The Problem with Stormwater

Stormwater is water from rain or melting snow that doesn't soak into the ground but runs off into waterways. As stormwater flows from rooftops, over paved areas and lawns it picks up debris, chemicals, motor oil, animal waste and other pollutants. Stormwater can flow into a storm sewer system or directly into a lake, stream, river or wetland, potentially contaminating the water we use for drinking, swimming and fishing. Polluted runoff is the nation's greatest threat to clean water.

Stormwater carries the residue of urban living. Toxic chemicals from automobiles, sediment from construction activities, bacteria from animal wastes and careless application of pesticides and fertilizers threaten the health of the waterway and can kill fish and other aquatic life.

Stormwater Management

Stormwater management, especially in urban areas, is becoming a necessary step in seeking reductions in pollution in our waterways and presents new challenges. More often than not, end-of-pipe controls are not the best answer for removing pollutants from stormwater runoff. Pollutants in runoff enter our waterways in numerous ways and the best method of control is usually at the pollutant's source.

The US Environmental Protection Agency and the New York State Department of Environmental Conservation are addressing stormwater management in several ways. A federal regulation, commonly known as Stormwater Phase II, requires permits for stormwater discharges from Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas and from construction activities disturbing one or more acres. To implement the law, the NYSDEC has issued two general permits, one for MS4s in urbanized areas and one for construction activities. The permits are part of the State Pollutant Discharge Elimination System (SPDES).

Construction Permit Notice of Intent

Section 402 of the Federal Clean Water Act requires permits for stormwater discharges from construction activities that disturb one or more acres of land. To obtain coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01), you must prepare a Stormwater Pollution Prevention Plan and submit a Notice of Intent (NOI) before beginning construction.

Mail your Notice of Intent to:

NYS DEC "Notice of Intent"
Bureau of Water Permits
625 Broadway
Albany NY 12233-3505

Note: A Stormwater Pollution Prevention Plan must be prepared before submitting the NOI.

For More Information:

Visit the DEC website at:

http://www.dec.ny.gov/chemical/8696.html

If you don't have web access, you can obtain written material by calling your DEC Regional office below.

Region 1: (631) 444-0405
Region 2: (718) 482-4033
Region 3: (914) 332-1835
Region 4: (518) 357-2045
Region 5: (518) 623-3671
Region 6: (315) 793-2554
Region 7: (315) 426-7500
Region 8: (585) 226-2466
Region 9: (716) 851-7070

BTSC
Broome-Tioga Stormwater Coalition

www.BroomeTiogaStormwater.com

Tools available from the DEC website:

SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01)

Instruction Manual for Stormwater Construction Permit *(for preparing SWPPP and NOI)*

New York Standards and Specifications for Erosion and Sediment Control *(2005)*

New York State Stormwater Management Design Manual *(2003)*
NEW — Chapter 9: Redevelopment Projects

Frequently Asked Questions

Technical guidance documents

Permit Forms for download

Moving Dirt?
Building Something?

If your project disturbs or exposes ***one or more acres*** of soil, including:

- Clearing and grubbing
- Filling
- Clear-cutting
- Grading
- Excavating
- Demolition

. . . you are required to have a permit for stormwater discharges from the site.

Stormwater Construction Permit Regulations

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES General Permit for Stormwater Discharges from Construction Activity
Permit No. GP-02-01

May 2007

Stormwater Impacts from the Construction Industry

The construction industry is a critical participant in the nation's efforts to protect streams, rivers, lakes, wetlands and oceans. Through the use of proper erosion and sediment control and stormwater management practices, construction site operators are the key defenders against stormwater impacts.

Construction and development increase the amount of impervious surfaces in our watersheds, thus increasing runoff to waterways. The additional runoff results in increased erosion and sedimentation, and destroys aquatic habitat. Preventing soil erosion and sedimentation is an important responsibility at all construction sites.

In addition to the environmental impacts, uncontrolled erosion can have a significant financial impact on a construction project. It costs money and time to repair gullies, replace vegetation, clean sediment-clogged storm drains, replace poorly installed practices and mitigate damage to other people's property or to natural resources.

Rain could easily wash this loose soil into the storm sewer and into a nearby stream, causing a water quality standards violation that could cost the site operator up to $37,500 a day.

Stormwater Pollution Prevention Plan

The owner/operator must prepare a SWPPP - a plan for controlling runoff and pollutants from a site during and after construction activities. The principal objective of a SWPPP is to comply with the NY SPDES Stormwater Permit for construction activities by planning and implementing the following practices:

- Reduction or elimination of erosion and sediment loading to waterways during construction
- Control of the impacts of stormwater runoff on the water quality of the receiving waters
- Control of the increased volume and peak rate of runoff during and after construction
- Maintenance of stormwater controls during and after completion of construction

SWPPP and Permit Requirements

If your project will disturb or expose 1 or more acres of soil, and you are constructing something other than single-family residences such as a town house, apartment, roadway, stockpile or fill area, institutional, commercial, retail or industrial building…

Or, if you are constructing single-family residences and disturbing greater than 5 acres (including home lots):

1) Develop a *Full* Stormwater Pollution Prevention Plan (SWPPP) with post-construction stormwater controls (Water Quality and Water Quantity components)

If the SWPPP conforms with the New York State Stormwater Management Design Manual:

2) Submit a Notice of Intent (NOI) to the DEC in Albany
3) Begin construction after a five-business-day authorization period

If the SWPPP deviates from the Design Manual:

2) Have the SWPPP certified by a licensed professional
3) Submit an NOI to the DEC in Albany
4) Submit SWPPP to DEC Regional office for review and begin construction after a sixty-business-day DEC review period

If your construction project is single-family residential and will disturb or expose between 1 and 5 acres of soil:

1) Develop a *Basic* Stormwater Pollution Prevention Plan (SWPPP) in accordance with the New York Standards and Specifications for Erosion and Sediment Control
2) Submit a NOI to the DEC in Albany
3) Begin construction after a five-business-day authorization period

However… if your site is in a TMDL Watershed, or directly discharging to an impaired 303(d) waterbody* *(even if the soil disturbance is less than 5 acres)*:

1) Develop a *Full* SWPPP with post-construction stormwater controls
2) Have the SWPPP certified by a licensed professional
3) Submit an NOI to the DEC in Albany
4) Submit SWPPP to DEC Regional office for review and begin construction after a sixty-business-day DEC review period

* check the NYSDEC website for listings and definitions

When all construction has been completed and the site has been fully stabilized and vegetated:

- File a Notice of Termination (NOT) with the DEC

Basic Components of a Stormwater Pollution Prevention Plan*

Narrative Report describing pre-development conditions and details of the planned project

Maps illustrating site location, topography, drainage area, existing and proposed structures, erosion and sediment control and stormwater control structures

Erosion and Sediment Control Plan

Water Quality and Water Quantity Control Plans

Construction Sequence Schedule

Owner and Contractor Certification Statements

Operations and Maintenance Schedule

Weekly Inspection Reports

** For a complete description of required SWPPP components please refer to the Instruction Manual for Stormwater Construction Permit.*

Stormwater retention ponds, like this one under construction, provide effective Water Quality & Water Quantity Control in subdivisions and commercial developments.

Important Terms

Owner/Operator: The person or legal entity which owns or leases the property where construction will occur.

Licensed Professional: Licensed Professional Engineers, Registered Landscape Architects or Certified Professionals in Erosion and Sediment Control are qualified to develop and certify a SWPPP.

TMDL and 303(d) Waterbodies: Section 303(d) of the Clean Water Act requires states to identify Impaired Waters where specific designated uses are not fully supported. In order to restore and protect these Impaired Waters, Total Maximum Daily Loads (TMDLs) or other strategies have been developed to reduce the input of pollutants that restrict waterbody uses.