



Construction Activities Stormwater Checklist for Municipalities

For compliance to (*jurisdictional authority*) Construction and Post-Construction Site
Stormwater Pollution Prevention and Erosion and Sediment Control Ordinance

And

New York State Department of Environmental Conservation
SPDES (State Pollution Discharge Elimination System) Permit GP-0-10-001

Who does this apply to?

- This applies to the *Owner or Operator** that has operational control over construction activities involving soil disturbances of 1 or more acres of land, including disturbances of less than one acre that are part of a larger plan of development. **Please check with the MS4 for any additional requirements for disturbances less than 1 acre.**
- No person shall be granted final site plan approval or a permit without the review and approval of a Storm Water Pollution Prevention Plan (SWPPP) by the (*jurisdictional authority*)
- The permit process starts with the *owner or operator* hiring a *Qualified Professional** to develop a SWPPP which describes Erosion and Sediment Control, Stormwater Management, and Pollution Prevention Practices.
- A SWPPP must be prepared **prior** to the application for a general permit (NOI). The SWPPP must be approved by the (*jurisdictional authority*) and must have an acceptance letter prior to the submittal of the Notice of Intent (NOI) to the NYS DEC.

Stormwater Pollution Prevention Plan (SWPPP) Checklist:

Identify plan components:

____ Applicant identified the required SWPPP components. (BASIC or Full SWPPP)

Table 1 and Table 2 of Appendix B from the NYS DEC Stormwater Construction Permit (GP-0-10-001) to identify SWPPP components.

❖ Basic SWPPP

A basic SWPPP includes erosion and sediment controls only

____ A SWPPP is developed for each individual site including information on the scope, location, type and size of project.

____ Plan has site map/construction drawing including total site area; all areas of implementation; area of disturbance; areas not to be disturbed; existing vegetation; all surface waters; wetlands; drainage patterns; existing and final slopes; soils; material, waste, and borrow or equipment storage areas.

____ Description of soils including the Hydrologic Soil Groups

____ Construction phasing plan and sequence of operations including clearing and grubbing, excavation and grading, utility and infrastructure implementation.

- ___ Description of minimum erosion and sediment control practices to be installed including a schedule for implementation of each
- ___ Temporary and permanent soil stabilization plan that meets the NYS Standards and Specifications for Erosion and Sediment Control (NYS SSESC) for each stage of the project to project completion.
- ___ Map showing location, length, and size of each erosion and sediment control practice.
- ___ Dimensions, material specifications, installation details, and operation and maintenance requirements for each erosion and sediment control practice. Includes location and sizing of any temporary sediment basins and diversions.
- ___ Inspection schedule for owner/operator, or contractors of erosion and sediment control practices as required by the NYS SSESC.
- ___ Pollution prevention measures to control litter, chemicals and construction debris.
- ___ Description and location of any stormwater discharges associated with industrial activity
- ___ Identification and reasons of any elements of the plan that are NOT in conformance with the technical standards from the NYS SSESC.

❖ Full SWPPP

Plan includes all components of the Basic SWPPP plus the Post-construction stormwater practices component.

- ___ Plan is in conformance with the NYS Standards and Specifications for Erosion and Sediment Control
- ___ Identification of all post-construction stormwater management practices to be implemented.
- ___ Site map/drawing showing location and size of each stormwater management practice.
- ___ Dimensions, material specifications, and installation details for each post-construction stormwater management practice.
- ___ Identification and justification for any elements of the plan NOT in conformance with the NYS SSESC.
- ___ Hydrologic and hydraulic analysis conducted for all structural components of stormwater management system.
- ___ Detailed summary, including calculation, of sizing criteria used for post-construction stormwater management practices from the NYS Stormwater Management Design Manual. If deviating from the manual, has applicant identified and justified the reasoning for the deviation?
- ___ Operation and maintenance plan including inspection and maintenance schedule and actions to ensure effective operation of each post-construction stormwater management practice.
- ___ Identification of entity responsible for long term operation and maintenance of each post-construction stormwater management practice.
- ___ Applicants plan has been prepared in accordance with NYS SPDES Permit GP-0-10-001.
- ___ Applicant has included a signed statement that all applicable requirements of the Post Construction Stormwater Pollution Prevention Ordinance will be met.
- ___ The plan shall be accompanied by a filing fee of \$_____, letter of credit or financial guarantee as set forth in the (*jurisdictional authority's*) Construction and Post-Construction Site Stormwater Pollution Prevention Erosion and Sediment Control Ordinance

Process for Submitting an Notice of Intent (NOI)

- Once the SWPPP has been prepared, developer must submit the plan to the regulated Municipal Separate Storm Sewer System (MS4) authority for approval. Once reviewed and accepted by the MS4, the MS4 will sign a “SWPPP Acceptance Form” and return it to the developer. The developer must then submit the SWPPP Acceptance Form and an NOI to NYSDEC for permit coverage.

___ If disturbing more than 5 acres at one time, applicant must have prior written approval from the regulated MS4. If not in regulated MS4, must have prior written approval from NYSDEC.

___ If SWPPP is not in compliance with the technical standards from the NYS Erosion and Sediment Control Standards and Specifications, the applicant must have prior approval from the regulated MS4. If not in regulated MS4, must have prior approval from NYSDEC.

- Once all other local requirements of the (*jurisdictional authority*) are met, construction activity may begin 5 business days after submission of the NOI and MS4 Acceptance Form to NYSDEC if the following conditions are met:

___ The required Erosion and Sediment Control component of the SWPPP, in conformance to the New York State Standards and Specifications for Erosion and Sediment Control (aka Blue Book) is completed.

___ The *construction activities** are eligible under this general permit.

___ The post-construction runoff of the site will not discharge a pollutant of concern to an impaired water identified on the NYSDEC’s 303(d) list.

___ Permanent stormwater management facilities comply with the most recent version of the NYS Stormwater Management Design Manual

___ The applicant will receive an approval letter (NOI Acknowledgement Letter) from the NYSDEC granting permit authority and issuing a permit identification number. Once this letter is received a copy should be submitted to the (*jurisdictional authority*) and available for review on the construction site.

Checklist of Required Activities During Construction Phase

___ Implement the SWPPP onsite

NOTE: The plan is only effective if implemented and updated as necessary. The site plan, SWPPP, MS4 SWPPP acceptance form, NOI, and NOI Acknowledgement letter, and any inspection reports, should be accessible on site at all times for inspection by the (*jurisdictional authority*) which has the right to conduct an inspection for compliance to the NYSDEC stormwater regulations.

___ The developer must have a *qualified inspector** conduct regular inspections at least once per week, or 2 times per week if over 5 acres, to ensure that the erosion and sediment control practices on site are adequately functioning.

___ *Qualified inspectors and contractors responsible for the erosion and sediment control practices included in the SWPPP must* have at least 4 hours of training within 2 years of May 2008 with a DEC approved instructor such as the Soil and Water Conservation District, and these trained individuals are on site on a daily basis when soil disturbing activities are being performed.

___ The developer should submit copies of all the inspection reports within 1 week to (*jurisdictional authority*)

- ____ For sites where soil disturbance is temporarily suspended and stabilized, the *qualified inspector** shall conduct a site inspection at least once every 30 days and notify the NYSDEC in writing prior to reducing frequency of inspections.
- ____ For sites where soil disturbance activities have been shut down, the *qualified inspector** can stop conducting inspections if all disturbed areas have achieved final stabilization and all post-construction stormwater management practices have been implemented according to SWPPP and are operational. Must notify NYSDEC or MS4 Jurisdictional authority in writing prior to shutdown.

Process to Terminate Permit Coverage; Notice of Termination (NOT):

- When the entire project is completed and reached *final stabilization** (soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of 80 percent over the entire pervious surface has been established), and that all temporary, structural erosion and sediment control measures have been removed and all post-construction stormwater management practices have been constructed in conformance with the SWPPP. A final certified inspection report is required from the *qualified professional** for the permit coverage to be terminated. For construction activities located in MS4 areas, the owner or operator is required to have the MS4 sign the “MS4 Acceptance” statement on the NOT. To cancel or transfer ownership of this SPDES General Permit, *owner/operator** must submit a Notice of Termination (NOT) form. Failure to submit a NOT will result in the billing of annual regulatory fees.

- ____ A copy of the signed NOT must be submitted to both the NYSDEC and the (*jurisdictional authority*).

**For further information, NOI Application Form, definitions, Copy of the GP-0-10-001, and references please see the NYSDEC Stormwater Website at: <http://www.dec.ny.gov/chemical/8468.html> or by calling the NYSDEC at 518-402-8109.*