authorized representative. If an authorization under paragraph (2) is no longer accurate because a different individual, or position, has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (2) must be submitted to the Department with any reports to be signed by an authorized representative.

Signature Authorization Form

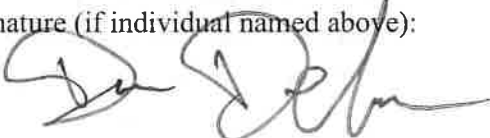
Permittee Name: **Town of Farmington**

SPDES NO. NYR20A110

Date: **September 27, 2022**

| | |
|--|---|
| Name of person described in paragraph (1): Peter Inglesbe | Title: Town Supervisor |
| Signature of person described in paragraph (1):  | Date:  |

THE PERMITTEE MUST NOTIFY THE DEPARTMENT OF ANY CHANGE IN THIS INFORMATION. THIS FORM SHOULD ONLY BE SENT IN WITH THE ANNUAL REPORT.

| | | | |
|---|-------------------------------|---------------------|----------------------|
| Name and/or title of person responsible for signing and submitting official documents including reports, certifications or information required by the NYS Small MS4 General Permit: Dan Delpriore, CEO | Phone: 315-986-8100 | | |
| Signature (if individual named above):  | | | |
| Mailing Address: 1000 County Road 8 | City: Farmington | State: NY | Zip: 14425 |

* Note: Notices of Intent (NOI) associated with permit coverage under the NYS Small MS4 General Permit must be signed by a principal executive officer or ranking elected official. See paragraph (1) for definition of a principal executive officer.

Return to: MS4 Coordinator
Bureau of Water Permits
New York State Department of Environmental Conservation 625
Broadway
Albany, NY 12233-3505

LOCAL LAW TO AMEND CHAPTER 165 ZONING ARTICLE IX STORMWATER MANAGEMENT
BE IT ENACTED, by the Town Board of the Town of Farmington, Ontario County, State of New York,
as follows:

Section I. Authorization

This amendment is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. __-2023 to amend Chapter 165 Zoning, Article IX Stormwater Management. The purpose of this local law is to update the provisions related to Stormwater Control in the Town of Farmington.

Section III. Legislative Finding

The Farmington Town Board finds and hereby determines that the amendments are necessary to update the Stormwater Management Code.

Section IV. Amendment

Chapter 165 Zoning Article IX Stormwater Management shall be amended as follows:

Section 165-108 Maintenance, Inspection and Repair of Stormwater Facilities shall be amended as follows:

Section 165-108. Maintenance, Inspection and Repair of Stormwater Facilities.

A. Responsibility for Maintenance. Unless specifically excluded by these laws, each landowner shall be responsible for the repair and maintenance of stormwater facilities located on its property whether or not the property is subject to a formal stormwater maintenance agreement.

B. Maintenance during construction.

(1) The applicant or developer of the land development activity shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the applicant or developer to achieve compliance with the conditions of this article. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by 50%.

(2) The applicant or developer or his or her representative shall be on site at all times when construction or grading activity takes place and shall inspect and document the effectiveness of all erosion and sediment control practices. Inspection reports shall be completed every seven days and within 24 hours of any storm event producing 0.5 inch of precipitation or more. The reports shall be delivered to the Stormwater Management Officer and also copied to the site log book.

C. Maintenance easement(s). Prior to the issuance of any approval that has a stormwater management facility as one of the requirements, the applicant or developer must execute a maintenance easement agreement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall provide for access to the facility at reasonable times for periodic inspection by the Town of Farmington to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this article. The easement shall be recorded by the grantor in the office of the County Clerk after

approval by the Farmington Town Attorney.

D. Maintenance after construction. The owner or operator of permanent stormwater management practices installed in accordance with this article shall be operated and maintained to achieve the goals of this article. Proper operation and maintenance also include as a minimum, the following:

(1) A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this article.

(2) Written procedures for operation and maintenance and training new maintenance personnel.

(3) Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with § 165-107C.

E. Maintenance Agreements. The Town of Farmington shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The maintenance agreement shall be consistent with the terms and conditions of Schedule B2 entitled "Sample Stormwater Control Facility Maintenance Agreement," of this article. The Town of Farmington, in lieu of a maintenance agreement, at its sole discretion may accept dedication of any existing or future stormwater management facility, provided that such facility meets all the requirements of this article and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

F. Reporting and Continued Maintenance. Any landowners that has a stormwater management facility located anywhere on its property shall be responsible for continuing the stormwater management practices installed in accordance with this article and shall operate and maintain those stormwater management facilities to achieve the goals of this article. Proper operation and maintenance also include as a minimum, the following:

(1) Every five (5) years have a professional licensed engineer inspect and provide a report certifying to, at a minimum, the current functionality of the stormwater management facility, as assessment of invasive plant growth, outfall structure condition, storage capacities, silt loading and other related information.

(2) The landowner shall provide a copy of the report to the Stormwater Management Officer within thirty (30) days of receipt.

(3) Should an engineer's report identify any issues with stormwater management facility, a remediation plan shall accompany the report including a projected timeline for the completion of said remediation. In the event that the report identifies issues, but no remediation plan accompanies the report, the Stormwater Management Officer shall request and the landowner shall deliver an engineer prepared remediation plan to the Stormwater Management Officer within thirty (30) days from request.

(4) The landowner shall promptly commence and diligently pursue the completion of a remediation to the stormwater management facility in accordance with the engineering remediation plan.

G. Enforcement; Penalties.

(1) Notice of violation. When the Town of Farmington determines that a land development activity is not being carried out in accordance with the requirements of this chapter, it may issue a written notice of violation to the landowner. The notice of violation shall contain:

- (a) The name and address of the landowner, developer or applicant;
- (b) The address, when available, or a description of the building, structure or land upon which the violation is occurring;
- (c) A statement specifying the nature of the violation;
- (d) A description of the remedial measures necessary to bring the land development activity into compliance with this chapter and a time schedule for the completion of such remedial action;
- (e) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
- (f) A statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within 15 days of service of the notice of violation.

(2) Penalties for Offenses. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this chapter shall be guilty of a violation punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed misdemeanors, and for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation. The Town of Farmington may require any landowner with stormwater management facility on its property regulated by this chapter to pay reasonable costs at prevailing rates for review of engineering reports, inspections, or maintenance performed by the Town of Farmington or performed by a third party for the Town of Farmington for failure to comply with this article.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this Local Law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Farmington which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This local law, after its adoption by the Town Board of the Town of Farmington, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York; and

RESOLVED that the Town Clerk of the Town of Farmington be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.